

Tab 1	CS/SB 726 by ED, Taddeo ; (Similar to CS/H 00173) Individual Education Plan Requirements for Students with Disabilities					
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Tab 2	SB 1450 by Rodriguez ; (Identical to H 00005) Civic Education Curriculum					
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Tab 3	SB 1484 by Gruters (CO-INTRODUCERS) Diaz ; (Compare to CS/H 01423) Florida Private Student Assistance Grant Program					
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Senator Broxson, Chair

Senator Diaz, Vice Chair

MEETING DATE: Wednesday, March 17, 2021

TIME: 3:00—5:00 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Broxson, Chair; Senator Diaz, Vice Chair; Senators Cruz, Gibson, Gruters, Hutson, Passidomo, Polsky, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A3 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			
1	CS/SB 726 Education / Taddeo (Similar CS/H 173)	Individual Education Plan Requirements for Students with Disabilities; Revising the timeline for the development and implementation of an individual education plan (IEP) for a student with disabilities to transition to postsecondary education and career opportunities; revising the requirements for an IEP for the transitions to a postsecondary education or career opportunities; requiring the Department of Education to conduct a review of specified services and programs, etc. ED 03/09/2021 Fav/CS AED 03/17/2021 Fav/CS AP	Fav/CS Yeas 8 Nays 0
2	SB 1450 Rodriguez (Identical H 5)	Civic Education Curriculum; Revising the social studies high school graduation credit requirement; requiring the Department of Education to develop or approve an integrated civic education curriculum that meets certain requirements; requiring the department to curate oral history resources to be used along with such curriculum; designating the "Portraits in Patriotism Act", etc. ED 03/09/2021 Favorable AED 03/17/2021 Favorable AP	Favorable Yeas 8 Nays 0
3	SB 1484 Gruters (Compare CS/H 1423)	Florida Private Student Assistance Grant Program; Expanding eligibility for the program to full-time degree-seeking students accepted at a competency-based nonprofit virtual postsecondary institution that meets specified criteria, etc. ED 03/09/2021 Favorable AED 03/17/2021 Fav/CS AP	Fav/CS Yeas 7 Nays 1

Other Related Meeting Documents

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Education

Wednesday, March 17, 2021, 3:00—5:00 p.m.

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 Subcommittee on Education

BILL: PCS/CS/SB 726 (629046)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee; and Senator Taddeo

SUBJECT: Workforce and Career Planning for Students with Disabilities

DATE: March 17, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Sagues</u>	<u>Bouck</u>	<u>ED</u>	Fav/CS
2. <u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3. _____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

PCS/CS/SB 726 modifies communication and timeline provisions for developing an Individual Education Plan (IEP) in order to ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities. Specifically, the bill requires:

- An IEP team to start the transition process during the student's seventh grade year, rather than at age 14, and have an operational plan in place that is implemented on the first day of the student's first year in high school or when he or she attains the age of 16, whichever occurs first.
- School districts to provide:
 - Information to parents and students on the school district's high school-level transition courses and vocational, career, and collegiate programs available to such students and how to access such programs.
 - Applications for Division of Vocational Rehabilitation services and Agency Persons with Disabilities services to students and parents at IEP meetings.
- Parents to attest in writing that they understand the process for deferment of a high school diploma and whether the student will defer the receipt of such diploma to no later than May 15 of the year the student will graduate.
- The Florida Department of Education (FDOE) to conduct a review of existing transition services and programs to establish uniform best practices for such programs to deliver appropriate employment, pre-employment, and independent living skills education to enrolled students. The FDOE must publish best practices by July 1, 2022.

The bill has no impact on state revenues or expenditures. See Section V.

The bill takes effect on July 1, 2021.

II. Present Situation:

Students with Disabilities

All students who are between the ages of three to 21 and have a disability have the right to a free, appropriate public education (FAPE).¹ It is the responsibility of each state and school district to develop procedures consistent with the requirement that all students with disabilities have access to a FAPE in the least restrictive environment.²

Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a federal law that makes available a FAPE to eligible children with disabilities throughout the nation and ensures special education and related services are provided to those children. For the 2018-19 school year, more than 7.5 million eligible infants, toddlers, children, and youth with disabilities were provided early intervention, special education, and related services.

The stated purpose of the IDEA is to:

- Ensure that all children with disabilities have a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- Ensure that the rights of children with disabilities and parents of such children are protected;
- Assist states, localities, educational service agencies, and federal agencies to provide for the education of all children with disabilities;
- Assist states in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
- Ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and
- Assess, and ensure the effectiveness of, efforts to educate children with disabilities.³

The Individuals with Disabilities Education Act (IDEA) requires that:

- Students with disabilities who meet the criteria of one or more categories of disability specified in law and who need special education services have an Individual Education Plan (IEP);
- The IEP must be reviewed at least annually and revised as necessary;

¹ Section 1003.5716, F.S.

² Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

³ U.S. Department of Education, *IDEA Individuals with Disabilities Education Act*, <https://sites.ed.gov/idea/about-idea/#IDEA-Purpose> (last visited March 4, 2021).

- Due process rights are guaranteed;
- Student records are confidential;
- Parents are important partners in the IEP process and must be invited to all IEP meetings; and
- Student evaluation procedures are nondiscriminatory.⁴

Workforce Innovation and Opportunity Act of 2014 (WIOA)

The WIOA⁵ aims to increase opportunities for individuals facing barriers to employment and focus on the connection between education and career preparation.⁶ The WIOA requires that state vocational rehabilitation agencies set aside at least 15 percent of their federal funds to provide preemployment transition services⁷ to eligible individuals with a disability who:⁸

- Are between 14 and 21 years of age; and
- Have a current IEP; or
- Have or are eligible for an accommodation plan pursuant to s. 504 of the Rehabilitation Act of 1973.⁹

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973¹⁰ prohibits any program or activity that receives federal financial assistance from discriminating against an otherwise qualified individual solely by reason of his or her disability. State and local agencies that administer federally funded programs or activities may devise an accommodation plan¹¹ for someone with a disability to allow the disabled person's participation in the program.¹²

The Individual Education Plan

The IEP is the primary vehicle for communicating the school district's commitment to addressing the unique educational needs of a Florida student with a disability.¹³ To ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities, an IEP team begins the process of identifying the need for

⁴ Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

⁵ Pub. L. No. 113-128, 128 Stat. 1425 (July 22, 2014).

⁶ See U.S. Department of Labor, Employment & Training Administration, *WIOA Overview*, <https://www.doleta.gov/wioa/about/overview/> (last visited March 5, 2020).

⁷ "Transition services" means a coordinated set of activities for a student, designed within an outcome-oriented process, that promote movement from school to post-school activities, including postsecondary education; vocational training; integrated employment; supported employment; continuing and adult education; adult services; independent living, or community participation. Section 413.20(26), F.S.

