

Tab 1 SB 654 by Perry; Early Childhood Music Education Incentive Pilot Program							
911910	A	S	L	RCS	AED, Perry	Delete L.61 - 63.	02/09 04:54 PM
Tab 2 CS/SB 732 by ED, Baxley; (Similar to CS/CS/H 00731) K-12 Education							
119070	A	S		RS	AED, Baxley	Delete L.402 - 499:	02/09 04:54 PM
394202	SA	S	L	RCS	AED, Baxley	Delete L.402 - 452:	02/09 04:54 PM
Tab 3 SB 856 by Montford (CO-INTRODUCERS) Broxson; (Identical to H 00577) High School Graduation Requirements							
Tab 4 SB 996 by Mayfield; (Identical to H 00795) Cardiopulmonary Resuscitation in Public Schools							
Tab 5 CS/SB 1056 by ED, Passidomo; (Similar to H 01213) Computer Science Instruction							
442734	D	S	L	RCS	AED, Passidomo	Delete everything after	02/09 04:54 PM
Tab 6 CS/SB 1090 by ED, Young; (Similar to H 00699) Enrollment of Dependent Children of Active Duty Military Personnel in the Florida Virtual School							
Tab 7 CS/SB 1172 by ED, Galvano; (Compare to CS/CS/H 00001) Hope Scholarship Program							
400462	A	S		RCS	AED, Galvano	Delete L.86:	02/09 04:54 PM
747612	A	S		RCS	AED, Galvano	btw L.109 - 110:	02/09 04:54 PM
963454	A	S		RCS	AED, Galvano	Delete L.197 - 202:	02/09 04:54 PM
666962	A	S		RCS	AED, Galvano	Delete L.557 - 563:	02/09 04:54 PM
962870	A	S		RCS	AED, Galvano	btw L.1058 - 1059:	02/09 04:54 PM
Tab 8 SB 1286 by Simmons; Gardiner Scholarship							
Tab 9 SB 1306 by Perry; (Identical to H 00887) Reading Instruction							
Tab 10 SB 1532 by Stargel (CO-INTRODUCERS) Perry, Simpson; (Similar to CS/H 01175) Early Learning Coalitions							
Tab 11 CS/SB 1756 by ED, Simmons; School Accountability							
277036	A	S	L	RCS	AED, Simmons	btw L.753 - 754:	02/09 04:54 PM
354860	A	S	L	RCS	AED, Simmons	Delete L.402 - 414:	02/09 04:54 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**APPROPRIATIONS SUBCOMMITTEE ON PRE-K - 12
 EDUCATION**

Senator Passidomo, Chair
Senator Young, Vice Chair

MEETING DATE: Thursday, February 8, 2018
TIME: 10:00—11:30 a.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Passidomo, Chair; Senator Young, Vice Chair; Senators Broxson, Farmer, Grimsley, Lee, Montford, Rouson, and Steube

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 654 Perry	Early Childhood Music Education Incentive Pilot Program; Extending the scheduled expiration of the pilot program, etc. ED 01/16/2018 Favorable AED 02/08/2018 Fav/CS AP	Fav/CS Yeas 8 Nays 0
2	CS/SB 732 Education / Baxley (Similar CS/H 731, Compare H 1095, S 1270)	K-12 Education; Specifying that a home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with the state's attendance requirements; authorizing a school district to provide home education program students with access to certain courses and programs offered by the school district; prohibiting a district school superintendent from requiring certain evidence relating to a child's age from children enrolled in specified schools and programs, etc. ED 01/22/2018 Fav/CS AED 02/08/2018 Fav/CS AP	Fav/CS Yeas 8 Nays 0
3	SB 856 Montford (Identical H 577)	High School Graduation Requirements; Authorizing the use of credits earned upon completion of a registered apprenticeship or preapprenticeship to satisfy specified high school graduation credit requirements, etc. ED 01/29/2018 Favorable AED 02/08/2018 Favorable AP	Favorable Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDAAppropriations Subcommittee on Pre-K - 12 Education
Thursday, February 8, 2018, 10:00—11:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 996 Mayfield (Identical H 795)	Cardiopulmonary Resuscitation in Public Schools; Requiring school districts to provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator; requiring students to study and practice psychomotor skills associated with CPR at least once before graduating from high school, etc. ED 01/29/2018 Favorable AED 02/08/2018 Favorable AP	Favorable Yeas 8 Nays 0
5	CS/SB 1056 Education / Passidomo (Similar H 1213, Compare S 180)	Computer Science Instruction; Requiring school districts to provide computer science courses in a specified number of schools by certain dates; providing that a charter school is not required to offer computer science courses; requiring the Florida Virtual School to offer certain computer science courses; providing funds for school districts to provide professional development for classroom teachers, etc. ED 01/16/2018 Fav/CS AED 02/08/2018 Fav/CS AP	Fav/CS Yeas 8 Nays 0
6	CS/SB 1090 Education / Young (Similar H 699, Compare CS/H 29, H 949, CS/H 7055, S 1198, S 1884)	Enrollment of Dependent Children of Active Duty Military Personnel in the Florida Virtual School; Requiring the Florida Virtual School to give enrollment priority to dependent children of certain active duty military personnel; authorizing the Florida Virtual School to use a specified form to determine residency and to serve specified students directly; requiring that certain dependent children of active duty military personnel be given first preference for admission to certain virtual instruction programs, etc. ED 01/16/2018 Fav/CS AED 02/08/2018 Favorable AP	Favorable Yeas 8 Nays 0
7	CS/SB 1172 Education / Galvano (Compare CS/H 1, CS/H 7055, CS/S 1756)	Hope Scholarship Program; Establishing the Hope Scholarship Program; providing Department of Education obligations relating to participating students and private schools and program requirements; authorizing certain persons to elect to direct certain state sales and use tax revenue to be transferred to a nonprofit scholarship-funding organization for the Hope Scholarship Program, etc. ED 01/22/2018 Fav/CS AED 02/08/2018 Fav/CS AP	Fav/CS Yeas 6 Nays 2

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Pre-K - 12 Education
 Thursday, February 8, 2018, 10:00—11:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SB 1286 Simmons	Gardiner Scholarship; Revising the meaning of a rare disease within the definition of a "disability" for purposes of the Gardiner Scholarship Program, etc. ED 01/22/2018 Favorable AED 02/08/2018 Favorable AP	Favorable Yeas 7 Nays 1
9	SB 1306 Perry (Identical H 887)	Reading Instruction; Requiring K-12 comprehensive reading plans to provide for intensive reading interventions that are delivered by teachers who meet certain criteria beginning with a specified school year; requiring the Department of Education to consider the award of endorsements for a teaching certificate to individuals who hold specified certifications or who complete specified programs that meet certain criteria in a specified review; requiring school districts to provide access to training sufficient for certain instructional personnel to earn an endorsement in reading, etc. ED 01/29/2018 Favorable AED 02/08/2018 Favorable AP	Favorable Yeas 8 Nays 0
10	SB 1532 Stargel (Similar CS/H 1175)	Early Learning Coalitions; Authorizing an early learning coalition to refuse to contract with certain school readiness program providers, etc. ED 01/29/2018 Favorable AED 02/08/2018 Favorable AP	Favorable Yeas 8 Nays 0
11	CS/SB 1756 Education / Simmons (Compare CS/S 1172, S 1614)	School Accountability; Revising the private schools to which the Department of Education is required to provide technical assistance and authorized staff; revising requirements for private schools that participate in the Gardiner Scholarship Program; revising the purpose of department site visits at private schools participating in the John M. McKay Scholarships for Students with Disabilities Program; requiring a private school to employ or contract with teachers who meet certain qualifications and provide information about such qualifications to the department and parents, etc. ED 01/22/2018 Fav/CS AED 02/08/2018 Fav/CS AP RC	Fav/CS Yeas 8 Nays 0

Other Related Meeting Documents

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 Pre-K - 12 Education

BILL: PCS/SB 654 (362096)

INTRODUCER: Appropriations Subcommittee on Pre-K-12 Education and Senator Perry

SUBJECT: Early Childhood Music Education Incentive Pilot Program

DATE: February 7, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Olenick</u>	<u>Graf</u>	<u>ED</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

I. Summary:

PCS/SB 654 extends the scheduled expiration of the Early Childhood Music Education Incentive Pilot Program from June 30, 2020, to June 30, 2021.

The pilot program is contingent upon a legislative appropriation. SB 2500, the Senate General Appropriations Act for Fiscal Year 2018-2019, appropriates \$300,000 in nonrecurring funds from the General Revenue Fund to the Department of Education to implement the pilot program.

This bill takes effect July 1, 2018.

II. Present Situation:

The legislature established the Early Childhood Music Education Incentive Pilot Program (pilot program) in 2017,¹ for three years, to assist certain school districts in implementing comprehensive music education programs in kindergarten through grade 2, beginning with the 2017-2018 school year.²

For a school district to be eligible for participation in the pilot program, the district school superintendent must certify to the Commissioner of Education (commissioner) that each elementary school within the district has established a comprehensive music education program that:³

- Includes all students enrolled at the school in kindergarten through grade 2.
- Is staffed by certified music educators.
- Provides music instruction for at least 30 consecutive minutes 2 days a week.

¹ Section 69, ch. 2017-116, L.O.F.

² Section 1003.481(1), F.S.

³ Section 1003.481(2)(a)-(e), F.S.

- Complies with class size requirements under the law.⁴
- Complies with the Department of Education's standards for early childhood music education programs for students in kindergarten through grade 2.

The commissioner must select school districts for participation in the pilot program, subject to legislative appropriation, based on the school district's proximity to the University of Florida and needs-based criteria established by the State Board of Education.⁵ Selected school districts must annually receive \$150 per full-time equivalent student in kindergarten through grade 2 who is enrolled in a comprehensive music education program.⁶

The University of Florida's College of Education is required to evaluate the effectiveness of the pilot program.⁷ The State Board of Education may adopt rules to administer the pilot program.⁸

The pilot program is scheduled to expire on June 30, 2020.⁹

The pilot program has not been implemented by the Department of Education.¹⁰

III. Effect of Proposed Changes:

The bill extends the scheduled expiration of the Early Childhood Music Education Incentive Pilot Program from June 30, 2020, to June 30, 2021.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴ The maximum number of students assigned to each teacher who is teaching core-curriculum courses in public school classrooms for prekindergarten through grade 3 may not exceed 18 students. Section 1003.03(1)(a), F.S.

⁵ Section 1003.481(3)(a), F.S.

⁶ *Id.*

⁷ Section 1003.481(4), F.S.

⁸ Section 1003.481(5), F.S.

⁹ Section 1003.481(6), F.S.

¹⁰ Telephone interview with staff, Florida Department of Education (Jan 10, 2018). In 2017, the Legislature appropriated \$250,000 for the Early Childhood Music Education Incentive Pilot Program, which was vetoed by the Governor. Specific Appropriation 108, s. 2, ch. 2017-70, L.O.F.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The pilot program is contingent upon a legislative appropriation. SB 2500, the Senate General Appropriations Act for Fiscal Year 2018-2019, appropriates \$300,000 in nonrecurring funds from the General Revenue Fund to the Department of Education to implement the pilot program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.481 of the Florida Statutes.

This bill creates one undesignated section 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 by Appropriations Subcommittee on PreK-12 Education on February 8, 2018:

The committee substitute removes the \$300,000 appropriation provided to the Department of Education to implement the pilot program.

B. Amendments:

None.



911910

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Perry)
recommended the following:

Senate Amendment (with title amendment)

Delete lines 61 - 63.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 5

and insert:

program; providing an

By Senator Perry

8-00334-18

2018654__

A bill to be entitled

An act relating to the Early Childhood Music Education Incentive Pilot Program; amending s. 1003.481, F.S.; extending the scheduled expiration of the pilot program; providing an appropriation; providing an effective date.

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

Section 1. Section 1003.481, Florida Statutes, is amended to read:

1003.481 Early Childhood Music Education Incentive Pilot Program.—

(1) ~~Beginning with the 2017-2018 school year,~~ The Early Childhood Music Education Incentive Pilot Program is created within the Department of Education ~~for a period of 3 school years.~~ The purpose of the pilot program is to assist selected school districts in implementing comprehensive music education programs for students in kindergarten through grade 2.

(2) ~~In order for~~ A school district is to be eligible for participation in the pilot program ~~if,~~ the superintendent ~~must certifies~~ certify to the Commissioner of Education, in a format prescribed by the department, that each elementary school within the district has established a comprehensive music education program that:

(a) Includes all students at the school enrolled in kindergarten through grade 2.

(b) Is staffed by certified music educators.

(c) Provides music instruction for at least 30 consecutive

Page 1 of 3

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

8-00334-18

2018654__

minutes 2 days a week.

(d) Complies with class size requirements under s. 1003.03.

(e) Complies with the department's standards for early childhood music education programs for students in kindergarten through grade 2.

(3) (a) The commissioner shall select school districts for participation in the pilot program, subject to legislative appropriation, based on the school district's proximity to the University of Florida and needs-based criteria established by the State Board of Education. Selected school districts shall annually receive \$150 per full-time equivalent student in kindergarten through grade 2 who is enrolled in a comprehensive music education program.

(b) To maintain eligibility for participation in the pilot program, a selected school district must annually certify to the commissioner, in a format prescribed by the department, that each elementary school within the district provides a comprehensive music education program that meets the requirements of subsection (2). If a selected school district fails to provide the annual certification for a fiscal year, the school district must return all funds received through the pilot program for that fiscal year.

(4) The University of Florida's College of Education shall evaluate the effectiveness of the pilot program by measuring student academic performance and the success of the program. The evaluation must include, but is not limited to, a quantitative analysis of student achievement and a qualitative evaluation of students enrolled in the comprehensive music education programs.

(5) The State Board of Education may adopt rules to

Page 2 of 3

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

8-00334-18

2018654__

59 administer this section.

60 (6) This section expires June 30, 2021 ~~2020~~.

61 Section 2. For the 2018-2019 fiscal year, \$300,000 in
62 nonrecurring funds from the General Revenue Fund is appropriated
63 to the Department of Education to implement this act.

64 Section 3. This act shall take effect July 1, 2018.

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 Pre-K - 12 Education

BILL: PCS/CS/SB 732 (478690)

INTRODUCER: Appropriations Subcommittee on Pre-K-12 Education; Education Committee and Senator Baxley

SUBJECT: K-12 Education

DATE: February 7, 2018

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 732 modifies requirements related to home education programs, school attendance, and the Florida Partnership for Minority and Underrepresented Student Achievement.