⁸ States may elect a lower minimum age or higher maximum age for receipt of pre-employment services under IDEA. Workforce Innovation Technical Assistance Center, *Preemployment Transition Services*, <http://www.wintac.org/topic-areas/pre-employment-transition-services> (last visited March 5, 2021).

⁹ Section 413.310(1), F.S.

¹⁰ Pub. L. No. 93-112, s. 504, 83 Stat. 355, 361 (1973), as amended and codified in 29 U.S.C. s. 794.

¹¹ The Section 504 plan identifies the services and accommodations necessary for a student to access instruction and may include accommodations in the classroom and for local and state assessments. Florida Department of Education, *Accommodations, Assisting Students with Disabilities* (2018), available at <http://www.fldoe.org/core/fileparse.php/7567/urlt/0070069-accomm-educator.pdf>, at 3.

¹² See *Alexander v. Choate*, 469 U.S. 287 (1985).

¹³ Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

transition services before the student with a disability attains the age of 14 years. When the student attains the age of 16, the IEP must be updated annually to include a statement:¹⁴

- Addressing the intent for the student to pursue a standard high school diploma and other appropriate measurable long-term postsecondary education and career goals;
- Of intent to receive a standard high school diploma and a Scholar or Merit designation as determined by the parent; and¹⁵
- Of appropriate measurable long-term postsecondary education and career goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills and the transition services, including preemployment transition services and courses of study needed to assist the student in reaching such goals.

IEP teams are required to invite agencies,¹⁶ with parental consent if the student has not reached the age of majority consent, that may provide services after the student exits high school and include consideration of pre-employment transition services¹⁷ through the Division of Vocational Rehabilitation (VR)¹⁸ in the development of post-secondary and career goals.¹⁹

Deferral of Receipt of a Standard Diploma

A student with a disability who's IEP requires special education, transition planning, transition services or related services through age 21 may defer the receipt of their standard diploma. After deferral, the student must also be enrolled in accelerated college credit instruction, industry certification courses that lead to college credit, a collegiate high school program, courses necessary to satisfy the requirements for scholar designation, or a structured workstudy, internship or pre-apprenticeship program to continue to receive FAPE.²⁰

¹⁴ Section 1003.5716(2), F.S.

¹⁵ See Section 1003.4285, F.S.

¹⁶ Agency involvement in transition planning is based on the nature of the student's needs and the student's disability, whether the student is potentially eligible for services and the student's postsecondary education and career goals, such as further education, training, employment and independent living. Agencies frequently involved in the planning and delivery of transition services in Florida include: Agency for Persons with Disabilities; Center for Independent Living; Department of Children and Families; Division of Blind Services; Division of Vocational Rehabilitation (VR); Social Security Administration; Local career and technical schools, Florida colleges and universities; and other adult service providers. Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 47.

¹⁷ VR provides pre-employment services, which may include career exploration counseling, workplace readiness training, community-based work experiences, self-advocacy instruction, peer mentoring and postsecondary educational counseling for students with a disability. *Id.* at 48.

¹⁸ The Division of VR is housed in the FDOE. VR and VR services mean any service, provided directly or through public or private entities, to enable an individual or group of individuals to achieve an employment outcome, including, but not limited to, medical and vocational diagnosis, an assessment for determining eligibility and vocational rehabilitation needs by qualified personnel; counseling, guidance, and work-related placement services; vocational and other training services; physical and mental restoration services; maintenance for additional costs incurred while participating in rehabilitation; interpreter services for individuals who are deaf; recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety, law enforcement, and other appropriate service employment; occupational licenses; tools, equipment, and initial stocks and supplies; transportation; telecommunications, sensory, and other technological aids and devices; rehabilitation technology services; referral services designed to secure needed services from other agencies; transition services; on-the-job or other related personal assistance services; and supported employment services. Section 413.20(8) and (28), F.S.

¹⁹ Florida Department of Education, *Senate Bill 726 Fiscal Analysis* (January 25, 2020) (on file with the Senate Committee on Education).

²⁰ Section 1003.4282(11)(c)-(d), F.S. Fla. Admin. Code R. 6A-1.09963(6).

The district must work with the student and his or her parent to review the benefits of deferring and describe in writing the services and programs available to the student who wishes to defer. The decision to defer is made by the parent, or the student if 18 or over, along with the rest of the IEP team, during the year the student is expected to meet all of the requirements for a standard diploma. This decision must be noted on the student's IEP and the approval of the parent or student, if appropriate, may be documented on a separate form from the IEP.²¹

The parent and student must be informed in writing by January 30 of the year in which the student is expected to meet graduation requirements, that:

- Failure to defer releases the school district of the obligation to provide FAPE;
- The deadline for acceptance or deferral is May 15 of that year; and
- Failure to attend the graduation ceremony does not constitute deferral.²²

Students do not need to defer every year after this decision is made. The deferral will last until the student is no longer eligible for FAPE or chooses to receive their diploma.²³

III. Effect of Proposed Changes:

The bill amends s. 1003.5716, to modify communication and timeline provisions for developing an Individual Education Plan (IEP) in order to ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities. Such modifications may provide parents and students with additional information and time to make informed decisions to meet the student's post-secondary needs for success. Specifically, the bill requires:

- An IEP team to start the transition process during the student's seventh grade year rather than before age 14, and have an operational plan in place that is implemented on the first day of the student's first year in high school or when he or she attains the age of 16, whichever occurs first.
- School districts to provide information to parents and students on the school district's high school-level transition courses and vocational, career, and collegiate programs available to students with disabilities, and how to access such programs, including:
 - School-based transition programs;
 - The Florida Center for Students with Unique Abilities (FSCUA);²⁴ and

²¹ Florida Department of Education, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 64.

²² *Id.*

²³ Students with disabilities are no longer eligible for FAPE if awarded a standard high school diploma or attained age 22. *Id.* Fla. Admin. Code R. 6A-1.09963(6).

²⁴ In 2016, the Florida Legislature established FCSUA located at the University of Central Florida. The purpose of FSCUA is to increase independent living, inclusive and experiential postsecondary education, and employment opportunities for students with intellectual disabilities through degree, certificate, or nondegree programs and to establish statewide coordination of the dissemination of information regarding programs and services for students with disabilities. Section 1004.6495, F.S.

- Programs and services provided by the Division of Vocational Rehabilitation (VR), the Agency for Persons with Disabilities (APD)²⁵, and the Division of Blind Services.²⁶
- School districts to provide applications²⁷ for VR services and APD services to students and parents at IEP meetings.
- School district IEP teams to discuss with parents restrictions on information sharing that come into effect without the appointment of guardianship upon a student with a disability turning 18 years of age.
- Parents to attest in writing that they understand the process for deferment of a high school diploma and whether the student will defer the receipt of such diploma to no later than May 15 of the year the student will graduate.
- The Florida Department of Education (FDOE) to conduct a review of existing transition services and programs to establish uniform best practices for such programs to deliver appropriate employment, pre-employment, and independent living skills education to enrolled students.
- The FDOE to establish and publish on its website uniform best practices by July 1, 2022.

The bill takes effect on July 1, 2021.

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.

²⁵ The APD is responsible for providing all services provided to persons with developmental disabilities pursuant to current law, including the operation of all state institutional programs and the programmatic management of Medicaid waivers established to provide services to person with developmental disabilities. Section 20.197, F.S.

²⁶ The Division of Blind Services is responsible developing and implement a state plan for vocational rehabilitation services for individual who are blind. Section 413.011, F.S.

²⁷ When an application is signed and dated by a customer or his/her representative, a 60-day clock begins to determine eligibility under federal law. Since students with disabilities who are 14-21 years of age are potentially eligible for Pre-Employment Transition Services, an application for traditional VR services is not required to receive these services. Providing students an “application” may create the unintended consequence of starting the clock for the Division to determine eligibility for “vocational rehabilitation services,” as opposed to “pre-employment transition services,” when such eligibility determination would be premature and unnecessary. Florida Department of Education, *Senate Bill 726 Fiscal Analysis* (January 25, 2020) (on file with the Senate Committee on Education).

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

PCS/CS/SB 726 has no impact on state revenues or expenditures.

However, the Florida Department of Education (FDOE) may incur costs associated with conducting a review of existing transition services and programs for students with disabilities and establishing uniform best practices for such programs. The FDOE may also incur costs establishing and publishing uniform best practices on its website.²⁸

VI. Technical Deficiencies:

None

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the section 1003.5716 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.)

Recommended CS/CS by Appropriations Subcommittee on Education on March 17, 2021:

The committee substitute changes the title from “An act relating to individual education plan requirements for student with disabilities” to “An act relating to workforce and career planning for students with disabilities.”

CS by Education on March 9, 2021:

²⁸ Florida Department of Education, *Senate Bill 726 Fiscal Analysis* (January 25, 2020) (on file with the Senate Committee on Education).

The committee substitute conforms language in the bill to denote that the deadlines for implementation of the individual education plan by the first day of high school or by age 16 are subject to whichever occurs first.

B. Amendments:

None.

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



489150

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2021	.	
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Appropriations Subcommittee on Education (Taddeo) recommended the following:

Senate Amendment

In title, delete lines 2 - 3
and insert:
An act relating to workforce and career planning for
students with disabilities; amending

By the Committee on Education; and Senator Taddeo

581-02634-21

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A bill to be entitled

An act relating to individual education plan requirements for students with disabilities; amending s. 1003.5716, F.S.; revising the timeline for the development and implementation of an individual education plan (IEP) for a student with disabilities to transition to postsecondary education and career opportunities; revising the requirements for an IEP for the transitions to a postsecondary education or career opportunities; requiring the parents of students with disabilities to provide a written notice relating to the deferment of a standard high school diploma by a specified date; conforming provisions to changes made by the act; requiring the Department of Education to conduct a review of specified services and programs; requiring the department to establish and publish on its website uniform best practices for such services and programs by a specified date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1) and (2) of section 1003.5716, Florida Statutes, are amended to read:

1003.5716 Transition to postsecondary education and career opportunities.—All students with disabilities who are 3 years of age to 21 years of age have the right to a free, appropriate public education. As used in this section, the term "IEP" means individual education plan.

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(1) To ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities, during the student's seventh grade year, an IEP team shall begin the process of, and develop an IEP for, identifying the need for transition services before the student with a disability enters high school ~~attains the age of 14 years~~ in order for his or her postsecondary goals and career goals to be identified. The plan must be operational and in place to begin implementation on the first day of the student's first year in high school or when he or she attains the age of 16 years, whichever occurs first. This process must include, but is not limited to:

(a) Consideration of the student's need for instruction in the area of self-determination and self-advocacy to assist the student's active and effective participation in an IEP meeting; ~~and~~

(b) Preparation for the student to graduate from high school with a standard high school diploma pursuant to s. 1003.4282 with a Scholar designation unless the parent chooses a Merit designation;—

(c) The provision of information to parents and students about the school district's high school-level transition courses and vocational, career, and collegiate programs available to students with disabilities and how to access such programs, including, but not limited to, school-based transition programs; the Center for Students with Unique Abilities collegiate, career, and technical courses; and programs and services provided to youth and adults by the Division of Vocational Rehabilitation, the Agency for Persons with Disabilities, and

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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the Division of Blind Services. Applications for Division of Vocational Rehabilitation services and Agency for Persons with Disabilities services shall be provided to parents and students at IEP meetings. An IEP team must also discuss with parents restrictions on information sharing which come into effect without the appointment of guardianship upon a student with a disability turning 18 years of age; and

(d) Discussion of the process for a student with a disability who meets the requirements for a standard high school diploma to defer the receipt of such diploma pursuant to s. 1003.4282(10)(c). The parent of such student must provide a notice in writing no later than May 15 of the year his or her student will graduate that he or she understands the process for deferment and whether his or her student will defer the receipt of such diploma.

(2) Beginning not later than the first IEP to be in effect when the student enters the first day of his or her first year in high school or attains the age of 16, whichever occurs first, or younger if determined appropriate by the parent and the IEP team, the IEP must include the following statements that must be updated annually:

(a) A statement of intent to pursue a standard high school diploma and a Scholar or Merit designation, pursuant to s. 1003.4285, as determined by the parent.

(b) A statement of intent to receive a standard high school diploma before the student attains the age of 22 and a description of how the student will fully meet the requirements in s. 1003.4282, including, but not limited to, a portfolio pursuant to s. 1003.4282(10)(b) which meets the criteria

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specified in State Board of Education rule. The IEP must also specify the outcomes and additional benefits expected by the parent and the IEP team at the time of the student's graduation.

(c) A statement of appropriate measurable long-term postsecondary education and career goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills and the transition services, including preemployment transition services and courses of study needed to assist the student in reaching those goals.

Section 2. The Department of Education shall conduct a review of existing transition services and programs for students with disabilities to establish uniform best practices for such programs to deliver appropriate employment, pre-employment, and independent living skills education to students enrolled in such transition programs. The department must establish and publish on its website such uniform best practices no later than July 1, 2022.

Section 3. This act shall take effect July 1, 2021.