Specifically, the bill:

- Modifies the home education program to:
 - Limit the information a parent must provide to establish and maintain a home education program unless the home education program student chooses to participate in a district program or service.
 - Authorize school districts to provide home education program students access to career and technical education courses and programs.
 - Require school districts to make industry certifications and national and statewide assessments available to home education program students.
- Requires a home education program student to register his or her intent to participate in an extracurricular activity prior to participating in the activity.
- Clarifies the academic requirements that home education program students must meet in order to participate in dual enrollment programs by:
 - Exempting a home education program student from maintaining a specific high school grade point average if he or she has meets a minimum score on a common placement test.
 - Requiring a home education program student to maintain a minimum GPA established by the postsecondary institution for continued enrollment in a dual enrollment course.
- Clarifies school attendance procedures to:

- Prohibit the district school superintendent from requiring evidence of a child's age if the child attends a school or program specified in law.
- Authorize the district school superintendent to refer instances of nonenrollment to a child study team for intervention.
- Require school districts to implement interventions for nonenrollment and nonattendance prior to criminal prosecution.
- Modifies the Florida Partnership for Minority and Underrepresented Student Achievement to:
 - Update the name of the preliminary ACT to the PreACT.
 - Add the ACT and the PreACT to specified assessments included in databases containing assessment data, to which the Department of Education must provide access for evaluation purposes.

The bill does not affect state revenues or expenditures.

The bill takes effect July 1, 2018.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

Home Education Programs (Section 1)

Florida is a long-time supporter of home education, and the number of families choosing this education option has shown steady growth since the Legislature established it as a school choice option in 1985. For the 2016-2017 school year, 60,547 families and 87,462 students participated in home education programs.

Present Situation

A home education program is defined as the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements established in law.¹ To establish a home education program, a parent must:

- Submit a written and signed notice of intent to establish a home education program to the district school superintendent in the county of residence.² The notice must include the names, addresses, and birthdates of all children to be enrolled as students in the home education program.³
- Maintain a portfolio of records and materials, the contents of which are specified in law and which must be preserved by the parent for two years and made available for inspection if requested.⁴

¹ Section 1002.01(1), F.S. The attendance requirements are established in ss 1002.41, 1003.01(13), and 1003.21(1), F.S.

² Section 1002.41(1)(a), F.S.

³ *Id.*

⁴ Section 1002.41(1)(b), F.S.

- Select and provide for an annual educational evaluation to document the student’s educational progress.⁵ The parent must file a copy of the evaluation annually with the district school superintendent’s office, and the district school superintendent must review and accept the results.⁶

If a parent terminates a home education program, he or she must file a written notice of termination in the district school superintendent’s office.⁷

Although not required, some school districts provide opportunities for home education program students to enroll in specified courses in district schools.⁸ The public school district may report such home education program students for full-time equivalent funding through the Florida Education Finance Program.⁹

Effect of Proposed Changes

Section 1 amends s. 1002.41, F.S., to specify that a home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with attendance requirements specified under Florida law.

This section clarifies the definition of a “parent,” consistent with Florida law.¹⁰ A parent is defined as either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of the parent. The bill requires the:

- Notice submitted by the parent to include the full legal names of all children who will be enrolled as students in the home education program.
- District school superintendent to accept the notice and immediately register the home education program.
- Parent to file a notice of termination upon completion of a home education program with the district school superintendent, and requires the notice to accompany the required annual educational evaluation.

Additionally, this section specifies that a school district may not require any additional information or verification, assign a grade level to the home education program student, or include a social security number or any other personal information in any database unless the student chooses to participate in a school district program or service.

This section clarifies that the parent determines the content of a portfolio and provides that a parent must make the portfolio available for inspection if requested by the district school superintendent or agent. The bill also removes the requirement for a district school superintendent to review the annual educational evaluation. Accordingly, the bill provides that a

⁵ *Id.* at (c).

⁶ *Id.* at (2).

⁷ *Id.* at (a).

⁸ Florida Department of Education, Office of School Choice, *Frequently Asked Questions*, available at <http://www.fldoe.org/core/fileparse.php/7709/urlt/Home-Ed-FAQs-2017.pdf>, at 3.

⁹ Florida Department of Education, *FTE General Instructions, 2017-18*, available at <http://www.fldoe.org/core/fileparse.php/7508/urlt/1718FTE-GeneralInstructions.pdf>, at 29.

¹⁰ Section 1000.21(5), F.S.

district school superintendent must accept the results of an annual education evaluation without a review of such evaluation.

This section provides to home education program students access to courses, programs, industry certifications and assessments. Specifically, the school district:

- May provide home education program students access to career and technical education courses and may report participating students as full-time equivalent students for funding through the Florida Education Finance Program.
- Must make available to home education program students industry certifications, national assessments, and statewide, standardized assessments offered by the school district. The school district must notify home education program students of available certifications, assessments, administrations, and deadlines for the student to notify the district of the student's intent to participate.

Finally, this section specifies that the school district may not further regulate, exercise control over, or require documentation from parents of home education program students beyond the requirements of the law, unless the regulation, control, or documentation is necessary for participation in a school district program.

The modifications to the home education program are likely to expedite the establishment of home education programs and may provide the student access to additional courses and programs.

Participation in Extracurricular Activities (Section 5)

Present Situation

An extracurricular activity is any school-authorized or education-related activity occurring during or outside the regular instructional school day.¹¹

An individual home education program student is eligible to participate¹² in extracurricular activities at the public school to which the student would be assigned according to district school board attendance area policies or which the student could choose to attend under controlled open enrollment.¹³ The student may also develop an agreement to participate in interscholastic extracurricular activities at a private school.

A home education program student who intends to participate in a public school's extracurricular activity must register with the school his or her intent to participate in the activity before the beginning date of the season for the activity in which he or she wishes to participate.¹⁴

¹¹ Section 1006.15(2), F.S.

¹² "Eligible to participate" includes, but is not limited to, a student participating in tryouts, off-season conditioning, summer workouts, preseason conditioning, in-season practice, or contests; but does not require that a student be placed on any specific team for interscholastic or intrascholastic extracurricular activities.

¹³ Section 1006.15(3)(c), F.S. Beginning with the 2017-18 school year, each district school board and charter school must adopt a controlled open enrollment plan that allows a parent from any school district in the state to enroll his or her child in and transport his or her child to any public school that has not reached capacity. Section 1002.31, F.S.

¹⁴ Section 1006.15(3)(c)5., F.S.

Effect of Proposed Changes

Section 5 amends s. 1006.15, F.S., to specify that a student must register his or her intent to participate in an extracurricular activity prior to participating in the activity rather than before the beginning date of the season for the activity. Accordingly, the bill provides flexibility for a home education program student to begin participation in such activity.

Dual Enrollment (Section 6)

Present Situation

The dual enrollment program is the enrollment of an eligible secondary student or home education program student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree.¹⁵

Each postsecondary institution eligible to participate in the dual enrollment courses¹⁶ must enter into a home education articulation agreement with each home education program student seeking to enroll a dual enrollment course and the student's parent. The home education articulation agreement includes, but is not limited to:¹⁷

- A delineation of courses and programs available to dually enrolled home education program students. Courses and programs may be added, revised, or deleted at any time by the postsecondary institution.
- The initial and continued eligibility requirements for home education program student participation, not to exceed those required of other dually enrolled students. Florida College System (FCS) institutions may not establish additional requirements in the articulation agreement that arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses.

Effect of Proposed Changes

Section 6 amends s. 1007.271, F.S., to modify specified provisions in the home education articulation agreement, which may provide home education program students with greater access to dual enrollment courses. Specifically, this section:

- Specifies that any limitations to courses and programs available to home education program students may not exceed the limitations for other dual enrollment students.
- Exempts a home education program student who meets a minimum score on a common placement test from maintaining a high school grade point average (GPA) in order to participate in dual enrollment.
- Clarifies that a home education program student must meet postsecondary requirements for continued eligibility to participate in dual enrollment, which may include maintenance of a minimum postsecondary GPA.

¹⁵ Section 1007.271(1), F.S.

¹⁶ Eligible institutions include public postsecondary institutions and independent colleges or universities, which are not for profit, accredited by a regional or national accrediting agency recognized by the United States Department of Education, and confer postsecondary degrees. Section 1011.62(1)(i), F.S.

¹⁷ Section 1007.271(13)(b), F.S.

- Prohibits a FCS institution from limiting the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.

School Attendance

Required School Attendance (Section 2)

Present Situation

Except as otherwise provided, children who are age 6 by February 1 of any school year but are not age 16, are required to attend school regularly during the entire school term.¹⁸ Additionally, children who are age 5 by September 1 of the school year are eligible for public kindergarten.¹⁹ A district school superintendent may require evidence of the age of any child whom he or she believes to be within the limits of compulsory attendance as provided for by law.²⁰

Effect of Proposed Changes

Section 2 amends s. 1003.21, F.S., to specify that the district school superintendent may require evidence of the age of any child being enrolled in public school whom he or she believes to be within the limits of compulsory attendance. However, the district school superintendent may not require evidence of age from any child who satisfies attendance requirements by attending a:²¹

- Parochial, religious, or denominational school;
- Private school supported in whole or in part by tuition charges or by endowments or gifts;
- Home education program that meets the requirements specified in law; or
- Private tutoring program that meets the requirements specified in law.

Enforcement of School Attendance (Section 3)

Present Situation

When there is no valid reason for a child not to be enrolled in school, a designated school representative must give written notice to the parent that requires enrollment or attendance within three days after the date of notice.²² If the parent ignores the notice and requirement, the designated school representative must report the case to the district school superintendent and may refer the case to the case staffing committee.²³ The district school superintendent must then take steps necessary to bring criminal prosecution against the parent.²⁴

¹⁸ Section 1003.21(1)(a)1.

¹⁹ *Id.* at (a)2.

²⁰ *Id.* at (4).

²¹ Section 1003.01(13)(b)-(e), F.S.

²² Section 1003.26(1)(a), F.S.

²³ *Id.* at (2). The case staffing committee reviews the case of any family or child who the Department of Children and Families determines is in need of services or treatment. Section 984.12(1), F.S.

²⁴ Section 1003.26(2)(a), F.S.

Effect of Proposed Changes

Section 3 amends s. 1003.26, F.S., to authorize an intervention prior to the district school superintendent taking steps to initiate criminal prosecution. If the parent ignores a notice and requirement for enrollment or attendance, the district school superintendent may refer the case to a child study team²⁵ at the school the student would be assigned to attend according to district school board's attendance policies.

This section requires the child study team to be diligent in facilitating intervention services and to report the case to the district school superintendent only when all reasonable efforts to resolve the nonenrollment behavior are exhausted. If the parent continues to refuse to cooperate or enroll the child in school, the district school superintendent must take the steps necessary to bring criminal prosecution against the parent.

Court Procedures and Penalties Related to School Attendance (Section 4)*Present Situation*

Each parent of a child within the compulsory attendance age is responsible for the child's school attendance as required by law.²⁶ While the absence of a student from school is evidence of a violation of compulsory attendance, criminal prosecution may not be brought against a parent prior to compliance with provisions related to enforcement of school attendance.²⁷

When no valid reason for nonenrollment or nonattendance is found for a student who is required to attend a school, the district school superintendent must institute a criminal prosecution against the student's parent.²⁸

Effect of Proposed Changes

Section 4 amends s. 1003.27, F.S., to clarify that court procedures and penalties for nonenrollment or nonattendance may not be initiated against the student's parent until the school and school district have complied with the policies and procedures established to enforce school attendance.

In addition, this section updates cross references to home education program portfolio specifications under provisions related to the enforcement of school attendance, and home

²⁵ A child study team is also used for patterns of nonattendance, defined as five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period. Section 1003.26(1)(b), F.S. The school principal must refer the case to the school's child study team to determine if early patterns of truancy are developing. *Id.* The child study team must implement specified interventions, and may implement other interventions, including referral to other agencies for family services or recommendation for filing a truancy petition. *Id.* at (b) and (c). The child study team must be diligent in facilitating intervention services and shall report the case to the district school superintendent only when all reasonable efforts to resolve the nonattendance behavior are exhausted. *Id.* at (d). District school boards are also authorized to establish policies that require referral to a school's child study team for students who have fewer absences than the established number. Section 1003.02(1)(b), F.S.

²⁶ Section 1003.24, F.S.

²⁷ *Id.*

²⁸ Section 1003.27(2)(a), F.S.

education program annual evaluations under provisions related to participation in the Gardiner Scholarship Program.

Florida Partnership for Minority and Underrepresented Student Achievement (Section 7)

Present Situation

The Florida Partnership for Minority and Underrepresented Student Achievement (Florida partnership), was created in 2004²⁹ to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.³⁰

The Florida partnership provides to students enrolled in grade 10 in public schools access to the preliminary ACT and another specified assessment.³¹ Test results will provide each high school with a database of student assessment data that certified school counselors must use to identify students who are prepared or who need additional work to be prepared to enroll and be successful in AP courses or other advanced high school courses.³²

The Florida partnership is required to provide information to students and other specified recipients regarding the preliminary ACT or PSAT/NMSQT administration and participation by 10th grade students.³³ The Florida partnership must also submit to the Florida Department of Education (DOE) a report that, among other items, evaluates the level of participation in the preliminary ACT.³⁴

Additionally, the DOE must contribute to the evaluation of the Florida partnership by providing access to student and teacher information necessary to match against databases containing teacher professional development data and against databases containing assessment data for the PSAT/NMSQT, SAT, AP, and other appropriate measures.³⁵

Effect of Proposed Changes

Section 7 amends s. 1007.35, F.S., to retain the requirements of the Florida partnership but updates the name of the preliminary ACT to the PreACT to be consistent with the correct name of the assessment.³⁶ In addition this section:

- Adds dual enrollment to the types of college credit-bearing courses that certified school counselors must use PSAT/NMSQT or PreACT data to identify students who are prepared to enroll in and be successful in advanced high school courses or college credit-bearing courses.

²⁹ Section 1, ch. 2004-63, L.O.F.

³⁰ Section 1007.35(4), F.S.

³¹ *Id.* at (5). Public high schools are required to provide for the administration of the Preliminary ACT or the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT). *Id.*

³² *Id.* at (5)(a), F.S.

³³ *Id.* at (6)(j), F.S.

³⁴ *Id.* at (8)(a), F.S.

³⁵ *Id.*

³⁶ ACT, *PreACT*, <https://www.act.org/content/act/en/products-and-services/preact/preact-classroom.html> (last visited Jan. 23, 2018).

- Adds the ACT and the PreACT to specified assessments in databases for which the DOE must provide access for evaluation purposes.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no fiscal impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.385, 1002.41, 1003.21, 1003.26, 1003.27, 1006.15, 1007.271, and 1007.35.

IX. Additional Information:

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

Recommended CS by the Appropriations Subcommittee on Pre-K-12 Education on February 8, 2018:

The committee substitute prohibits a Florida College System institution from limiting the number of dual enrollment courses in which a student may enroll based solely upon enrollment by the student at an independent postsecondary institution.

CS by Education on January 22, 2018:

The committee substitute modifies requirements in the bill regarding home education program students' enrollment in extracurricular courses and dual enrollment. The bill also modifies provisions relating to the Florida Partnership for Minority and Underrepresented Student Achievement. Specifically, the committee substitute:

- Removes the bill's provision that deemed home education program students eligible to participate in extracurricular courses, which are exempted from maximum class size requirements, regardless of the school's capacity under controlled open enrollment; and deletes related conforming provisions and exemptions from meeting school district residency requirements and standards for acceptance to extracurricular activities.
- Modifies the provision in the bill related to home education program students' participation in dual enrollment to clarify that such students must maintain the minimum postsecondary grade point average for continued enrollment in dual enrollment courses, not limited to only the college credit dual enrollment courses.
- Updates cross references to home education program portfolio specifications under provisions related to the enforcement of school attendance, and home education program annual evaluations under provisions related to participation in the Gardiner Scholarship Program.
- Modifies the Florida Partnership for Minority and Underrepresented Student Achievement to:
 - Update the name of the preliminary ACT to the PreACT.
 - Add the ACT and the PreACT to specified assessments included in databases containing assessment data, to which the Department of Education must provide access for evaluation purposes.
 - Add dual enrollment to the types of college credit-bearing courses for which certified school counselors will use PSAT/NMSQT or PreACT data to identify students who are prepared to enroll in and be successful in advanced high school courses or college credit-bearing courses.

- B. **Amendments:**

None.



119070

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Baxley)
recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 402 - 499

and insert:

1007.271 Dual enrollment programs.-

(3) Student eligibility requirements for initial enrollment in college credit dual enrollment courses must include a 3.0 unweighted high school grade point average and the minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-



119070

11 level coursework. Student eligibility requirements for continued
12 enrollment in college credit dual enrollment courses must
13 include the maintenance of a 3.0 unweighted high school grade
14 point average and the minimum postsecondary grade point average
15 established by the postsecondary institution. Regardless of
16 meeting student eligibility requirements for continued
17 enrollment, a student may lose the opportunity to participate in
18 a dual enrollment course if the student is disruptive to the
19 learning process such that the progress of other students or the
20 efficient administration of the course is hindered. Student
21 eligibility requirements for initial and continued enrollment in
22 career certificate dual enrollment courses must include a 2.0
23 unweighted high school grade point average. Exceptions to the
24 required grade point averages may be granted on an individual
25 student basis if the educational entities agree and the terms of
26 the agreement are contained within the dual enrollment
27 articulation agreement established pursuant to subsection (21).
28 Florida College System institution boards of trustees may
29 establish additional initial student eligibility requirements,
30 which shall be included in the dual enrollment articulation
31 agreement, to ensure student readiness for postsecondary
32 instruction. Additional requirements included in the agreement
33 may not arbitrarily prohibit students who have demonstrated the
34 ability to master advanced courses from participating in dual
35 enrollment courses or limit the number of dual enrollment
36 courses in which a student may enroll based solely upon
37 enrollment by the student at an independent postsecondary
38 institution.

39 (13)



40 (b) Each postsecondary institution eligible to participate
41 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
42 enter into a home education articulation agreement with each
43 home education student seeking enrollment in a dual enrollment
44 course and the student's parent. By August 1 of each year, the
45 eligible postsecondary institution shall complete and submit the
46 home education articulation agreement to the Department of
47 Education. The home education articulation agreement must
48 include, at a minimum:

49 1. A delineation of courses and programs available to
50 dually enrolled home education students. Courses and programs
51 may be added, revised, or deleted at any time by the
52 postsecondary institution. Any course or program limitations may
53 not exceed the limitations for other dually enrolled students.

54 2. The initial and continued eligibility requirements for
55 home education student participation, not to exceed those
56 required of other dually enrolled students. A high school grade
57 point average may not be required for home education students
58 who meet the minimum score on a common placement test adopted by
59 the State Board of Education which indicates that the student is
60 ready for college-level coursework; however, home education
61 student eligibility requirements for continued enrollment in
62 dual enrollment courses must include the maintenance of the
63 minimum postsecondary grade point average established by the
64 postsecondary institution.

65 3. The student's responsibilities for providing his or her
66 own instructional materials and transportation.

67 4. A copy of the statement on transfer guarantees developed
68 by the Department of Education under subsection (15).



69
70 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

71 And the directory clause is amended as follows:

72 Delete lines 400 - 401

73 and insert:

74 Section 6. Subsection (3) and paragraph (b) of subsection
75 (13) of section 1007.271, Florida Statutes, are amended to read:

76
77 ===== T I T L E A M E N D M E N T =====

78 And the title is amended as follows:

79 Delete lines 39 - 48

80 and insert:

81 the dual enrollment articulation agreement from
82 including course enrollment limitations for certain
83 students; prohibiting dual enrollment course and
84 program limitations for home education students from
85 exceeding limitations for other students; providing an
86 exemption from the grade point average requirement for
87 initial enrollment in a dual enrollment program for
88 certain home education students; amending s. 1002.385,
89 F.S.; conforming



394202

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Baxley)
recommended the following:

1 **Senate Substitute for Amendment (119070) (with directory**
2 **and title amendments)**

3
4 Delete lines 402 - 452
5 and insert:

6 1007.271 Dual enrollment programs.—

7 (3) Student eligibility requirements for initial enrollment
8 in college credit dual enrollment courses must include a 3.0
9 unweighted high school grade point average and the minimum score
10 on a common placement test adopted by the State Board of



394202

11 Education which indicates that the student is ready for college-
12 level coursework. Student eligibility requirements for continued
13 enrollment in college credit dual enrollment courses must
14 include the maintenance of a 3.0 unweighted high school grade
15 point average and the minimum postsecondary grade point average
16 established by the postsecondary institution. Regardless of
17 meeting student eligibility requirements for continued
18 enrollment, a student may lose the opportunity to participate in
19 a dual enrollment course if the student is disruptive to the
20 learning process such that the progress of other students or the
21 efficient administration of the course is hindered. Student
22 eligibility requirements for initial and continued enrollment in
23 career certificate dual enrollment courses must include a 2.0
24 unweighted high school grade point average. Exceptions to the
25 required grade point averages may be granted on an individual
26 student basis if the educational entities agree and the terms of
27 the agreement are contained within the dual enrollment
28 articulation agreement established pursuant to subsection (21).
29 Florida College System institution boards of trustees may
30 establish additional initial student eligibility requirements,
31 which shall be included in the dual enrollment articulation
32 agreement, to ensure student readiness for postsecondary
33 instruction. Additional requirements included in the agreement
34 may not arbitrarily prohibit students who have demonstrated the
35 ability to master advanced courses from participating in dual
36 enrollment courses or limit the number of dual enrollment
37 courses in which a student may enroll based solely upon
38 enrollment by the student at an independent postsecondary
39 institution.



394202

40 (13)

41 (b) Each postsecondary institution eligible to participate
42 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
43 enter into a home education articulation agreement with each
44 home education student seeking enrollment in a dual enrollment
45 course and the student's parent. By August 1 of each year, the
46 eligible postsecondary institution shall complete and submit the
47 home education articulation agreement to the Department of
48 Education. The home education articulation agreement must
49 include, at a minimum:

50 1. A delineation of courses and programs available to
51 dually enrolled home education students. Courses and programs
52 may be added, revised, or deleted at any time by the
53 postsecondary institution. Any course or program limitations may
54 not exceed the limitations for other dually enrolled students.

55 2. The initial and continued eligibility requirements for
56 home education student participation, not to exceed those
57 required of other dually enrolled students. A high school grade
58 point average may not be required for home education students
59 who meet the minimum score on a common placement test adopted by
60 the State Board of Education which indicates that the student is
61 ready for college-level coursework; however, home education
62 student eligibility requirements for continued enrollment in
63 dual enrollment courses must include the maintenance of the
64 minimum postsecondary grade point average established by the
65 postsecondary institution.

66 3. The student's responsibilities for providing his or her
67 own instructional materials and transportation.

68 4. A copy of the statement on transfer guarantees developed



69 by the Department of Education under subsection (15).

70 Section 7. Subsection (5), paragraph (j) of subsection (6),
71 and subsection (8) of section 1007.35, Florida Statutes, are
72 amended to read:

73 1007.35 Florida Partnership for Minority and
74 Underrepresented Student Achievement.—

75 (5) Each public high school, including, but not limited to,
76 schools and alternative sites and centers of the Department of
77 Juvenile Justice, shall provide for the administration of the
78 Preliminary SAT/National Merit Scholarship Qualifying Test
79 (PSAT/NMSQT), or the PreACT ~~preliminary ACT~~ to all enrolled 10th
80 grade students. However, a written notice shall be provided to
81 each parent which must include the opportunity to exempt his or
82 her child from taking the PSAT/NMSQT or the PreACT ~~preliminary~~
83 ~~ACT~~.

84 (a) Test results will provide each high school with a
85 database of student assessment data which certified school
86 counselors will use to identify students who are prepared or who
87 need additional work to be prepared to enroll and be successful
88 in AP courses or other advanced high school courses.

89
90 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

91 And the directory clause is amended as follows:

92 Delete lines 400 - 401

93 and insert:

94 Section 6. Subsection (3) and paragraph (b) of subsection
95 (13) of section 1007.271, Florida Statutes, are amended to read:

96
97 ===== T I T L E A M E N D M E N T =====



394202

98 And the title is amended as follows:

99 Delete line 38

100 and insert:

101 activities; amending s. 1007.271, F.S.; prohibiting
102 the dual enrollment articulation agreement from
103 including course enrollment limitations for certain
104 students; prohibiting

By the Committee on Education; and Senator Baxley

581-02337-18

2018732c1

1 A bill to be entitled
 2 An act relating to K-12 education; amending s.
 3 1002.41, F.S.; specifying that a home education
 4 program is not a school district program and is
 5 registered with the district school superintendent
 6 only for the purpose of complying with the state's
 7 attendance requirements; revising the content
 8 requirements of a notice of enrollment of a student in
 9 a home education program; requiring the district
 10 school superintendent to immediately register a home
 11 education program upon receipt of the notice;
 12 prohibiting a school district from requiring
 13 additional information or verification of a home
 14 education student except in specified circumstances;
 15 authorizing a school district to provide home
 16 education program students with access to certain
 17 courses and programs offered by the school district;
 18 requiring reporting and funding through the Florida
 19 Education Finance Program; requiring home education
 20 program students be provided access to certain
 21 certifications and assessments offered by the school
 22 district; prohibiting a school district from taking
 23 certain actions against a home education program
 24 student's parent unless such action is necessary for a
 25 school district program; amending s. 1003.21, F.S.;
 26 prohibiting a district school superintendent from
 27 requiring certain evidence relating to a child's age
 28 from children enrolled in specified schools and
 29 programs; amending s. 1003.26, F.S.; revising

Page 1 of 20

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

581-02337-18

2018732c1

30 reporting requirements for specified issues relating
 31 to compulsory school attendance; amending s. 1003.27,
 32 F.S.; requiring a school and school district to comply
 33 with specified provisions before instituting criminal
 34 prosecution against certain parents relating to
 35 compulsory school attendance; amending s. 1006.15,
 36 F.S.; revising the standards required for a home
 37 education student to participate in extracurricular
 38 activities; amending s. 1007.271, F.S.; prohibiting
 39 dual enrollment course and program limitations for
 40 home education students from exceeding limitations for
 41 other students; providing an exemption from the grade
 42 point average requirement for initial enrollment in a
 43 dual enrollment program for certain home education
 44 students; amending s. 1007.35, F.S.; updating
 45 terminology; requiring the Department of Education to
 46 provide certain teacher and student ACT and PreACT
 47 information for the evaluation of certain services and
 48 activities; amending s. 1002.385, F.S.; conforming
 49 cross-references; providing an effective date.

50
 51 Be It Enacted by the Legislature of the State of Florida:

52
 53 Section 1. Subsections (1) and (2) of section 1002.41,
 54 Florida Statutes, are amended, and subsections (11), (12), and
 55 (13) are added to that section, to read:

56 1002.41 Home education programs.—

57 (1) As used in this section, the term "home education
 58 program" has the same meaning as is defined in s. 1002.01. A

Page 2 of 20

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

581-02337-18

2018732c1

59 home education program is not a school district program and is
 60 registered with the district school superintendent only for the
 61 purpose of complying with the state's attendance requirements
 62 under s. 1003.21(1). The parent is not required to hold a valid
 63 regular Florida teaching certificate.

64 (a) The parent, as defined in s. 1000.21, who establishes
 65 and maintains a home education program shall notify the district
 66 school superintendent of the county in which the parent resides
 67 of her or his intent to establish and maintain a home education
 68 program. The notice must ~~shall~~ be in writing, signed by the
 69 parent, and ~~shall~~ include the full legal names, addresses, and
 70 birthdates of all children who shall be enrolled as students in
 71 the home education program. The notice must ~~shall~~ be filed in
 72 the district school superintendent's office within 30 days of
 73 the establishment of the home education program.

74 (b) The district school superintendent shall accept the
 75 notice and immediately register the home education program upon
 76 receipt of the notice. The district may not require any
 77 additional information or verification from the parent unless
 78 the student chooses to participate in a school district program
 79 or service. The district school superintendent may not assign a
 80 grade level to the home education student or include a social
 81 security number or any other personal information of the student
 82 in any school district or state database unless the student
 83 chooses to participate in a school district program or service;
 84 and

85 (c) The parent shall file a written notice of termination
 86 upon completion of the home education program ~~with shall be~~
 87 ~~filed in~~ the district school superintendent, along with the

581-02337-18

2018732c1

88 annual evaluation required in paragraph (f), within
 89 ~~superintendent's office within~~ 30 days of ~~after~~ said
 90 termination.

91 ~~(d)(b)~~ The parent shall maintain a portfolio of records and
 92 materials. The portfolio must ~~shall~~ consist of the following:

93 1. A log of educational activities that is made
 94 contemporaneously with the instruction and that designates by
 95 title any reading materials used.

96 2. Samples of any writings, worksheets, workbooks, or
 97 creative materials used or developed by the student.

98 (e) The parent shall determine the content of the
 99 portfolio, preserve it shall be preserved by the parent for 2
 100 years, and make it shall be made available for inspection, if
 101 requested, by the district school superintendent, or the
 102 district school superintendent's agent, upon 15 days' written
 103 notice. Nothing in this section shall require the district
 104 school superintendent to inspect the portfolio.

105 (f) ~~(e)~~ The parent shall provide for an annual educational
 106 evaluation in which is documented the student's demonstration of
 107 educational progress at a level commensurate with her or his
 108 ability. The parent shall select the method of evaluation and
 109 shall file a copy of the evaluation annually with the district
 110 school superintendent's office in the county in which the
 111 student resides. The annual educational evaluation shall consist
 112 of one of the following:

113 1. A teacher selected by the parent shall evaluate the
 114 student's educational progress upon review of the portfolio and
 115 discussion with the student. Such teacher shall hold a valid
 116 regular Florida certificate to teach academic subjects at the

581-02337-18

2018732c1

117 elementary or secondary level;

118 2. The student shall take any nationally normed student
119 achievement test administered by a certified teacher;

120 3. The student shall take a state student assessment test
121 used by the school district and administered by a certified
122 teacher, at a location and under testing conditions approved by
123 the school district;

124 4. The student shall be evaluated by an individual holding
125 a valid, active license pursuant to the provisions of s.
126 490.003(7) or (8); or

127 5. The student shall be evaluated with any other valid
128 measurement tool as mutually agreed upon by the district school
129 superintendent of the district in which the student resides and
130 the student's parent.