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM**THE FLORIDA SENATE****APPEARANCE RECORD**

17 Mar 21

Meeting Date

726

*Bill Number (if applicable)*Topic IEPs for Students with Disabilities*Amendment Barcode (if applicable)*Name Debbie MorthamJob Title Florida Advocacy DirectorAddress 215 S. Monroe Street, Suite 420Phone 850-391-4090*Street*TallahasseeFL32399*City**State**Zip*Email Debbie@afloridapromise.orgSpeaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)Representing The Foundation for Florida's FutureAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☒ 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

Tallahassee, Florida 32399-1100

COMMITTEES:

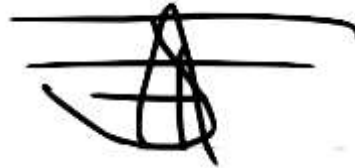
Ethics and Elections, Vice Chair
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Commerce and Tourism
Criminal Justice

SENATOR ANNETTE TADDEO
40th District

MEMORANDUM

To: Senator Broxson Chair of the Appropriations Subcommittee on Education
Committee
From: Senator Annette Taddeo
Subject: Committee Agenda Request
Date: March 9th, 2021

Senate Bill 726, entitled Individual Education Plan Requirements for Students with Disabilities, revises the timeline for the development and implementation of an individual education plan (IEP) for a student with disabilities to transition to postsecondary education and career opportunities. This bill also requires the Department of Education to conduct a review of specified services and programs. Senate Bill 726 previously passed unanimously in the Education committee. I respectfully request that **Senate Bill 726** be placed on the next committee agenda.



Senator Annette Taddeo
Florida Senate, District 40

REPLY TO:

- ☐ 9100 South Dadeland Boulevard, Suite 1500, Miami, Florida 33156 (305) 596-3003
- ☐ 224 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5040

Senate's Website: www.flsenate.gov

WILTON SIMPSON **AARON BEAN**
President of the Senate President Pro Tempore

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 Subcommittee on Education

BILL: SB 1450

INTRODUCER: Senator Rodriguez

SUBJECT: Civic Education Curriculum

DATE: March 17, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2. <u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3. _____	_____	<u>AP</u>	_____

I. Summary:

SB 1450 requires the Florida Department of Education (DOE) to develop or approve an integrated civic education curriculum for public school students in kindergarten through grade 12. The bill provides requirements for the civic education curriculum to aid in students' development of civic responsibility and knowledge.

The bill also establishes the "Portraits in Patriotism Act," which integrates into the civics education curriculum personal stories of diverse individuals who demonstrate civic-minded qualities, including first-person accounts of victims of other nations' governing philosophies who can compare those philosophies with the philosophies of the United States.

The bill provides that the United States Government course that is required to earn a standard high school diploma include a comparative discussion of political ideologies that conflict with the principles of freedom and democracy in the nation's founding principles.

The DOE may incur minimal costs associated with developing the civic education curriculum and the curation of oral history resources.

The bill has an effective date of July 1, 2021.

II. Present Situation:

The priorities of Florida's K-20 education system include civic literacy and to prepare students to become civically engaged and knowledgeable adults who positively contribute to their communities.¹

¹ Section 1000.03(5)(c), F.S.

Instruction in Patriotism

Florida law requires each district school board to provide instruction on the history, significance, and principles of the Declaration of Independence and the Constitution of the United States, flag education, and civil government.² District school boards must also provide instruction on the contributions of African Americans, Hispanics, and women to the United States.³

District school boards are required to provide a character-development program for students in kindergarten through grade 12. Each district school board must develop or adopt a curriculum for its K-12 character-development program and submit it to the Florida Department of Education (DOE) for approval. The character development curriculum must “stress the qualities of patriotism; responsibility; citizenship; kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.”⁴

To encourage patriotism, district school boards are required to provide instruction on the sacrifices made by veterans and Medal of Honor recipients while serving the country and protecting democratic values worldwide.⁵ A district school board may also adopt rules requiring patriotic programs in schools that encourage respect for the government of the United States and its national anthem and flag.⁶ Teachers or administrators in the schools may read or post historic material such as the Constitution of the United States, the Bill of Rights, and other foundational materials.⁷ Public schools are encouraged to coordinate instruction relating to the nation’s founding fathers with “American Founders’ Month” in September.⁸

Instruction in Civics

Currently, Florida’s Next Generation Sunshine State Standards for social studies include civics and government content in kindergarten through grade 12.⁹ A student must successfully complete three middle school or higher courses in social studies in order to be promoted to high school. One of the three courses must be a civics education course that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches; and the meaning and significance of documents such as the Articles of Confederation, Declaration of Independence, and the Constitution of the United States.¹⁰

At the high school level, 24 credits are required for a standard high school diploma.¹¹ Three credits must be in social studies, including one credit each in United States History and World

² Section 1003.42(2)(a)-(e), F.S.

³ Section 1003.42(2)(h) and (p)-(q), F.S.

⁴ Section 1003.42(2)(s), F.S.

⁵ Section 1003.42(2)(t), F.S.

⁶ Section 1003.44(1), F.S.

⁷ Section 1003.44(2), F.S.

⁸ Sections 1003.44(3), F.S. and 683.1455, F.S.

⁹ See CPALMS, *Browse and Search Standards*, <http://www.cpalms.org/Public/search/Standard> (last visited Mar. 4, 2021) (providing the Next Generation Sunshine State Standards for each subject area, by grade level).

¹⁰ Section 1003.4156(1)(c), F.S.

¹¹ Section 1003.4282(1)(a), F.S.

History; one-half credit in economics; and one-half credit in United States Government.¹² Course standards for United States Government include evaluating and defending positions on the founding ideals and principles of American government, explaining how nations are governed differently, and comparing indicators of democratization in other countries.¹³

Students in the middle grades civics course and the high school United States History course must take an end-of-course assessment¹⁴ that constitutes 30 percent of the student's final course grade.¹⁵

Review of Civic Education

To further address civic education in Florida, Governor DeSantis issued Executive Order 19-32 in January 2019, directing the Commissioner of Education (commissioner) to review Florida's K-12 academic standards and identify opportunities to prepare high school graduates to be knowledgeable citizens, particularly in the principles of the United States Constitution.¹⁶

Additionally, in 2019, the Legislature established a requirement for the commissioner, in consultation with specified organizations and stakeholders, to review the state-approved middle grades civics education course instructional materials and the test specifications for the statewide, standardized civics end-of-course assessment.¹⁷ Recommendations for improvements to the materials and test specifications were provided to the Governor and Legislature on December 31, 2019.¹⁸

The DOE began a review of the statewide civic education course standards on January 1, 2020. The State Board of Education is expected to adopt revisions to standards by the summer of 2021, and the approval of new course descriptions, with revised standards, is expected by the fall.¹⁹

III. Effect of Proposed Changes:

The bill modifies s. 1003.4282, F.S., to revise the Next Generation Sunshine State Standards social studies credit requirement for high school graduation. The bill requires instruction in United States Government to include a comparative discussion of political ideologies, such as communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States.

¹² Section 1003.4282(3)(d), F.S.