131 (2) The district school superintendent shall ~~review and~~
132 accept the results of the annual educational evaluation of the
133 student in a home education program. If the student does not
134 demonstrate educational progress at a level commensurate with
135 her or his ability, the district school superintendent shall
136 notify the parent, in writing, that such progress has not been
137 achieved. The parent shall have 1 year from the date of receipt
138 of the written notification to provide remedial instruction to
139 the student. At the end of the 1-year probationary period, the
140 student shall be reevaluated as specified in paragraph (1)(f)
141 ~~(1)(e)~~. Continuation in a home education program shall be
142 contingent upon the student demonstrating educational progress
143 commensurate with her or his ability at the end of the
144 probationary period.

145 (11) A school district may provide access to career and

Page 5 of 20

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

581-02337-18

2018732c1

146 technical courses and programs for a home education program
147 student who enrolls in a public school solely for the career and
148 technical courses or programs. The school district that provides
149 the career and technical courses and programs shall report each
150 student as a full-time equivalent student in the class and in a
151 manner prescribed by the department, and funding shall be
152 provided through the Florida Education Finance Program pursuant
153 to s. 1011.62.

154 (12) Industry certifications, national assessments, and
155 statewide, standardized assessments offered by the school
156 district shall be available to home education program students.
157 Each school district shall notify home education program
158 students of the available certifications and assessments; the
159 date, time, and locations for the administration of each
160 certification and assessment; and the deadline for notifying the
161 school district of the student's intent to participate and the
162 student's preferred location.

163 (13) A school district may not further regulate, exercise
164 control over, or require documentation from parents of home
165 education program students beyond the requirements of this
166 section unless the regulation, control, or documentation is
167 necessary for participation in a school district program.

168 Section 2. Subsection (4) of section 1003.21, Florida
169 Statutes, is amended to read:

170 1003.21 School attendance.—

171 (4) Before admitting a child to kindergarten, the principal
172 shall require evidence that the child has attained the age at
173 which he or she should be admitted in accordance with the
174 provisions of subparagraph (1)(a)2. The district school

Page 6 of 20

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

581-02337-18

2018732c1

175 superintendent may require evidence of the age of any child who
 176 is being enrolled in public school who the district school
 177 superintendent ~~whom he or she~~ believes to be within the limits
 178 of compulsory attendance as provided for by law; however, the
 179 district school superintendent may not require evidence from any
 180 child who meets regular attendance requirements by attending a
 181 school or program listed in s. 1003.01(13)(b)-(e). If the first
 182 prescribed evidence is not available, the next evidence
 183 obtainable in the order set forth below shall be accepted:

184 (a) A duly attested transcript of the child's birth record
 185 filed according to law with a public officer charged with the
 186 duty of recording births;

187 (b) A duly attested transcript of a certificate of baptism
 188 showing the date of birth and place of baptism of the child,
 189 accompanied by an affidavit sworn to by the parent;

190 (c) An insurance policy on the child's life that has been
 191 in force for at least 2 years;

192 (d) A bona fide contemporary religious record of the
 193 child's birth accompanied by an affidavit sworn to by the
 194 parent;

195 (e) A passport or certificate of arrival in the United
 196 States showing the age of the child;

197 (f) A transcript of record of age shown in the child's
 198 school record of at least 4 years prior to application, stating
 199 date of birth; or

200 (g) If none of these evidences can be produced, an
 201 affidavit of age sworn to by the parent, accompanied by a
 202 certificate of age signed by a public health officer or by a
 203 public school physician, or, if these are not available in the

581-02337-18

2018732c1

204 county, by a licensed practicing physician designated by the
 205 district school board, which states that the health officer or
 206 physician has examined the child and believes that the age as
 207 stated in the affidavit is substantially correct. Children and
 208 youths who are experiencing homelessness and children who are
 209 known to the department, as defined in s. 39.0016, shall be
 210 given temporary exemption from this section for 30 school days.

211 Section 3. Paragraph (f) of subsection (1) and paragraph
 212 (a) of subsection (2) of section 1003.26, Florida Statutes, are
 213 amended to read:

214 1003.26 Enforcement of school attendance.—The Legislature
 215 finds that poor academic performance is associated with
 216 nonattendance and that school districts must take an active role
 217 in promoting and enforcing attendance as a means of improving
 218 student performance. It is the policy of the state that each
 219 district school superintendent be responsible for enforcing
 220 school attendance of all students subject to the compulsory
 221 school age in the school district and supporting enforcement of
 222 school attendance by local law enforcement agencies. The
 223 responsibility includes recommending policies and procedures to
 224 the district school board that require public schools to respond
 225 in a timely manner to every unexcused absence, and every absence
 226 for which the reason is unknown, of students enrolled in the
 227 schools. District school board policies shall require the parent
 228 of a student to justify each absence of the student, and that
 229 justification will be evaluated based on adopted district school
 230 board policies that define excused and unexcused absences. The
 231 policies must provide that public schools track excused and
 232 unexcused absences and contact the home in the case of an

581-02337-18

2018732c1

233 unexcused absence from school, or an absence from school for
 234 which the reason is unknown, to prevent the development of
 235 patterns of nonattendance. The Legislature finds that early
 236 intervention in school attendance is the most effective way of
 237 producing good attendance habits that will lead to improved
 238 student learning and achievement. Each public school shall
 239 implement the following steps to promote and enforce regular
 240 school attendance:

241 (1) CONTACT, REFER, AND ENFORCE.—

242 (f)1. If the parent of a child who has been identified as
 243 exhibiting a pattern of nonattendance enrolls the child in a
 244 home education program pursuant to chapter 1002, the district
 245 school superintendent shall provide the parent a copy of s.
 246 1002.41 and the accountability requirements of this paragraph.
 247 The district school superintendent shall also refer the parent
 248 to a home education review committee composed of the district
 249 contact for home education programs and at least two home
 250 educators selected by the parent from a district list of all
 251 home educators who have conducted a home education program for
 252 at least 3 years and who have indicated a willingness to serve
 253 on the committee. The home education review committee shall
 254 review the portfolio of the student, as defined by s. 1002.41,
 255 every 30 days during the district's regular school terms until
 256 the committee is satisfied that the home education program is in
 257 compliance with s. 1002.41(1)(d) ~~s. 1002.41(1)(b)~~. The first
 258 portfolio review must occur within the first 30 calendar days of
 259 the establishment of the program. The provisions of subparagraph
 260 2. do not apply once the committee determines the home education
 261 program is in compliance with s. 1002.41(1)(d) ~~s. 1002.41(1)(b)~~.

Page 9 of 20

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

581-02337-18

2018732c1

262 2. If the parent fails to provide a portfolio to the
 263 committee, the committee shall notify the district school
 264 superintendent. The district school superintendent shall then
 265 terminate the home education program and require the parent to
 266 enroll the child in an attendance option that meets the
 267 definition of "regular school attendance" under s.
 268 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon
 269 termination of a home education program pursuant to this
 270 subparagraph, the parent shall not be eligible to reenroll the
 271 child in a home education program for 180 calendar days. Failure
 272 of a parent to enroll the child in an attendance option as
 273 required by this subparagraph after termination of the home
 274 education program pursuant to this subparagraph shall constitute
 275 noncompliance with the compulsory attendance requirements of s.
 276 1003.21 and may result in criminal prosecution under s.
 277 1003.27(2). Nothing contained herein shall restrict the ability
 278 of the district school superintendent, or the ability of his or
 279 her designee, to review the portfolio pursuant to s.
 280 1002.41(1)(e) ~~s. 1002.41(1)(b)~~.

281 (2) GIVE WRITTEN NOTICE.—

282 (a) Under the direction of the district school
 283 superintendent, a designated school representative shall give
 284 written notice that requires enrollment or attendance within 3
 285 days after the date of notice, in person or by return-receipt
 286 mail, to the parent when no valid reason is found for a
 287 student's nonenrollment in school. If the notice and requirement
 288 are ignored, the designated school representative shall report
 289 the case to the district school superintendent, who ~~and~~ may
 290 refer the case to the child study team in paragraph (1)(b) at

Page 10 of 20

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

581-02337-18

2018732c1

291 the school the student would be assigned according to district
 292 school board attendance area policies or to the case staffing
 293 committee, established pursuant to s. 984.12. The child study
 294 team shall diligently facilitate intervention services and shall
 295 report the case back to the district school superintendent only
 296 when all reasonable efforts to resolve the nonenrollment
 297 behavior are exhausted. If the parent still refuses to cooperate
 298 or enroll the child in school, the district school
 299 superintendent shall take such steps as are necessary to bring
 300 criminal prosecution against the parent.

301 Section 4. Subsection (2) of section 1003.27, Florida
 302 Statutes, is amended to read:

303 1003.27 Court procedure and penalties.—The court procedure
 304 and penalties for the enforcement of the provisions of this
 305 part, relating to compulsory school attendance, shall be as
 306 follows:

307 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

308 (a) In each case of nonenrollment or of nonattendance upon
 309 the part of a student who is required to attend some school,
 310 when no valid reason for such nonenrollment or nonattendance is
 311 found, the district school superintendent shall institute a
 312 criminal prosecution against the student's parent. However,
 313 criminal prosecution may not be instituted against the student's
 314 parent until the school and school district have complied with
 315 s. 1003.26.

316 (b) Each public school principal or the principal's
 317 designee shall notify the district school board of each minor
 318 student under its jurisdiction who accumulates 15 unexcused
 319 absences in a period of 90 calendar days. ~~Each designee of the~~

581-02337-18

2018732c1

320 ~~governing body of each private school, and each parent whose~~
 321 ~~child is enrolled in a home education program, may provide the~~
 322 ~~Department of Highway Safety and Motor Vehicles with the legal~~
 323 ~~name, sex, date of birth, and social security number of each~~
 324 ~~minor student under his or her jurisdiction who fails to satisfy~~
 325 ~~relevant attendance requirements and who fails to otherwise~~
 326 ~~satisfy the requirements of s. 322.091.~~ The district school
 327 superintendent must provide the Department of Highway Safety and
 328 Motor Vehicles the legal name, sex, date of birth, and social
 329 security number of each minor student who has been reported
 330 under this paragraph and who fails to otherwise satisfy the
 331 requirements of s. 322.091. The Department of Highway Safety and
 332 Motor Vehicles may not issue a driver license or learner's
 333 driver license to, and shall suspend any previously issued
 334 driver license or learner's driver license of, any such minor
 335 student, pursuant to the provisions of s. 322.091.

336 (c) Each designee of the governing body of each private
 337 school and each parent whose child is enrolled in a home
 338 education program may provide the Department of Highway Safety
 339 and Motor Vehicles with the legal name, sex, date of birth, and
 340 social security number of each minor student under his or her
 341 jurisdiction who fails to satisfy relevant attendance
 342 requirements and who fails to otherwise satisfy the requirements
 343 of s. 322.091. The Department of Highway Safety and Motor
 344 Vehicles may not issue a driver license or learner's driver
 345 license to, and shall suspend any previously issued driver
 346 license or learner's driver license of, any such minor student,
 347 pursuant to s. 322.091.

348 Section 5. Paragraph (c) of subsection (3) of section

581-02337-18

2018732c1

349 1006.15, Florida Statutes, is amended to read:

350 1006.15 Student standards for participation in
351 interscholastic and intrascholastic extracurricular student
352 activities; regulation.—

353 (3)

354 (c) An individual home education student is eligible to
355 participate at the public school to which the student would be
356 assigned according to district school board attendance area
357 policies or which the student could choose to attend pursuant to
358 s. 1002.31, or may develop an agreement to participate at a
359 private school, in the interscholastic extracurricular
360 activities of that school, provided the following conditions are
361 met:

362 1. The home education student must meet the requirements of
363 the home education program pursuant to s. 1002.41.

364 2. During the period of participation at a school, the home
365 education student must demonstrate educational progress as
366 required in paragraph (b) in all subjects taken in the home
367 education program by a method of evaluation agreed upon by the
368 parent and the school principal which may include: review of the
369 student's work by a certified teacher chosen by the parent;
370 grades earned through correspondence; grades earned in courses
371 taken at a Florida College System institution, university, or
372 trade school; standardized test scores above the 35th
373 percentile; or any other method designated in s. 1002.41.

374 3. The home education student must meet the same residency
375 requirements as other students in the school at which he or she
376 participates.

377 4. The home education student must meet the same standards

581-02337-18

2018732c1

378 of acceptance, behavior, and performance as required of other
379 students in extracurricular activities.

380 5. The student must register with the school his or her
381 intent to participate in interscholastic extracurricular
382 activities as a representative of the school before
383 participation ~~the beginning date of the season for the activity~~
384 ~~in which he or she wishes to participate~~. A home education
385 student must be able to participate in curricular activities if
386 that is a requirement for an extracurricular activity.

387 6. A student who transfers from a home education program to
388 a public school before or during the first grading period of the
389 school year is academically eligible to participate in
390 interscholastic extracurricular activities during the first
391 grading period provided the student has a successful evaluation
392 from the previous school year, pursuant to subparagraph 2.

393 7. Any public school or private school student who has been
394 unable to maintain academic eligibility for participation in
395 interscholastic extracurricular activities is ineligible to
396 participate in such activities as a home education student until
397 the student has successfully completed one grading period in
398 home education pursuant to subparagraph 2. to become eligible to
399 participate as a home education student.

400 Section 6. Paragraph (b) of subsection (13) of section
401 1007.271, Florida Statutes, is amended to read:

402 1007.271 Dual enrollment programs.—

403 (13)

404 (b) Each postsecondary institution eligible to participate
405 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
406 enter into a home education articulation agreement with each

581-02337-18

2018732c1

407 home education student seeking enrollment in a dual enrollment
408 course and the student's parent. By August 1 of each year, the
409 eligible postsecondary institution shall complete and submit the
410 home education articulation agreement to the Department of
411 Education. The home education articulation agreement must
412 include, at a minimum:

413 1. A delineation of courses and programs available to
414 dually enrolled home education students. Courses and programs
415 may be added, revised, or deleted at any time by the
416 postsecondary institution. Any course or program limitations may
417 not exceed the limitations for other dually enrolled students.

418 2. The initial and continued eligibility requirements for
419 home education student participation, not to exceed those
420 required of other dually enrolled students. A high school grade
421 point average may not be required for home education students
422 who meet the minimum score on a common placement test adopted by
423 the State Board of Education which indicates that the student is
424 ready for college-level coursework; however, home education
425 student eligibility requirements for continued enrollment in
426 dual enrollment courses must include the maintenance of the
427 minimum postsecondary grade point average established by the
428 postsecondary institution.

429 3. The student's responsibilities for providing his or her
430 own instructional materials and transportation.

431 4. A copy of the statement on transfer guarantees developed
432 by the Department of Education under subsection (15).