¹³ See CPALMS, *United States Government Course Standards*, <https://www.cpalms.org/Public/PreviewCourse/Preview/633> (last visited Mar. 4, 2021).

¹⁴ Section 1008.22(3)(b)1., F.S.

¹⁵ Sections 1003.4156(1)(c), F.S. and 1003.4282(3)(d), F.S.

¹⁶ Office of the Governor, Executive Order Number 19-32, Jan. 31, 2019 (Commitment to Eliminating Common Core, Ensuring High-Quality Academic Standards and Raising the Bar for Civic Literacy).

¹⁷ Chapter 19-150, L.O.F.; Section 1003.4156(1)(c), F.S. See also Florida Department of Education, *Civics Review*, <http://www.fldoe.org/civicsreview/> (last visited Mar. 4, 2021).

¹⁸ Memorandum re Committee Substitute for (CS/HB) 807- Civics Education Report (Dec. 31, 2019), available at <https://www.fldoe.org/core/fileparse.php/7749/urlt/HB807Report.pdf> (last visited Mar. 4, 2021).

¹⁹ *Id.* See also Florida Department of Education, *Civics Review*, <http://www.fldoe.org/civicsreview/> (last visited Mar. 4, 2021).

To assist in preparing students to be civically responsible and knowledgeable adults, the bill adds to s. 1003.44, F.S., to require the Department of Education (DOE) to develop or approve an integrated civic education curriculum for students in kindergarten through grade 12. District school boards and charter schools must incorporate the curriculum as part of students' regular school work. The DOE must approve integrated civic education curricula submitted by district school boards and charter schools that assist students in developing:

- An understanding of their rights and responsibilities as residents of Florida and of the founding principles of the United States as described in ss. 1003.42(2)(a)-(c), F.S.²⁰
- A sense of civic pride and desire to participate regularly in government.
- An understanding of the process for effectively advocating before government bodies and officials.
- An understanding of the civic-minded expectations, developed by the State Board of Education, of an upright and desirable citizenry that recognizes and accepts responsibility for preserving and defending the blessings of liberty inherited from prior generations and secured by the United States Constitution.

The bill also requires the DOE to curate oral history resources for use with the civic education curriculum. Designated as the "Portraits in Patriotism Act," the bill provides that these resources will be based on the personal stories of diverse individuals who demonstrate civic-minded qualities. The stories may include first-person accounts of victims of other nations' governing philosophies who can compare those philosophies with the philosophies of the United States.

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.

²⁰ Sections 1003.42(a)-(c), F.S. require district school boards to provide instruction on the history and content of the Declaration of Independence, the meaning and significance of the United States Constitution and its amendments, and the arguments supporting a republican form of government as advocated in the Federalist Papers.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The DOE may incur minimal costs associated with developing the civic education curriculum and the curation of oral history resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.4282 and 1003.44.

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.

By Senator Rodriguez

39-01366A-21

20211450__

A bill to be entitled

An act relating to civic education curriculum; amending s. 1003.4282, F.S.; revising the social studies high school graduation credit requirement; amending s. 1003.44, F.S.; requiring the Department of Education to develop or approve an integrated civic education curriculum that meets certain requirements; requiring the department to curate oral history resources to be used along with such curriculum; providing a short title; requiring the department to approve the civic education curricula submitted by school districts and charter schools; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (d) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(d) *Three credits in social studies.*—A student must earn one credit in United States History; one credit in World History; one-half credit in economics; and one-half credit in United States Government, which must include a comparative discussion of political ideologies, such as communism and totalitarianism, that conflict with the principles of freedom and democracy essential to the founding principles of the United States. The United States History EOC assessment constitutes 30

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

39-01366A-21

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percent of the student's final course grade.

Section 2. Subsection (6) is added to section 1003.44, Florida Statutes, to read:

1003.44 Patriotic programs; rules.—

(6) To help families, civic institutions, local communities, district school boards, and charter schools prepare students to be civically responsible and knowledgeable adults, the Department of Education shall:

(a) Develop or approve an integrated civic education curriculum that school districts and charter schools must incorporate as part of regular school work in kindergarten through grade 12. The civic education curriculum must assist students in developing:

1. An understanding of their shared rights and responsibilities as residents of the state and of the founding principles of the United States as described in s. 1003.42(2)(a)-(c).

2. A sense of civic pride and desire to participate regularly with government at the local, state, and federal levels.

3. An understanding of the process for effectively advocating before government bodies and officials.

4. An understanding of the civic-minded expectations, developed by the State Board of Education, of an upright and desirable citizenry that recognizes and accepts responsibility for preserving and defending the blessings of liberty inherited from prior generations and secured by the United States Constitution.

(b) Curate oral history resources to be used along with the

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59 civic education curriculum which provide portraits in patriotism
60 based on the personal stories of diverse individuals who
61 demonstrate civic-minded qualities, including first-person
62 accounts of victims of other nations' governing philosophies who
63 can compare those philosophies with those of the United States.
64 This paragraph may be cited as the "Portraits in Patriotism
65 Act."

66 (c) Approve integrated civic education curricula submitted
67 by school districts and charter schools that meet the
68 requirements of this subsection.

69 Section 3. This act shall take effect July 1, 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 Subcommittee on Education

BILL: PCS/SB 1484 (237494)

INTRODUCER: Appropriations Subcommittee on Education; and Senator Gruters

SUBJECT: Florida Private Student Assistance Grant Program

DATE: March 17, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Westmark	Bouck	ED	Favorable
2. Underhill	Elwell	AED	Recommend: Fav/CS
3. _____	_____	AP	_____

I. Summary:

PCS/SB 1484 expands eligibility for which institutions may participate in the Florida postsecondary student assistance grant program. The bill specifies that students may be eligible for a state need-based financial assistance grant if they have been accepted at a competency-based nonprofit virtual postsecondary institution in order to receive a grant, provided the institution:

- Is accredited by a member of the Council of Regional Accrediting Commissions;
- Is created by the governors of several states;
- Has established and continually maintains a location of operation in this state; and
- Maintains a governing body or advisory board in this state.

The bill takes effect July 1, 2021.

II. Present Situation:

Florida Postsecondary Student Assistance Grant Program

The Florida Student Assistance Grant (FSAG) Program is a need-based grant program available to degree-seeking, resident, undergraduate students who demonstrate substantial financial need and are enrolled in participating colleges and universities.¹ The FSAG programs are administered by participating institutions in accordance with rules of the State Board of Education (SBE).²

¹ Florida Department of Education (DOE), Office of Student Financial Assistance, *Florida Student Assistance Grant Program Fact Sheet* (2020-21), available at <https://www.floridastudentfinancialaidsg.org/PDF/factsheets/FSAG.pdf>, at 1.

² Section 1009.52(1), F.S.