433 Section 7. Subsection (5), paragraph (j) of subsection (6),
434 and subsection (8) of section 1007.35, Florida Statutes, are
435 amended to read:

Page 15 of 20

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

581-02337-18

2018732c1

436 1007.35 Florida Partnership for Minority and
437 Underrepresented Student Achievement.—

438 (5) Each public high school, including, but not limited to,
439 schools and alternative sites and centers of the Department of
440 Juvenile Justice, shall provide for the administration of the
441 Preliminary SAT/National Merit Scholarship Qualifying Test
442 (PSAT/NMSQT), or the PreACT ~~preliminary ACT~~ to all enrolled 10th
443 grade students. However, a written notice shall be provided to
444 each parent which must include the opportunity to exempt his or
445 her child from taking the PSAT/NMSQT or the PreACT ~~preliminary~~
446 ~~ACT~~.

447 (a) Test results will provide each high school with a
448 database of student assessment data which certified school
449 counselors will use to identify students who are prepared or who
450 need additional work to be prepared to enroll and be successful
451 in credit-bearing college coursework, including dual enrollment
452 programs, AP courses, or other advanced high school courses.

453 (b) Funding for the PSAT/NMSQT or the PreACT ~~preliminary~~
454 ~~ACT~~ for all 10th grade students shall be contingent upon annual
455 funding in the General Appropriations Act.

456 (c) Public school districts must choose either the
457 PSAT/NMSQT or the PreACT ~~preliminary ACT~~ for districtwide
458 administration.

459 (6) The partnership shall:

460 (j) Provide information to students, parents, teachers,
461 counselors, administrators, districts, Florida College System
462 institutions, and state universities regarding PSAT/NMSQT or the
463 PreACT ~~preliminary ACT~~ administration, including, but not
464 limited to:

Page 16 of 20

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

581-02337-18

2018732c1

465 1. Test administration dates and times.

466 2. That participation in the PSAT/NMSQT or the PreACT

467 ~~preliminary ACT~~ is open to all 10th grade students.

468 3. The value of such tests in providing diagnostic feedback

469 on student skills.

470 4. The value of student scores in predicting the

471 probability of success on AP or other advanced course

472 examinations.

473 (8) (a) By September 30 of each year, the partnership shall

474 submit to the department a report that contains an evaluation of

475 the effectiveness of the delivered services and activities.

476 Activities and services must be evaluated on their effectiveness

477 at raising student achievement and increasing the number of AP

478 or other advanced course examinations in low-performing middle

479 and high schools. Other indicators that must be addressed in the

480 evaluation report include the number of middle and high school

481 teachers trained; the effectiveness of the training; measures of

482 postsecondary readiness of the students affected by the program;

483 levels of participation in 10th grade PSAT/NMSQT or the PreACT

484 ~~preliminary ACT~~ testing; and measures of student, parent, and

485 teacher awareness of and satisfaction with the services of the

486 partnership.

487 (b) The department shall contribute to the evaluation

488 process by providing access, consistent with s. 119.071(5)(a),

489 to student and teacher information necessary to match against

490 databases containing teacher professional development data and

491 databases containing assessment data for the PSAT/NMSQT, SAT,

492 ACT, PreACT, AP, and other appropriate measures. The department

493 shall also provide student-level data on student progress from

Page 17 of 20

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

581-02337-18

2018732c1

494 middle school through high school and into college and the

495 workforce, if available, in order to support longitudinal

496 studies. The partnership shall analyze and report student

497 performance data in a manner that protects the rights of

498 students and parents as required in 20 U.S.C. s. 1232g and s.

499 1002.22.

500 Section 8. Paragraph (1) of subsection (5) and paragraph

501 (a) of subsection (11) of section 1002.385, Florida Statutes,

502 are amended to read:

503 1002.385 The Gardiner Scholarship.—

504 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be

505 used to meet the individual educational needs of an eligible

506 student and may be spent for the following purposes:

507 (1) Fees for an annual evaluation of educational progress

508 by a state-certified teacher under s. 1002.41(1)(f) ~~or~~

509 ~~1002.41(1)(e)~~, if this option is chosen for a home education

510 student.

511 A provider of any services receiving payments pursuant to this

512 subsection may not share, refund, or rebate any moneys from the

513 Gardiner Scholarship with the parent or participating student in

514 any manner. A parent, student, or provider of any services may

515 not bill an insurance company, Medicaid, or any other agency for

516 the same services that are paid for using Gardiner Scholarship

517 funds.

518 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM

519 PARTICIPATION.—A parent who applies for program participation

520 under this section is exercising his or her parental option to

521 determine the appropriate placement or the services that best

522

Page 18 of 20

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

581-02337-18

2018732c1

523 meet the needs of his or her child. The scholarship award for a
 524 student is based on a matrix that assigns the student to support
 525 Level III services. If a parent receives an IEP and a matrix of
 526 services from the school district pursuant to subsection (7),
 527 the amount of the payment shall be adjusted as needed, when the
 528 school district completes the matrix.

529 (a) To satisfy or maintain program eligibility, including
 530 eligibility to receive and spend program payments, the parent
 531 must sign an agreement with the organization and annually submit
 532 a notarized, sworn compliance statement to the organization to:

533 1. Affirm that the student is enrolled in a program that
 534 meets regular school attendance requirements as provided in s.
 535 1003.01(13)(b)-(d).

536 2. Affirm that the program funds are used only for
 537 authorized purposes serving the student's educational needs, as
 538 described in subsection (5).

539 3. Affirm that the parent is responsible for the education
 540 of his or her student by, as applicable:

541 a. Requiring the student to take an assessment in
 542 accordance with paragraph (8)(c);

543 b. Providing an annual evaluation in accordance with s.
 544 1002.41(1)(f) ~~s. 1002.41(1)(e)~~; or

545 c. Requiring the child to take any preassessments and
 546 postassessments selected by the provider if the child is 4 years
 547 of age and is enrolled in a program provided by an eligible
 548 Voluntary Prekindergarten Education Program provider. A student
 549 with disabilities for whom a preassessment and postassessment is
 550 not appropriate is exempt from this requirement. A participating
 551 provider shall report a student's scores to the parent.

581-02337-18

2018732c1

552 4. Affirm that the student remains in good standing with
 553 the provider or school if those options are selected by the
 554 parent.

555
 556 A parent who fails to comply with this subsection forfeits the
 557 Gardiner Scholarship.

558 Section 9. This act shall take effect July 1, 2018.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/17

Meeting Date

732

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Amber Kelly

Job Title _____

Address 4853 S. Orange Ave, Ste C

Phone _____

Street

Orlando FL 32806

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing FL Family Action

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
APPEARANCE RECORD

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

2/8/17

Meeting Date

732

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Bill Bunkley

Job Title President

Address PO BOX 341644

Phone 813-264-2977

Street

Tampa

City

FL

State

33694

Zip

Email _____

Speaking: For Against Information

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

Representing FL Ethics & Religious Liberty Commission

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

APPEARANCE RECORD

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

2/8/18

Meeting Date

732

Bill Number (if applicable)

Topic Home Education

Amendment Barcode (if applicable)

Name Debbie Northam

Job Title Legislative Director

Address 215 S Monroe

Phone

Street

Tallahassee FL 32301

City

State

Zip

Email debbie@exclined.org

Speaking: For Against Information

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

Representing Foundation for Florida's Future

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-18

Meeting Date

SB 732

Bill Number (if applicable)

119070

Amendment Barcode (if applicable)

Topic K-12 Education

Name BRENDA DICKINSON

Job Title LOBBYIST / PRESIDENT

Address PO Box 12563

Street

Phone 850-264-2184

TALLAHASSEE

City

FL

State

32317

Zip

Email CONSULTINGBRENDA@gmail.com

Speaking: For Against Information

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

Representing The Home Education FOUNDATION

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
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 Pre-K - 12 Education

BILL: SB 856

INTRODUCER: Senator Montford

SUBJECT: High School Graduation Requirements

DATE: February 7, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Olenick</u>	<u>Graf</u>	<u>ED</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 856 authorizes students to use apprenticeship or preapprenticeship program credit to meet specified credit requirements for high school graduation. Specifically, the bill:

- Authorizes a student who earns credit upon completion of an apprenticeship or preapprenticeship program registered with the Department of Education to use such credit to meet the credit requirements for:
 - Fine or performing arts, speech and debate, or practical arts; or
 - Electives.
- Requires the State Board of Education to approve and identify in the Course Code Directory the apprenticeship and preapprenticeship programs from which a student may use earned credit to meet the specified credit requirements for high school graduation.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2018.

II. Present Situation:

Florida law specifies the requirements for public school students to graduate from high school with a standard diploma.¹

Florida High School Graduation Requirements

Receipt of a standard high school diploma requires successful completion of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education

¹ Section 1003.4282, F.S.

curriculum.² The required credits may be earned through equivalent, applied, or integrated courses or career education courses,³ including work-related internships approved by the State Board of Education (SBE) and identified in the course code directory.⁴

Credit Requirements

To graduate from high school with a standard high school diploma, a student must successfully complete 24 credits in the following subject areas:⁵

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics including one credit each in Algebra I and Geometry. Industry certifications earned by students may substitute for up to two mathematics credits, except for Algebra I and Geometry.
- Three credits in science including one credit in Biology I and two credits in equally rigorous courses. Industry certifications earned by students may substitute for one science credit, except for Biology I.
- Three credits in social studies including one credit each in United States History and World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or practical arts.
- One credit in physical education.
- Eight credits in electives.

At least one course within the required 24 credits must be completed through online learning.⁶

Career Education

Participation in career education courses engages students in their high school education, increases academic achievement, enhances employability, and increases postsecondary success.⁷ Florida law⁸ requires the Department of Education (DOE) to develop, for approval by the SBE, career education courses or a series of courses that meet the specified requirements in law⁹ and allow students to earn credit in both the career education course and courses required for high

² *Id.* at (1)(a).

³ Career education means education that provides instruction for purposes specified in law such as providing information to students about a broad range of occupations to assist students in preparing their academic and occupational plans, effectively enter an occupation, or advance within an occupation. Section 1003.01(4), F.S.

⁴ Section 1003.4282(1)(b), F.S. The Course Code Directory (CCD) is the listing of all public preK-12 courses available for use by school districts. Programs and courses which are funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education, with details regarding appropriate teacher certification levels. The CCD provides for course information to schools, districts, and the state. Rule 6A-1.09441, F.A.C.

⁵ Section 1003.4282(3), F.S.

⁶ *Id.* at (4).

⁷ *Id.* at (8).

⁸ Section 1003.4282(8), F.S.

⁹ Sections 1003.493(2), (4), and (5) and 1003.4282, F.S.

school graduation.¹⁰ It is the responsibility of the SBE to determine if sufficient academic standards are covered to warrant the award of academic credit.¹¹

Career and professional academies¹² are required to initiate partnerships with local workforce boards, local businesses, industry, and postsecondary institutions to create career education courses or a series of courses.¹³

Career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and designated rigorous coursework that results in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certificate or degree program, which may include high school junior and senior year work-related internships or apprenticeships.¹⁴

Apprenticeship and Preapprenticeship Programs

An apprenticeship program is an organized course of instruction, registered and approved by the DOE,¹⁵ which contains all terms and conditions for the qualifications, recruitment, selection, employment, and training of apprentices¹⁶ including the requirements for a written apprenticeship agreement.¹⁷

The DOE is responsible for administering, facilitating, and supervising registered apprenticeship programs, including, but not limited to:¹⁸

- Developing and encouraging apprenticeship programs.

¹⁰ Section 1003.4282(8)(a), F.S.

¹¹ *Id.* at (8)(a)(1), F.S.

¹² A “career and professional academy” is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Department of Economic Opportunity. Career and professional academies shall be offered by public schools and school districts. The Florida Virtual School is encouraged to develop and offer rigorous career and professional courses as appropriate. Students completing career and professional academy programs must receive a standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the academy partners with a postsecondary institution approved to operate in the state. Section 1003.493(1)(a), F.S.

¹³ *Id.* at (4)(b).

¹⁴ Section 1003.4282(8)(a)2, F.S.

¹⁵ Registration of an apprenticeship program means acceptance and recording of such program by the Department as meeting the basic standards and requirements of the Department for approval of such program. Approval is evidenced by a certificate or other written indicia. Rule 6A-23.002(18), F.A.C. Eligibility and requirements for registration are established in State Board of Education rule. Rule 6A-23.003, F.A.C.

¹⁶ An “apprentice” means “a person at least 16 years of age who is engaged in learning a recognized skilled trade through actual work experience under the supervision of journeyman craftsmen, which training should be combined with properly coordinated studies of technical and supplementary subjects, and who has entered into a written agreement, which may be cited as an apprentice agreement, with a registered apprenticeship sponsor who may be either an employer, an association of employers, or a local joint apprenticeship committee.” Section 446.021(2), F.S. A “journeyman means” “a person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number of years required by established industry practices for the particular trade or occupation.” Section 446.021(4), F.S.

¹⁷ Section 446.021(6), F.S. An apprenticeship agreement may not operate to invalidate any apprenticeship provision in a collective agreement between employers and employees which establishes higher apprenticeship standards. Section 446.081(1), F.S.

¹⁸ Section 446.041, F.S.

- Cooperating with and assisting apprenticeship sponsors to develop apprenticeship standards and training requirements.
- Monitoring registered apprenticeship programs.
- Investigating complaints regarding failure to meet the standards established by the DOE.
- Canceling registration of programs that fail to comply with DOE standards and policies.

To be eligible for an apprenticeship program, the person must be at least 16 years of age.¹⁹ Admission requirements related to education, physical ability, work experience and other criteria vary based on the program's training needs.²⁰ As of January 2018, there are 196 registered apprenticeship programs and 12,468 registered apprentices.²¹

A preapprenticeship program is an organized course of instruction in the public school system or elsewhere, which is designed to prepare a person 16 years of age or older to become an apprentice²² and is approved by and registered with the DOE and sponsored by a registered apprenticeship program.²³

The DOE, under regulations established by the SBE, may administer the provisions in law²⁴ which relate to preapprenticeship programs in cooperation with district school boards and Florida College System (FCS) institution boards of trustees.²⁵ District school boards, FCS institution boards of trustees, and registered program sponsors must cooperate in developing and establishing programs that include career instruction and general education courses required to obtain a high school diploma.²⁶

Additionally, the DOE, district school boards, and FCS institution boards of trustees must work together with existing apprenticeship programs so that individuals completing preapprenticeship programs may be able to receive credit towards completing registered apprenticeship programs.²⁷

According to the DOE, there are six one credit preapprenticeship courses, which are counted as electives for graduation purposes.²⁸ As of September 2017 there are 19 preapprenticeship programs located throughout the state.²⁹

III. Effect of Proposed Changes:

The bill authorizes students to use apprenticeship or preapprenticeship program credit to meet specified credit requirements for high school graduation. Specifically, the bill:

¹⁹ Section 446.021(2), F.S.

²⁰ United State Department of Labor, Employment and Training Administration, *Apprentices*, <https://www.doleta.gov/oa/apprenticeship.cfm> (last visited Jan. 26, 2018).

²¹ Email, Florida Department of Education (Jan. 5, 2018).

²² A "preapprentice" means any person 16 years of age or over engaged in any course of instruction in the public school system or elsewhere, which course is registered as a preapprenticeship program with the department. Section 446.021(1), F.S.

²³ Section 446.021(5), F.S.

²⁴ Sections 446.011-446.092, F.S.

²⁵ Section 446.052(2), F.S.

²⁶ *Id.*

²⁷ Section 446.052(3), F.S.

²⁸ Telephone Interview with staff, Department of Education (Jan. 25, 2018)

²⁹ *Id.*

- Authorizes a student who earns credit upon completion of an apprenticeship or preapprenticeship program registered with the Department of Education to use such credit to meet the credit requirements for:
 - Fine or performing arts, speech and debate, or practical arts; or
 - Electives.
- Requires the State Board of Education to approve and identify in the Course Code Directory the apprenticeship and preapprenticeship programs from which a student may use earned credit to meet the specified credit requirements for high school graduation.

The bill may promote student participation in apprenticeship and preapprenticeship programs, which may help participating students acquire the skills and training needed to enter the workforce. It is not known how many credits may be generated upon students' completion of apprenticeship and preapprenticeship programs, and how many of such credits may be applied toward fine or performing arts, speech and debate, or practical arts; or electives.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.4282 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

By Senator Montford

3-00732-18

2018856__

1 A bill to be entitled
 2 An act relating to high school graduation
 3 requirements; amending s. 1003.4282, F.S.; authorizing
 4 the use of credits earned upon completion of a
 5 registered apprenticeship or preapprenticeship to
 6 satisfy specified high school graduation credit
 7 requirements; requiring that the State Board of
 8 Education approve and identify apprenticeship and
 9 preapprenticeship programs for such purpose; providing
 10 an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. Paragraph (a) of subsection (8) of section
 15 1003.4282, Florida Statutes, is amended to read:

16 1003.4282 Requirements for a standard high school diploma.—
 17 (8) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
 18 CREDIT REQUIREMENTS.—

19 (a) Participation in career education courses engages
 20 students in their high school education, increases academic
 21 achievement, enhances employability, and increases postsecondary
 22 success. By July 1, 2014, the department shall develop, for
 23 approval by the State Board of Education, multiple, additional
 24 career education courses or a series of courses that meet the
 25 requirements set forth in s. 1003.493(2), (4), and (5) and this
 26 subsection and allow students to earn credit in both the career
 27 education course and courses required for high school graduation
 28 under this section and s. 1003.4281.

29 1. The state board must determine if sufficient academic

Page 1 of 2

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

3-00732-18

2018856__

30 standards are covered to warrant the award of academic credit.
 31 2. Career education courses must include workforce and
 32 digital literacy skills and the integration of required course
 33 content with practical applications and designated rigorous
 34 coursework that results in one or more industry certifications
 35 or clearly articulated credit or advanced standing in a 2-year
 36 or 4-year certificate or degree program, which may include high
 37 school junior and senior year work-related internships or
 38 apprenticeships. The department shall negotiate state licenses
 39 for material and testing for industry certifications. The
 40 instructional methodology used in these courses must be
 41 comprised of authentic projects, problems, and activities for
 42 contextually learning the academics.

43 3. A student who earns credit upon completion of an
 44 apprenticeship or preapprenticeship program registered with the
 45 Department of Education under chapter 446 may use such credit to
 46 satisfy the high school graduation credit requirements in
 47 paragraph (3) (e) or paragraph (3) (g). The state board shall
 48 approve and identify in the Course Code Directory the
 49 apprenticeship and preapprenticeship programs from which earned
 50 credit may be used pursuant to this subparagraph.

51 Section 2. This act shall take effect July 1, 2018.

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)

2-8-18
Meeting Date

856
Bill Number (if applicable)

Topic G Graduation Requirement

Amendment Barcode (if applicable)

Name EVELYN NAZARIO

Job Title _____

Address 1935 CONWAY RD

Phone (321) 948-9490

Street
ORLANDO FL 32812

Email E

City State Zip

Speaking: For Against Information

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

Representing _____

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

2-8-18

Meeting Date

856

Bill Number (if applicable)

Topic GRADUATION Requirements

Amendment Barcode (if applicable)

Name Luis Surtillo

Job Title

Address 3543 Rodrick circle

Phone 4079527810

Street

ORLANDO

FL

32824

Email

City

State

Zip

Speaking: [X] For [] Against [] Information

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

Representing

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-18

Meeting Date

856

Bill Number (if applicable)

Topic Graduation Requirements

Amendment Barcode (if applicable)

Name Jayne Walker

Job Title _____

Address 1437 Quailly St
Street

Phone 407-404-0047

Orlando, FL 32804
City State Zip

Email Jaywann@aol.com

Speaking: For Against Information

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

Representing _____

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
APPEARANCE RECORD

8-FEB-2018

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

856

Meeting Date

Bill Number (if applicable)

Topic HIGH SCHOOL GRADUATION REQUIREMENTS

Amendment Barcode (if applicable)

Name DAVID GATES

Job Title _____

Address 1444 MENLO AVE.

Phone 904-322-3995

Street

JACKSONVILLE FL.

32218

Email davidgates177@yahoo.com

City

State

Zip

Speaking: For Against Information

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

Representing MYSELF

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
APPEARANCE RECORD

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

2-8-2018

Meeting Date

0856

Bill Number (if applicable)

Topic High School Graduation Requirements

Amendment Barcode (if applicable)

Name Shawn McDonnell

Job Title N/A

Address 3312 April Lane

Phone 727-423-0055

Street

Palm Harbor FL 34684

City

State

Zip

Email Shawn@IBEW915.org

Speaking: For Against Information

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

Representing Myself

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
APPEARANCE RECORD

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

2/8/18

Meeting Date

856

Bill Number (if applicable)

Topic High School Graduation Requirements

Amendment Barcode (if applicable)

Name Jeremy Zain

Job Title _____

Address 172 Tuscan Bend Street

Phone 386-679-4636

Street

Daytona Beach FL 32117

Email j.zain@live.com

City

State

Zip

Speaking: For Against Information

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

Representing Myself

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

02-08-2018

Meeting Date

SB 2856

Bill Number (if applicable)

Topic High School Graduation Requirements

Amendment Barcode (if applicable)

Name Kevin L. Gibbs

Job Title N/A

Address 33 General Doolittle Rd. Street

Phone 386-481-7489

Daytona Beach, FL 32124 City State Zip

Email snapper756@gmail.com

Speaking: [] For [] Against [] Information

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

Representing Myself

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] 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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

2-8-18

Meeting Date

0856

Bill Number (if applicable)

Topic High school graduation Requirements

Amendment Barcode (if applicable)

Name Adam Campbell

Job Title N/A

Address 3738 Kenyon Road

Phone 561-452-7748

Street

Lake Worth FL 33461

City

State

Zip

Email acampbell@ibew728.org

Speaking: [] For [] Against [] Information

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

Representing myself

Appearing at request of Chair: [] Yes [x] No

Lobbyist registered with Legislature: [] Yes [x] 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-16

Meeting Date

856

Bill Number (if applicable)

Topic Instructional Materials

Amendment Barcode (if applicable)

Name Cathy Boehme

Job Title Legislative Specialist / Retired teacher

Address 213 S. Adams St.

Phone 850-229-2028

Street

Tallahassee

City

FL

State

32301

Zip

Email cathy.boehme@floridaea.org

Speaking: For Against Information

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

Representing Florida Education Association

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

APPEARANCE RECORD

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

2/8/18

Meeting Date

SB 856

Bill Number (if applicable)

Topic HIGH SCHOOL GRADUATION REQUIREMENTS

Amendment Barcode (if applicable)

Name GLENDA ABICHT

Job Title SERVICES TECH.

Address 4305 SW 98 AV Street

Phone 786-376-1181

MIAMI City FL State

Email GLENDA.ABICHT@GMAIL.COM

Speaking: [] For [] Against [] Information

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

Representing SELF

Appearing at request of Chair: [] Yes [X] No Lobbyist registered with Legislature: [] Yes [X] 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-18

Meeting Date

856

Bill Number (if applicable)

Topic High school graduation requirements

Amendment Barcode (if applicable)

Name Andy Starling

Job Title Electrician

Address 6851 NE CR 337

Phone 352 318 5410

Street

Bronson

FL

32621

Email andystarling84@yahoo.com

City

State

Zip

Speaking: For Against Information

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

Representing Myself

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

APPEARANCE RECORD

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

2-8-18

Meeting Date

856

Bill Number (if applicable)

Topic High School Graduation Requirements

Amendment Barcode (if applicable)

Name Theresa King

Job Title President

Address P O Box 10888

Street

Phone 850-228-8940

Tallahassee

City

FL

State

32302

Zip

Email fbt.king@gmail.com

Speaking: [X] For [] Against [] Information

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

Representing FL Building and Construction Trades Council

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] 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
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 Pre-K - 12 Education

BILL: SB 996

INTRODUCER: Senator Mayfield

SUBJECT: Cardiopulmonary Resuscitation in Public Schools

DATE: February 7, 2018 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Alperstein, Olenick</u>	<u>Graf</u>	<u>ED</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 996 requires each school district to provide students instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator. Specifically, the bill:

- Requires the instruction to be part of the physical education curriculum or another required curriculum selected by the school district.
- Requires the instruction to be based on an instructional program established by:
 - The American Heart Association,
 - The American Red Cross, or
 - Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.
- Requires students to study and practice psychomotor skills associated with performing CPR at least once before graduating from high school.
- Exempts students with disabilities from the specified instruction requirements.

A school district that does not already provide instruction in CPR and the use of an automated external defibrillator may experience increased costs associated with the requirements of the bill. However, no new state funds are specifically appropriated for the implementation of these requirements.

The bill takes effect July 1, 2018.

II. Present Situation:

Florida law provides for required instruction in public schools.¹

¹ Section 1003.42(1), F.S.

Required Instruction

Each district school board must provide courses required for middle grades promotion, high school graduation and appropriate instruction designed to ensure that students meet State Board of Education adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health, physical education, and the arts.²

Next Generation Sunshine State Standards

The Next Generation Sunshine State Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire.³

Visual and performing arts, physical education, health and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5.⁴ The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.⁵

Physical Education

It is the responsibility of each district school board to:⁶

- Develop a physical education program that stresses fitness and encourages healthful, active lifestyles, and
- Encourage all students in prekindergarten through grade 12 to participate in physical education.

Each district school board must adopt a written physical education policy that details the school district's physical education program, the expected program outcomes, the benefits of physical education and the availability of one-on-one counseling concerning the benefits of physical education.⁷

Each district school board must provide 150 minutes of physical education each week for students in kindergarten through grade 5 and for students in grade 6 who are enrolled in a school that contains one or more elementary grades so that on any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day.⁸ The equivalent of one class period per day of physical education for one semester of each year is required for students enrolled in grades 6 through 8.⁹

² Section 1003.42(1), F.S.

³ Section 1003.41(1), F.S.

⁴ *Id.* at (2)(e).

⁵ *Id.*

⁶ Section 1003.455(1), F.S.

⁷ *Id.* at (2).

⁸ *Id.* at (3).

⁹ *Id.*

School Wellness and Physical Education Policies

Each school district must electronically submit its local school wellness policy to the Department of Agriculture and Consumer Services and its physical education policy required under law¹⁰ to the Department of Education.¹¹

School districts are encouraged to provide basic training in first aid, including cardiopulmonary resuscitation, for all students beginning in grade 6 and every 2 years thereafter.¹²

III. Effect of Proposed Changes:

Section 1 creates s. 1003.457, F.S., to require each school district to provide to students instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator. Specifically, this section:

- Requires the instruction to be part of the physical education curriculum or another required curriculum selected by the school district.
- Requires the instruction to be based on an instructional program established by:
 - The American Heart Association,
 - The American Red Cross, or
 - Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.
- Requires students to study and practice psychomotor skills associated with performing CPR at least once before graduating from high school.
- Exempts students with disabilities from the specified instruction requirements.

Section 2 amends s. 1003.453, F.S., to delete cardiopulmonary resuscitation from the basic first aid training that school districts are encouraged to provide as part of their school wellness and physical education policies.

Requiring instruction in CPR and the use of an automated external defibrillator may help a student prevent or mitigate a potentially life threatening situation.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁰ Section 1003.455, F.S.

¹¹ *Id.* at (1).

¹² *Id.* at (1) and (3).

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

A school district that does not already provide instruction in CPR and the use of an automated external defibrillator may experience increased costs associated with the requirements of the bill. However, no new state funds are specifically appropriated for the implementation of these requirements.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1003.457 of the Florida Statutes.

This bill substantially amends section 1003.453 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Mayfield

17-00509A-18

2018996__

A bill to be entitled

An act relating to cardiopulmonary resuscitation in public schools; creating s. 1003.457, F.S.; requiring school districts to provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator; requiring students to study and practice psychomotor skills associated with CPR at least once before graduating from high school; requiring the instruction to be a part of a required curriculum; providing instruction to be based on certain programs; providing an exemption; amending s. 1003.453, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 1003.457, Florida Statutes, is created to read:

1003.457 Instruction in cardiopulmonary resuscitation.-

(1) Each school district shall provide instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator. Students shall study and practice the psychomotor skills associated with performing CPR at least once before graduating from high school. The instruction shall be a part of the physical education curriculum or another required curriculum selected by the school district.

(2) The instruction shall be based on an instructional program established by:

(a) The American Heart Association;

Page 1 of 2

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

17-00509A-18

2018996__

(b) The American Red Cross; or

(c) Another nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.

(3) A student with a disability, as defined in s. 1007.02, is exempt from the requirements of this section.

Section 2. Subsection (3) of section 1003.453, Florida Statutes, is amended to read:

1003.453 School wellness and physical education policies; nutrition guidelines.-

(3) School districts are encouraged to provide basic training in first aid, ~~including cardiopulmonary resuscitation,~~ for all students, beginning in grade 6 and every 2 years thereafter. Private and public partnerships for providing training or necessary funding are encouraged.

Section 3. This act shall take effect July 1, 2018.

Page 2 of 2

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

THE FLORIDA SENATE

APPEARANCE RECORD

2/8/18

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

996

Meeting Date

Bill Number (if applicable)

Topic CPR in Schools

Amendment Barcode (if applicable)

Name Mark Landrath

Job Title Sr. Director GR

Address 2851 Remington Green Cir

Phone 850-544-3376

Street

Mark Landrath

City

32308

State

Zip

Email @heart.org

Speaking: For Against Information

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

Representing American Heart Association

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/18

Meeting Date

996

Bill Number (if applicable)

Topic CPR in Public School

Amendment Barcode (if applicable)

Name FELY CURVA, Ph.D.