Institutional Eligibility

- In order to be eligible to administer Florida Postsecondary Student Assistance Grants, an institution must administer Pell Grants,³ be located in the state and be:
- A private nursing diploma school approved by the Florida Board of Nursing; or
- A college or university licensed by the Commission for Independent Education, excluding those institutions that are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51, F.S.⁴

Student Eligibility

Florida Postsecondary Student Assistance Grants may only be made to full-time degree-seeking students who meet general requirements for student eligibility,⁵ attend eligible private colleges and universities,⁶ and are awarded for the amount of demonstrated unmet need for tuition and fees, not to exceed the maximum annual award amount specified in the General Appropriations Act (GAA).⁷

Eligibility for the renewal of the grant is evaluated at the end of the second semester or third quarter of each academic year. As a condition for renewal, a student must have earned:⁸

- A minimum cumulative grade point average of 2.0 on a 4.0 scale; and
- For undergraduate full-time study, 12 credits per term or the equivalent for the number of terms for which aid was received.

A student applying for a grant is required to apply for the Pell Grant.⁹ If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term.¹⁰ A student receiving a grant is eligible to receive scholarship funding for nine semesters or fourteen quarters of full-time enrollment.¹¹

³ Administering the Pell Grant involves Title IV eligibility and requires approved accreditation.

⁴ DOE, Office of Student Financial Assistance, *2020-21 Institutional Eligibility Program Requirements for Participation in State Scholarship & Grant Programs* (2021), available at https://www.floridastudentfinancialaidsg.org/pdf/Institution_Eligibility_Requirements.pdf.

⁵ See s. 1009.40, F.S.

⁶ DOE, Office of Student Financial Assistance, *Florida Student Assistance Grant Program Fact Sheet* (2020-21), available at <https://www.floridastudentfinancialaidsg.org/PDF/factsheets/FSAG.pdf>, at 1.

⁷ Section 1009.52(2)(a), F.S. A demonstrated unmet need of less than \$200 renders the applicant ineligible for a Florida private student assistance grant. *Id.*

⁸ Section 1009.40(1)(b)1., F.S. A student who fails to earn the minimum number of credits required for renewal shall lose his or her eligibility for renewal for a period equivalent to one academic year. However, the student may reapply during a subsequent application period and may be eligible for an award if he or she has earned a minimum cumulative grade point average of 2.0 on a 4.0 scale. Section 1009.40(1)(b)3., F.S.

⁹ Section 1009.52(2)(b), F.S. Priority in the distribution of grant moneys may be given to students who are within one semester of completing a degree or certificate program. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award. Section 1009.52(2)(c), F.S.

¹⁰ Priority in the distribution of summer awards must be given to students who are within one semester of completing a degree or certificate program, and no student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3), F.S. Section 1009.52(2)(a), F.S.

¹¹ DOE, Office of Student Financial Assistance, *Florida Student Assistance Grant Program Fact Sheet* (2020-21), available at <https://www.floridastudentfinancialaidsg.org/PDF/factsheets/FSAG.pdf>, at 4.

Reporting and Distribution Requirements

Each participating institution determines applicant eligibility and award amount,¹² and is required to report to the Department of Education (DOE) the students eligible for the grant program for each academic term, including necessary demographic and eligibility data for such students.¹³ Only eligible institutions can disburse state aid through the grant program.¹⁴

The funds appropriated for the grant program must be distributed to eligible institutions in accordance with a formula approved by the SBE.¹⁵ Institutions must comply with disbursement and remittance requirements specified in law.¹⁶

Each institution that receives moneys through the grant program must prepare a biennial report submitted to DOE by March 1 every other year that includes a financial audit, conducted by an independent certified public accountant, of the institution's administration of the grant program and a complete accounting of moneys allocated to the institution for the grant program. DOE may conduct its own annual or biennial audit of an institution's administration of the grant program and its allocated funds in lieu of the required biennial report and financial audit report.¹⁷

In 2019-2020, 5,594 students were disbursed approximately \$6.1 million, an average of \$1,097 per student, at 67 eligible private colleges and universities.¹⁸

Council of Regional Accrediting Commissions

The Council of Regional Accrediting Commissions (C-RAC) represents the seven organizations responsible for the accreditation¹⁹ of approximately 3,000 of the nation's colleges and universities:

- Accrediting Commission for Community and Junior Colleges;
- Higher Learning Commission;

¹² *Id.*

¹³ Section 1009.52(2)(d), F.S. The eligibility status of each student to receive a disbursement must be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Section 1009.51(4)(c), F.S.

¹⁴ Office of Student Financial Assistance, *Florida Student Scholarship & Grant Programs*, <https://www.floridastudentfinancialaidsg.org/SAPHome/SAPHome?url=home> (last visited Mar. 4, 2021).

¹⁵ Section 1009.52(4)(a), F.S.

¹⁶ Section 1009.52(4)(d), F.S.

¹⁷ Section 1009.52(4)(e), F.S.

¹⁸ Office of Student Financial Assistance, *End-of-Year Report 2019-20* (Sept. 1, 2020), available at https://www.floridastudentfinancialaidsg.org/PDF/PSI/FSAGPO_2019_2020.pdf, at 6.

¹⁹ Defined as "a process of external review used by the higher education community to assure quality and spur ongoing improvement." Council of Regional Accrediting Commissions, *Accreditation 101*, <https://www.c-rac.org/accreditation-101> (last visited Mar. 3, 2021). Accrediting commissions are private, nonprofit organizations comprised of college and university members, with commissions and visiting teams made up of volunteers. *Id.* The U.S. Department of Education lists four primary functions of accreditation:

1. Assess the quality of academic programs at institutions of higher education.
2. Create a culture of continuous improvement of academic quality at colleges and universities and stimulate a general raising of standards among educational institutions.
3. Involve faculty and staff comprehensively in institutional evaluation and planning.
4. Establish criteria for professional certification and licensure and for upgrading courses offering such preparation.

U.S. Department of Education, *Accreditation in the United States* (Feb. 4, 2021), available at https://www2.ed.gov/admins/finaid/accred/accreditation_pg2.html#U.S.