Job Title Partner, Curva & Associates LLC

Address 1212 Piedmont Dr.
Street

Phone (850) 508-2256

Tallahassee FL 32312
City State Zip

Email curva@mindspring.com

Speaking: For Against Information

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

Representing Society of Health & Physical Educators (SHAPE) FLORIDA

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
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 Pre-K - 12 Education

BILL: PCS/CS/SB 1056 (293960)

INTRODUCER: Appropriations Subcommittee on Pre-K-12 Education; Education Committee and Senator Passidomo

SUBJECT: Computer Science Instruction

DATE: February 7, 2018

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1056 promotes opportunities for public middle and high school students to learn computer science taught by qualified teachers. Specifically, the bill:

- Expands access to computer science courses by:
 - Requiring middle schools and high schools to offer computer science courses.
 - Phasing in a requirement for school districts to offer computer science courses in a specified number of traditional public middle, high, and combination schools within a specified timeframe.
 - Requiring computer science courses that meet the specified definition to be identified in the Course Code Directory and on the Department of Education's (DOE) website.
- Creates opportunities for teachers to be certified and trained to teach computer science courses, and requires the DOE to award funding, subject to legislative appropriation, to a school district or consortium of school districts to deliver or facilitate training for educators to earn a certificate in computer science or specified industry certification, or to pay fees for examinations that lead to a credential.
- Provides, subject to legislative appropriation, the following bonuses to a public school educator evaluated as effective or highly effective, or is newly hired:
 - \$1,000 after each year teaching a computer science course, for up to three years, if the educator holds a certificate in computer science or has passed the computer science subject area examination and holds an adjunct certificate.

- \$500 after each year teaching a specified course, for up to three years, if the educator holds an industry certification.
- Requires the DOE to provide, subject to legislative appropriation, high-need district technology grants to school districts for which the Florida digital classrooms allocation and the district's instructional materials fund are insufficient to meet the need.

The bill does not affect state revenues or expenditures. SB 2500, the Senate General Appropriations Act for Fiscal Year 2018-2019, does not provide an appropriation to the DOE for the components of the bill subject to legislative appropriations. These components include:

- Teacher bonuses.
- Funding for a school district or a consortium of school districts to deliver or facilitate training to enable teachers to earn certificates in computer science or applicable industry certifications.
- High-need technology grants to eligible school districts.

The bill takes effect upon becoming a law.

II. Present Situation:

Computing occupations are the primary source of all new wages in the United States and make up two-thirds of all projected new jobs in science, technology, engineering, and mathematics (STEM) fields.¹ In Florida, employment in computer occupations is projected to grow by 15.2 percent between 2017 to 2025.² In 2017, the estimated average annual wage for such occupations was \$79,518.³

Access to Computer Science Courses

Public schools are required to provide students in kindergarten through grade 12 opportunities to learn computer science including, but not limited to, computer coding and computer programming.⁴ Such opportunities may include:⁵

- Coding instruction in elementary and middle school;
- Instruction to develop students' computer usage and digital literacy skills in middle school; and

¹ Code.org, *Support K-12 Computer Science Education in Florida*, available at <https://code.org/advocacy/state-facts/FL.pdf>, at 1.

² Computer Occupations include Computer and Information Research Scientists, Computer Systems Analysts, Information Security Analysts, Computer Programmers, Software Developers, Applications, Software Developers, Systems Software Web Developers, Database Administrators, Network and Computer Systems Administrators, Computer Network Architects, Computer User Support Specialists, Computer Network Support Specialists, and Computer Occupations, All Other. Department of Economic Opportunity, *2017-2025 Statewide Projections*, available at http://lmsresources.labormarketinfo.com/library/ep/2017_2025/F25stw.xls.

³ The Florida Senate staff analysis of Department of Economic Opportunity, *2017 Wage Estimates, Florida*, available at <http://www.floridajobs.org/labor-market-information/data-center/statistical-programs/occupational-employment-statistics-and-wages>.

⁴ Section 1007.2616(1), F.S.

⁵ *Id.*

- Courses in computer science, computer coding, and computer programming in high school, including earning-related industry certifications.

Computer Science Courses and Industry Certifications

Currently, academic courses in computer science listed in the grades 9-12 section of the Course Code Directory (CCD)⁶ are limited to acceleration courses under the Advanced Placement, Advanced International Certificate of Education, and International Baccalaureate programs.⁷ Courses in computer science are also listed in the Career and Technical Education Program and Course Listing section of the CCD.⁸

In 2016, the State Board of Education revised the Next Generation Sunshine State Standards to include K-12 computer science standards.⁹ The Florida Department of Education (DOE) has identified general education courses that will incorporate the newly adopted computer science standards. At the secondary level, such course is “Meteorology Honors for Grade 9-12.”¹⁰

The DOE has also identified career and technical education courses and programs that contain the new computer science standards.¹¹ However, such courses or programs are not linked to any specified industry certifications.¹²

Teacher Qualifications

Educator Certification in Computer Science

The standard specialization requirements for an educator to be certified to teach K-12 academic computer science courses include:¹³

- A bachelor's or higher degree with an undergraduate or graduate major in computer science or computer science education, or
- A bachelor's or higher degree with 30 semester hours in computer science or computer science education to include credit in:
 - Computer applications and
 - Computer programming.

⁶ The Course Code Directory (CCD) lists all public preK-12 and postsecondary career and technical education courses available for use by school districts. Programs and courses funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education. Rule 6A-1.09441, F.A.C.. The CCD also includes details regarding appropriate teacher certification levels. Section 1012.55(1)(c), F.S.

⁷ Florida Department of Education, *2017-2018 Course Code Directory, Grades 9 to 12 and Adult Education Course Listing*, <http://www.fldoe.org/core/fileparse.php/7746/urlt/1718CCD-Basic9-12.pdf>, at 8-9.

⁸ Florida Department of Education, *2017-2018 Course Code Directory, Career and Technical Education*, <http://www.fldoe.org/core/fileparse.php/7746/urlt/1718-CCD-CTE.pdf>, at 129-162.

⁹ See rule 6A-1.09401(1)(n), F.A.C.

¹⁰ Florida Department of Education, *Course and CTE Programs that Include the New Computer Science Standards for the 2017-2018 School Year*, Memorandum DPS: 2017-26 (Mar. 3, 2017).

¹¹ *Id.*

¹² Email, Florida Department of Education (Jan. 11, 2018).

¹³ Rule 6A-4.0121, F.A.C.

The standard requirements for an educator to be certified to teach career and technical education courses and programs in information technology¹⁴ are specified in the appropriate secondary and postsecondary adult vocational program curriculum framework.¹⁵

General Requirements for Educator Certification

The Legislature has established certification requirements to assure that educational personnel in public schools possess appropriate skills in reading, writing, and mathematics, and adequate pedagogical knowledge, including the use of technology to enhance student learning, and relevant subject matter competence to demonstrate an acceptable level of professional performance.¹⁶

Each person employed as a teacher in a public school must hold a certificate required by law and rules of the State Board of Education.¹⁷ Educator certificates include the:

- Professional certificate, which is the standard, renewable type of certificate.¹⁸ The professional certificate is valid for up to five years.¹⁹
- Temporary certificate, for employment in full-time positions for which a Florida educator certificate is required.²⁰ The temporary certificate is valid for three school fiscal years and is nonrenewable.²¹

In addition, school districts are authorized to issue adjunct teaching certificates to part-time teachers who have expertise in the subject area to be taught.²²

¹⁴ The Information Technology Career Cluster incorporates four pathways. Network Systems; Information Support & Services; Programming & Software Development; and Interactive Media. Florida Department of Education, *Information Technology*, <http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/info-technology.stml> (last visited Jan. 12, 2018).

¹⁵ Florida Department of Education, *Information Technology*, <http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/curriculum-frameworks/2017-18-frameworks/info-technology.stml> (last visited Jan. 12, 2018).

¹⁶ Section 1012.54, F.S.

¹⁷ Sections 1012.55(1)(b) and 1002.33(12)(f), F.S. Teacher certification is administered and implemented by the DOE. Rule 6A-4.001, F.A.C.

¹⁸ Rule 6A-4.004(2)(a), F.A.C.

¹⁹ Section 1012.56(7)(a), F.S. The validity period is expressed as 5 years from July 1 of the school fiscal year. Rule 6A-4.0051(3)(c), F.A.C.

²⁰ Rule 6A-4.004(1)(a)2., F.A.C.

²¹ Section 1012.56(7), F.S. The validity period is expressed in school fiscal years. Rule 6A-4.004(1)(a), F.A.C.

²² Section 1012.57(1), F.S.

Educator Performance Evaluations

Instructional personnel²³ employed by Florida's public school districts must undergo an annual performance evaluation.²⁴

The evaluation system for instructional personnel must differentiate among four levels of performance as follows:²⁵

- Highly effective.
- Effective.
- Needs improvement or, for instructional personnel in the first 3 years of employment who need improvement, developing.
- Unsatisfactory.

Support for Technology in the Classroom

The DOE is responsible for developing a 5-year strategic plan for establishing Florida digital classrooms. The plan must:²⁶

- Describe how technology will be integrated into classroom teaching and learning to improve student performance outcomes.
- Identify minimum technology requirements that include specifications for hardware, software, devices, networking, security, and bandwidth capacity.
- Establish minimum requirements for professional development opportunities and training to assist district instructional personnel and staff with the integration of technology into classroom teaching.
- Identify the types of digital tools and resources that can assist district instructional personnel and staff in the management, assessment, and monitoring of student learning and performance.

The Florida digital classrooms allocation supports the efforts of school districts and schools, including charter schools, to integrate technology in classroom teaching and learning to ensure students have access to high-quality electronic and digital instructional materials and resources, and empower classroom teachers to help their students succeed.²⁷

²³ Instructor personnel means any K-12 staff member who provides direct instructional services to students or provide direct support in the learning process of students. Section 1012.01(2), F.S. Instructional personnel includes classroom teachers, student personnel services, librarians and media specialists, education paraprofessionals, and other instructional staff. *Id.*

²⁴ Section 1012.34(3), F.S. Newly hired classroom teachers are evaluated twice in their first year of teaching in a school district. *Id.*

²⁵ Section 1012.34(2)(e), F.S.

²⁶ Section 1001.20(4)(a), F.S.

²⁷ Section 1011.62(12)(a), F.S. The General Appropriations Act allocates \$80,000,000 for the Digital Classrooms allocation. Specific Appropriation 91, ch. 2017-18. The minimum amount allocated to each district is \$500,000. *Id.*

Florida Virtual School

The FLVS is intended to develop and deliver online and distance learning education.²⁸ The mission of the FLVS is to provide students with technology-based educational opportunities to gain the knowledge and skills necessary to succeed.²⁹ The school must serve any student in the state who meets the profile for success³⁰ in the online educational environment.³¹

III. Effect of Proposed Changes:

The bill amends s. 1007.2616, F.S., to promote opportunities for public middle and high school students to learn computer science taught by qualified teachers. Specifically, the bill:

- Expands access to computer science courses by:
 - Requiring middle schools and high schools to offer computer science courses.
 - Phasing in a requirement for school districts to offer computer science courses in a specified number of traditional public middle, high, and combination schools within a specified timeframe.
 - Requiring computer science courses that meet the specified definition to be identified in the Course Code Directory (CCD) and on the Department of Education's (DOE or department) website.
- Creates opportunities for teachers to be certified and trained to teach computer science courses, and requires the DOE to award funding, subject to legislative appropriation, to a school district or consortium of school districts to deliver or facilitate training for educators to earn a certificate in computer science or specified industry certification, or to pay fees for examinations that lead to a credential.
- Provides, subject to legislative appropriation, the following bonuses to a public school educator evaluated as effective or highly effective, or is newly hired, subject to legislative appropriation:
 - \$1,000 after each year teaching a computer science course, for up to three years, if the educator holds a certificate in computer science or has passed the computer science subject area examination and holds an adjunct certificate.
 - \$500 after each year teaching a specified course, for up to three years, if the educator holds an industry certification.
- Requires the DOE to provide, subject to legislative appropriation, high-need district technology grants to school districts for which the Florida digital classrooms allocation and the district's instructional materials fund are insufficient to meet the need.

Access to Computer Science Courses

The bill requires that high school students must be provided opportunities to take computer science courses to satisfy high school graduation requirements and phases in a requirement that

²⁸ Section 1002.37(1)(a), F.S.

²⁹ *Id.* at (b).

³⁰ The FLVS has identified hard and soft skills and other requirements that facilitate student success in online instruction. Such skills include written and oral communication, academic honesty, self-motivation, computer literacy, time management, reading competency, personal commitment, and access to technology. Email, Florida Virtual School (Jan. 9, 2018).

³¹ Section 1002.37(1)(b), F.S.

school districts provide students with access to computer science courses.³² Specifically, a school district with:

- More than 10 public middle, high, and combination schools³³ must provide computer science courses as follows:
 - Beginning in the 2018-2019 school year, at least one computer science course in no less than 4 percent of the school district's total number of middle, high, and combination schools.
 - Beginning in the 2019-2020 school year, at least one computer science course in no less than 7 percent of the school district's total number of middle, high, and combination schools.
 - Beginning in the 2020-2021 school year, at least one computer science course in no less than 10 percent of the school district's total number of middle, high, and combination schools.
- Ten or fewer public middle, high, and combination schools must provide at least one computer science course in at least one middle, high, or combination school by the 2020-2021 school year.

In 2016-2017, 31 school districts had more than 10 public middle, high, and combination schools, and 36 school districts had 10 or fewer such schools.³⁴

The bill specifies that a charter school is not required to offer a computer science course. However, enrollment of a charter school's students in a computer science course that meets the specified definition may be included in the school district's threshold associated with the number of public schools in the district that must providing computer science courses.

Computer Science Instruction through the Florida Virtual School

The bill requires the Florida Virtual School (FLVS) to offer computer science courses identified in the CCD. If a school district does not offer an identified computer science course, the district must provide students access to the course through the FLVS or through other means.

Student enrollment in computer science courses offered by the FLVS may also be used to satisfy the school district's threshold associated with the number of public schools in the district that must provide computer science courses.

Accordingly, school districts that do not provide computer science courses in the required number of schools, based on thresholds specified in the bill, may be required to add qualifying computer science courses to the courses offered by the district secondary schools. In addition, the school district may need to hire qualified teachers to teach such courses.

³² CS/SB 1056 defines "computer science" as the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society, and includes computer coding and computer programming.

³³ The bill defines a combination school as a public school in which any of grades 6-12 are taught.

³⁴ Florida Department of Education, *Regular Elementary, Middle/Junior High, Senior High, and Combination Schools, 2016-17, Survey 2-FINAL*, available at <http://www.fldoe.org/core/fileparse.php/7588/urlt/RegElemMiddleHighCombo.xls>.

Computer Science Course Identification

The bill also requires that computer science courses that meet the specified requirements must be identified on the Department of Education's website and in the CCD no later than July 1, 2018. The State Board of Education must develop rules so that additional computer science courses may also be subsequently identified and posted. Accordingly, the DOE may need to update the CCD to accommodate the identification of computer science courses.

Teacher Qualifications

The bill provides that, subject to legislative appropriation, after the DOE has identified courses in the CCD, a school district or consortium of school districts may apply, in a format prescribed by the DOE, for funding to deliver or facilitate training for classroom teachers to earn an educator certificate in computer science or an industry certification associated with a course identified in the CCD. The funds must be awarded to school districts in a manner that allows equitable distribution of funding statewide based on the student population. The school district or consortium of school districts that apply for such funding may use the funds to:

- Provide training for classroom teachers, and
- Pay fees for examinations that lead to an educator certificate in computer science.