- Middle States Commission on Higher Education;
- New England Commission of Higher Education;
- Northwest Commission on Colleges and Universities;
- SACS; and
- WASC Senior College and University Commission.²⁰

As of 2017, C-RAC members help assure quality at 2,866 Title IV institutions in 3,524 locations across the United States.²¹

Florida Members

SACS accredits 74 Florida public and private colleges and universities, including 12 universities that make up the State University System of Florida, 28 institutions in the Florida College System, and 34 private colleges and universities.²²

III. Effect of Proposed Changes:

The bill expands eligibility for which institutions may participate in the Florida postsecondary student assistance grant (grant) program. The bill specifies that students may be eligible for a state need-based financial assistance grant if they have been accepted at a competency-based nonprofit virtual postsecondary institution in order to receive a grant, provided the institution:

- Is accredited by a member of the Council of Regional Accrediting Commissions;
- Is created by the governors of several states;
- Has established and continually maintains a location of operation in this state; and
- Maintains a governing body or advisory board in this state.
-

An institution offering competency-based programs would need to report the student course outcomes in a manner to meet student eligibility requirements for a renewal award under the Florida Postsecondary Student Assistance Grant Program, including a minimum 2.0 cumulative grade point average (GPA) and completion of 12 credits per term.²³

Western Governors University

Western Governors University (WGU) is an institution that appears to meet several of the qualifications for participation in the grant program. WGU is a competency-based, private online university offering a bachelor's or master's degree. Created in 1995 by 19 United States governors, WGU is accredited by the Northwest Commission on Colleges and Universities, a regional accreditation body represented under the Council of Regional Accrediting Commissions. Students enrolled at WGU earn degrees through demonstration of competencies in

²⁰ Council of Regional Accrediting Commissions, *Who We Are*, <https://www.c-rac.org/copy-of-about-us> (last visited Mar. 3, 2021).

²¹ Council of Regional Accrediting Commissions, *Quick Facts*, <https://www.c-rac.org/quick-facts> (last visited Mar. 3, 2021).

²² Southern Association of Colleges and Schools Commission on Colleges, *SACSCOC Accredited and Candidate List* (January 2021), available at <https://sacscoc.org/app/uploads/2019/11/Institutionswebmemlist.pdf>.

²³ See s. 1009.40(1)(b), F.S.

required areas through assessments. As such, the degree programs allow students to move at their desired pace as well as accelerate their programs through prior experience.²⁴

WGU serves students in all 50 states as an online university, but maintains an on-the-ground presence at its eight state affiliates: WGU Washington, WGU Nevada, WGU Texas, WGU Missouri, WGU Indiana, WGU Ohio, WGU Tennessee, and WGU North Carolina.²⁵

WGU students do not receive letter-grades or a GPA as part of their degree program.²⁶ Students progress through courses as they demonstrate mastery of the material, rather than advancing only at the end of the semester or term.²⁷

In 2019, 6,242 Florida students from Florida were enrolled in programs at WGU, with 1,574 graduating.²⁸

The bill takes effect July 1, 2021.

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.

²⁴ Education Commission of the States, *Policy Snapshot: Competency-Based Education* (June 2017), available at <http://www.ecs.org/wp-content/uploads/PS-Competency-Based-Education.pdf>, at 4.

²⁵ Western Governors University, *Higher Education Veteran Tapped by WGU to Lead Regional Operations* (Dec. 10, 2020), available at <https://www.wgu.edu/newsroom/press-release/2020/12/higher-education-veteran-tapped-lead-regional-operations.html>. WGU does not have a physical base in Florida. Phone conversation, Western Governors University personnel (Mar. 8, 2021).

²⁶ Western Governors University, *Commonly asked questions about WGU* (Nov. 17, 2020), available at <https://www.wgu.edu/blog/commonly-asked-questions-wgu2011.html>.

²⁷ Western Governors University, *Competency-based education*, <https://www.wgu.edu/about/competency-based-education.html> (last visited Mar. 8, 2021).

²⁸ Western Governors University, *Available online degrees in Florida*, available at <https://www.wgu.edu/online-degree-florida.html> (last visited Mar. 10, 2021).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Expanding eligibility for the Florida Postsecondary Student Assistance Grant may affect how funds are allocated across the Florida student assistance grant programs,²⁹ including decreased availability of funds for institutions already eligible for grants.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1009.52 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.)

Recommended CS/CS by Appropriations Subcommittee on Education on March 17, 2021:

The committee substitute moves the expansion of eligible postsecondary institutions for the Florida Student Assistance Grant program from the Private sector (s. 1009.51, F.S.) to the Postsecondary sector (s. 1009.52, F.S.), which includes private postsecondary institutions that are not accredited by the Commission on Colleges of the Southern Association of Colleges and Schools.

B. Amendments:

None.

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

²⁹ See s. 1009.52(4)(a), F.S.



751632

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2021	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Gruters) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (2) of section 1009.52, Florida
Statutes, is amended to read:

1009.52 Florida Postsecondary Student Assistance Grant
Program; eligibility for grants.—

(2)~~(a)~~ Florida postsecondary student assistance grants may
be made ~~only to full-time degree-seeking~~ students who meet the



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general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award amount specified in the General Appropriations Act. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a Florida postsecondary student assistance grant.

(a) Awards may be made to full-time degree-seeking students
who ~~Recipients of such grants must~~ have been accepted at a postsecondary institution that is located in this state and that is:

1. A private nursing diploma school approved by the Florida Board of Nursing; or

2. A college or university licensed by the Commission for Independent Education, excluding those institutions the students of which are eligible to receive a Florida private student assistance grant pursuant to s. 1009.51.

If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree or certificate program. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

(b) Awards may be made to full-time degree-seeking students
who have been accepted at a competency-based nonprofit virtual
postsecondary institution that is accredited by a member of the



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Council of Regional Accrediting Commissions and is created by the governors of several states, has established and continually maintains a location of operation in this state, and maintains a governing body or advisory board in this state.

(c) A student applying for a Florida postsecondary student assistance grant shall be required to apply for the Pell Grant. The Pell Grant entitlement shall be considered when conducting an assessment of the financial resources available to each student.

(d)~~(e)~~ Priority in the distribution of grant moneys may be given to students who are within one semester of completing a degree or certificate program. An institution may not make a grant from this program to a student whose expected family contribution exceeds one and one-half times the maximum Pell Grant-eligible family contribution. An institution may not impose additional criteria to determine a student's eligibility to receive a grant award.

(e)~~(d)~~ Each participating institution shall report to the department by the established date the students eligible for the program for each academic term. Each institution shall also report to the department necessary demographic and eligibility data for such students.

Section 2. This act shall take effect July 1, 2021.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled



751632

69 An act relating to the Florida Postsecondary Student
70 Assistance Grant Program; amending s. 1009.52, F.S;
71 revising eligibility for the Florida Postsecondary
72 Student Assistance Grant Program; providing an
73 effective date.

By Senator Gruters

23-01451A-21

20211484__

A bill to be entitled

An act relating to the Florida Private Student Assistance Grant Program; amending s. 1009.51, F.S.; expanding eligibility for the program to full-time degree-seeking students accepted at a competency-based nonprofit virtual postsecondary institution that meets specified criteria; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (2) of section 1009.51, Florida Statutes, is amended to read:

1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(2) (a) Florida private student assistance grants may be made only to full-time degree-seeking students who meet the general requirements for student eligibility as provided in s. 1009.40, except as otherwise provided in this section. Such grants shall be awarded for the amount of demonstrated unmet need for tuition and fees and may not exceed the maximum annual award amount specified in the General Appropriations Act. A demonstrated unmet need of less than \$200 shall render the applicant ineligible for a Florida private student assistance grant. Recipients of such grants must have been accepted at a baccalaureate-degree-granting independent nonprofit college or university, which is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools and which is located in and chartered as a domestic corporation by the state, or at a competency-based nonprofit virtual postsecondary

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23-01451A-21

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institution that is accredited by a member of the Council of Regional Accrediting Commissions and is created by the governors of several states, has established and continually maintains a location of operation in this state, and maintains a governing body or advisory board in this state. If funds are available, a student who received an award in the fall or spring term may receive an award in the summer term. Priority in the distribution of summer awards shall be given to students who are within one semester of completing a degree or certificate program. No student may receive an award for more than the equivalent of 9 semesters or 14 quarters of full-time enrollment, except as otherwise provided in s. 1009.40(3).

Section 2. This act shall take effect July 1, 2021.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3-17-2021

Meeting Date

SB 1484

Bill Number (if applicable)

SB 1484

Amendment Barcode (if applicable)

Topic SB 1484

Name Dr. Kim Estep

Job Title Vice President of Southeast Region, WGU

Address 101 E. College Ave. Ste 502

Street

Phone (850) 681-9111

Tallahassee

City

FL

State

32301

Zip

Email Kimberly.estep@wgu.edu

Speaking: ☒ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Western Governors University

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☐ 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

Tallahassee, Florida 32399-1100

COMMITTEES:

Education, *Chair*
Governmental Oversight and Accountability, *Vice Chair*
Appropriations Subcommittee on Education
Banking and Insurance
Commerce and Tourism
Regulated Industries
Rules

JOINT COMMITTEE:

Joint Select Committee on Collective Bargaining

SENATOR JOE GRUTERS

23rd District

March 17, 2021

The Honorable Doug Broxson, Chair
Committee on Governmental Oversight and Accountability
201 The Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Chair Broxson:

I am writing to request an excused absence from the Appropriations Subcommittee on Education meeting on 3/17/2021. I will not be in attendance due to Senate COVID-19 protocols.

Please do not hesitate to reach out to me if you have any questions.

Thank you,

A handwritten signature in black ink that reads "Joe Gruters". The signature is written in a cursive, flowing style.

Joe Gruters

cc: Tim Elwell, Staff Director
JoAnne Bennett, Committee Administrative Assistant

REPLY TO:

- 381 Interstate Boulevard, Sarasota, Florida 34240 (941) 378-6309
- 316 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5023

Senate's Website: www.flsenate.gov

WILTON SIMPSON
President of the Senate

AARON BEAN
President Pro Tempore

CourtSmart Tag Report

Room: KB 412
Caption: Senate Appropriations Subcommittee on Education

Case No.: -

Type:
Judge:

Started: 3/17/2021 3:00:32 PM

Ends: 3/17/2021 3:39:40 PM

Length: 00:39:09

3:02:46 PM	Sen. Broxson
3:04:30 PM	S 1450
3:04:42 PM	Sen. Rodriguez
3:05:14 PM	Sen. Gibson
3:05:51 PM	Sen. Rodriguez
3:06:15 PM	Sen. Gibson
3:06:17 PM	Sen. Rodriguez
3:06:27 PM	Sen. Broxson
3:06:32 PM	Sen. Cruz
3:06:52 PM	Sen. Rodriguez
3:07:06 PM	Sen. Cruz
3:07:57 PM	Sen. Rodriguez
3:08:18 PM	Sen. Cruz
3:08:23 PM	Sen. Broxson
3:08:40 PM	Sen. Gibson
3:09:17 PM	Sen. Rodriguez
3:10:26 PM	Sen. Broxson
3:10:50 PM	Sen. Cruz
3:12:33 PM	Sen. Broxson
3:12:38 PM	Sen. Gibson
3:14:38 PM	Sen. Broxson
3:14:44 PM	Sen. Rodriguez
3:15:04 PM	Sen. Broxson
3:15:34 PM	S 726
3:15:46 PM	Sen. Taddeo
3:17:43 PM	Sen. Broxson
3:17:50 PM	Am. 489150
3:17:54 PM	Sen. Taddeo
3:18:06 PM	Sen. Broxson
3:18:46 PM	Debbie Mortham, Florida Advocacy Director, Foundation for Florida's Future (waives in support)
3:19:09 PM	Sen. Taddeo
3:19:22 PM	Sen. Broxson
3:19:54 PM	S 1484
3:20:11 PM	Sen. Diaz
3:20:58 PM	Am. 751632
3:21:06 PM	Sen. Diaz
3:22:02 PM	Sen. Broxson
3:22:25 PM	Sen. Diaz
3:22:28 PM	Sen. Broxson
3:22:46 PM	Sen. Cruz
3:23:07 PM	Sen. Diaz
3:23:44 PM	Sen. Cruz
3:23:46 PM	Sen. Broxson
3:24:16 PM	Sen. Gibson
3:24:28 PM	Sen. Diaz
3:24:39 PM	Sen. Gibson
3:24:46 PM	Sen. Broxson
3:24:48 PM	Sen. Diaz
3:24:50 PM	Tim Elwell, Staff Director, Education
3:25:05 PM	Sen. Gibson
3:25:15 PM	T. Elwell
3:25:26 PM	Sen. Gibson

3:25:55 PM	Sen. Broxson
3:26:03 PM	Sen. Gibson
3:26:18 PM	Sen. Broxson
3:26:20 PM	Sen. Diaz
3:26:45 PM	Sen. Gibson
3:27:51 PM	Sen. Diaz
3:28:14 PM	Sen. Gibson
3:28:28 PM	Sen. Diaz
3:28:56 PM	Sen. Gibson
3:29:08 PM	Sen. Diaz
3:29:26 PM	Sen. Broxson
3:29:51 PM	Dr. Kim Estep, Vice President of Southeast Region, Western Governors University
3:33:08 PM	Sen. Broxson
3:33:18 PM	Sen. Cruz
3:33:40 PM	K. Estep
3:33:55 PM	Sen. Cruz
3:34:37 PM	K. Estep
3:35:12 PM	Sen. Cruz
3:35:24 PM	K. Estep
3:35:26 PM	Sen. Cruz
3:35:33 PM	K. Estep
3:35:35 PM	Sen. Cruz
3:35:47 PM	Sen. Gibson
3:35:59 PM	K. Estep
3:36:08 PM	Sen. Gibson
3:36:39 PM	K. Estep
3:37:09 PM	Sen. Broxson
3:37:31 PM	Sen. Cruz
3:37:56 PM	Sen. Broxson
3:38:18 PM	Sen. Diaz
3:38:49 PM	Sen. Broxson
3:39:40 PM	