Such efforts may increase the number of teachers who possess a computer science credential or an applicable industry certification. In 2014-2015, the number of Florida teacher certificates in computer science was 593, which represented 0.15 percent of all certificates.³⁵

Teacher Bonus

The bill creates, subject to legislative appropriation, a bonus for educators who:

- Were evaluated as effective or highly effective in the prior school year, unless such teachers are newly hired and have not been evaluated.
- Teach a computer science course that meets the specified requirements at a public middle, high, or combination school.

In addition to meeting the specified criteria, the educators must:

- Hold an educator certificate in computer science or has passed the computer science subject are examination and holds an adjunct certificate to receive a bonus of \$1,000 after each year of teaching a specified computer course, for up to 3 years.
- Hold an industry certification associated with a course in the CCD to receive a bonus of \$500 after each year teaching the specified course, for up to 3 years.

The bill requires the school district to report qualifying classroom teachers to the DOE by a format established by the department. The bill requires the bonus to be disbursed upon completion of the school year in which the eligible classroom teacher taught the course. The bill clarifies that a teacher may not receive more than one type of bonus. Such bonus may provide incentive to teachers to seek a credential in computer science, industry certifications to teach computer science courses.

³⁵ Florida Department of Education, *Identification of Critical Teacher Shortage Areas*, <http://www.fldoe.org/core/fileparse.php/7766/urlt/CTSA1617.pdf>, at 4.

Support for Technology in the Classroom

Subject to legislative appropriation and as determined by the DOE, a school district is eligible to receive a high-need district technology grant if the funds provided in the digital classrooms allocation are insufficient to meet the required costs and if the district has no remaining instructional materials funds.³⁶ The bill requires the DOE to establish an application process and eligibility criteria for the high-need district technology grants. The DOE must provide such grants based on a school district's technology needs, but must also consider an equitable distribution of funding based on geographic distribution of the student population among the districts determined to have a high need for technology. The additional funding may help school districts in providing students access to computer science courses taught by qualified teachers.

The bill requires the State Board of Education to adopt rules to administer the provisions related to computer science and technology instruction.

The bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill may impact certain teachers. Specifically, the bill:

- Provides a bonus, for up to 3 years, to a public school educator of:
 - \$1,000 if the educator holds an educator certificate in computer science or an adjunct certificate, and meets other specified criteria.

³⁶ Each school district receives an allocation for instructional materials for students in grades K-12, which provides for growth and maintenance needs. Section 1011.67(1), F.S. In 2017-2018, the Legislature appropriated \$230,743,258 for instructional materials, of which \$165,000,000 was specified for school district purchases of instructional content, as well as electronic devices and technology equipment and infrastructure. Specific appropriations 7 and 91, ch. 2017-18, L.O.F.

- \$500 if the educator holds an applicable industry certification, and meets other specified criteria.

C. **Government Sector Impact:**

The total cost to provide a bonus to teachers who hold a certificate in computer science or applicable industry certifications is currently indeterminate. According to the Department of Education (DOE), approximately 460 teachers hold a state-issued computer science teaching certificate. If each of these teachers received the bonus authorized under this bill, the estimated cost would be \$1,380,000. The DOE does not collect industry certification data at the teacher level. Therefore, the cost of those bonuses is indeterminate.³⁷

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends section 1007.2616 of the Florida Statutes.

IX. **Additional Information:**

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

Recommended CS by the Appropriations Subcommittee on Pre-K-12 Education on February 8, 2018:

The committee substitute requires the State Board of Education to develop rules so that additional computer science courses may be identified in the Course Code Directory and posted on the Department of Education’s website.

CS by Education on January 16, 2018:

The committee substitute:

- Shifts the focus of the bill from computer coding courses to computer science courses;
- Makes adjustments to teacher bonus amounts and disbursements;
- Makes adjustments to the award of high-need technology grants to school districts (based on whether digital classroom funds or instructional materials funds are insufficient to meet the costs), and
- Removes from the bill the \$15 million appropriation.

³⁷ Florida Department of Education, *2018 Legislative Bill Analysis for SB 1056* (Dec. 11, 2017), at 5 and 6.

B. Amendments:

None.

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



442734

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Passidomo)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1007.2616, Florida Statutes, is amended
to read:

1007.2616 Computer science and technology instruction.—

(1) For the purposes of this section, the term "computer
science" means the study of computers and algorithmic processes,
including their principles, hardware and software designs,



442734

11 applications, and their impact on society, and includes computer
12 coding and computer programming.

13 (2) (a) ~~(1)~~ Public schools shall provide students in grades
14 K-12 opportunities for learning computer science, including, but
15 not limited to, computer coding and computer programming. Such
16 opportunities may include coding instruction in elementary
17 school and middle school and~~r~~ instruction to develop students'
18 computer usage and digital literacy skills in middle school, and
19 must include courses in computer science, ~~computer coding, and~~
20 ~~computer programming~~ in middle school and high school,
21 including, but not limited to, earning-related industry
22 certifications. Such courses must be integrated into each school
23 district's middle and high schools, including combination
24 schools in which any of grades 6 through 12 are taught, as
25 follows:

26 1. Beginning with the 2018-2019 school year, a school
27 district shall provide at least one computer science course in
28 no less than 4 percent of the district's total number of middle,
29 high, and combination schools.

30 2. Beginning with the 2019-2020 school year, a school
31 district shall provide at least one computer science course in
32 no less than 7 percent of the district's total number of middle,
33 high, and combination schools.

34 3. Beginning with the 2020-2021 school year, a school
35 district shall provide at least one computer science course in
36 no less than 10 percent of the district's total number of
37 middle, high, and combination schools.

38 4. Notwithstanding subparagraphs 1.-3., a school district
39 with 10 or fewer public middle, high, and combination schools



442734

40 shall provide at least one computer science course in at least
41 one middle, high, or combination school no later than the 2020-
42 2021 school year.

43 (b) Computer science courses that count toward the
44 percentage thresholds in paragraph (a) must be identified in the
45 Course Code Directory and published on the Department of
46 Education's website no later than July 1, 2018. The State Board
47 of Education shall develop rules so that additional computer
48 science courses may be subsequently identified and posted on the
49 department's website.

50 (c) Student enrollment in computer science courses offered
51 by the Florida Virtual School pursuant to subsection (3) may be
52 used to satisfy the requirements of subparagraphs (a)1.-3.

53 (d) A charter school is not required to offer a computer
54 science course; however, enrollment of a charter school's
55 students in a computer science course under this section may be
56 included in the school district's percentage calculation.

57 (3) The Florida Virtual School shall offer computer science
58 courses identified in the Course Code Directory pursuant to
59 paragraph (2) (b). If a school district does not offer an
60 identified course, the district must provide students access to
61 the course through the Florida Virtual School or through other
62 means.

63 (4) (a) Subject to legislative appropriation, a school
64 district or a consortium of school districts may apply to the
65 department, in a format prescribed by the department, for
66 funding to deliver or facilitate training for classroom teachers
67 to earn an educator certificate in computer science pursuant to
68 s. 1012.56 or an industry certification associated with a course



69 identified in the Course Code Directory pursuant to paragraph
70 (2) (b). Such funding may only be used to provide training for
71 classroom teachers and to pay fees for examinations that lead to
72 a credential pursuant to this paragraph.

73 (b) Once the department has identified courses in the
74 Course Code Directory pursuant to paragraph (2) (b), the
75 department shall establish a deadline for submitting
76 applications. The department shall award funding to school
77 districts in a manner that allows for an equitable distribution
78 of funding statewide based on student population.

79 (5) ~~(2)~~ Elementary schools and middle schools may establish
80 digital classrooms in which students are provided opportunities
81 to improve digital literacy and competency; to learn digital
82 skills, such as coding, multiple media presentation, and the
83 manipulation of multiple digital graphic images; and to earn
84 digital tool certificates and certifications pursuant to s.
85 1003.4203 and grade-appropriate, technology-related industry
86 certifications.

87 (6) ~~(3)~~ High school students must be provided ~~schools may~~
88 ~~provide students~~ opportunities to take computer science courses
89 to satisfy high school graduation requirements, including, but
90 not limited to, the following:

91 (a) High school computer science courses of sufficient
92 rigor, as identified by the commissioner, such that one credit
93 in computer science and the earning of related industry
94 certifications constitute the equivalent of up to one credit of
95 the mathematics requirement, with the exception of Algebra I or
96 higher-level mathematics, or up to one credit of the science
97 requirement, with the exception of Biology I or higher-level



442734

98 science, for high school graduation. Computer science courses
99 and technology-related industry certifications that are
100 identified as eligible for meeting mathematics or science
101 requirements for high school graduation shall be included in the
102 Course Code Directory.

103 (b) High school computer technology courses in 3D rapid
104 prototype printing of sufficient rigor, as identified by the
105 commissioner, such that one or more credits in such courses and
106 related industry certifications earned may satisfy up to two
107 credits of mathematics required for high school graduation with
108 the exception of Algebra I. Computer technology courses in 3D
109 rapid prototype printing and related industry certifications
110 that are identified as eligible for meeting mathematics
111 requirements for high school graduation shall be included in the
112 Course Code Directory.

113 (7) Subject to legislative appropriation, a classroom
114 teacher who was evaluated as effective or highly effective
115 pursuant to s. 1012.34 in the previous school year or who is
116 newly hired by the district school board and has not been
117 evaluated pursuant to s. 1012.34 must receive a bonus as
118 follows:

119 (a) If the classroom teacher holds an educator certificate
120 in computer science pursuant to s. 1012.56 or if he or she has
121 passed the computer science subject area examination and holds
122 an adjunct certificate issued by a school district pursuant to
123 s. 1012.57, he or she shall receive a bonus of \$1,000 after each
124 year the individual completes teaching a computer science course
125 identified in the Course Code Directory pursuant to paragraph
126 (2)(b) at a public middle, high, or combination school in the



442734

127 state, for up to 3 years.

128 (b) If the classroom teacher holds an industry
129 certification associated with a course identified in the Course
130 Code Directory pursuant to paragraph (2) (b), he or she shall
131 receive a bonus of \$500 after each year the individual completes
132 teaching the identified course at a public middle, high, or
133 combination school in the state, for up to 3 years.

134

135 A school district shall report a qualifying classroom teacher to
136 the department by a date and in a format established by the
137 department. An eligible classroom teacher shall receive his or
138 her bonus upon completion of the school year in which he or she
139 taught the course. A teacher may not receive more than one bonus
140 per year under this subsection.

141 (8) Subject to legislative appropriation, the department
142 shall award high-need technology grants to eligible school
143 districts if the funds provided in the Florida digital
144 classrooms allocation pursuant to s. 1011.62(12) are
145 insufficient to meet the costs specified in that subsection and
146 the district has no remaining instructional materials funds
147 under s. 1011.67. The department shall establish an application
148 process and eligibility criteria. Such criteria must be based on
149 a school district's technology needs and must provide for an
150 equitable distribution of funding based on the geographic
151 distribution of the student population among school districts
152 determined to have a high need for technology.

153 (9) ~~(4)~~ The State Board of Education shall ~~may~~ adopt rules
154 to administer this section.

155 Section 2. This act shall take effect upon becoming a law.



442734

156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184

===== 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
An act relating to computer science instruction;
amending s. 1007.2616, F.S.; defining the term
"computer science"; providing requirements for
specified instruction relating to computer science;
requiring school districts to provide computer science
courses in a specified number of schools by certain
dates; requiring certain computer science courses to
be included in the Course Code Directory and published
on the Department of Education's website by a
specified date; providing that student enrollment in
certain courses offered by the Florida Virtual School
meet specified requirements; providing that a charter
school is not required to offer computer science
courses; providing that charter schools that offer
such courses may be used in meeting a school
district's percentage thresholds; requiring the
Florida Virtual School to offer certain computer
science courses; requiring school districts to provide
access to computer science courses offered by the
Florida Virtual School or by other means under certain
circumstances; providing funds for school districts to
provide professional development for classroom
teachers, subject to legislative appropriation;



442734

185 providing Department of Education responsibilities for
186 the distribution of such funds; requiring that high
187 school students be provided opportunities to take
188 counter science courses to meet certain graduation
189 requirements; providing funds for bonuses for certain
190 classroom teachers, subject to legislative
191 appropriation; providing funding for high-need
192 technology grants for school districts, subject to
193 legislative appropriation; requiring, rather than
194 authorizing, the State Board of Education to adopt
195 rules; providing an effective date.

By the Committee on Education; and Senator Passidomo

581-02140-18

20181056c1

1 A bill to be entitled
 2 An act relating to computer science instruction;
 3 amending s. 1007.2616, F.S.; providing a definition;
 4 providing requirements for specified instruction
 5 relating to computer science; requiring school
 6 districts to provide computer science courses in a
 7 specified number of schools by certain dates;
 8 requiring certain computer science courses to be
 9 included in the Course Code Directory and published on
 10 the Department of Education's website by a specified
 11 date; providing that student enrollment in certain
 12 courses offered by the Florida Virtual School meet
 13 specified requirements; providing that a charter
 14 school is not required to offer computer science
 15 courses; providing that charter schools that offer
 16 such courses may be used in meeting a school
 17 district's percentage thresholds; requiring the
 18 Florida Virtual School to offer certain computer
 19 science courses; requiring school districts to provide
 20 access to computer science courses offered by the
 21 Florida Virtual School or by other means under certain
 22 circumstances; providing funds for school districts to
 23 provide professional development for classroom
 24 teachers; providing Department of Education
 25 responsibilities for the distribution of such funds;
 26 requiring high school students to be provided
 27 opportunities to take certain courses to meet certain
 28 graduation requirements; providing funds for bonuses
 29 for certain classroom teachers; providing funding for

Page 1 of 7

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

581-02140-18

20181056c1

30 high-need technology grants for school districts;
 31 requiring, rather than authorizing, the State Board of
 32 Education to adopt rules; providing an effective date.
 33
 34 Be It Enacted by the Legislature of the State of Florida:
 35
 36 Section 1. Section 1007.2616, Florida Statutes, is amended
 37 to read:
 38 1007.2616 Computer science and technology instruction.—
 39 (1) For the purposes of this section, the term "computer
 40 science" means the study of computers and algorithmic processes,
 41 including their principles, hardware and software designs,
 42 applications, and their impact on society, and includes computer
 43 coding and computer programming.
 44 (2) (a) ~~(1)~~ Public schools shall provide students in grades
 45 K-12 opportunities for learning computer science, including, but
 46 not limited to, computer coding and computer programming. Such
 47 opportunities may include coding instruction in elementary
 48 school and middle school ~~and,~~ instruction to develop students'
 49 computer usage and digital literacy skills in middle school, and
 50 must include courses in computer science, ~~computer coding, and~~
 51 computer programming in middle school and high school, including
 52 earning-related industry certifications. Such courses must be
 53 integrated into each school district's middle and high schools,
 54 including combination schools in which any of grades 6 through
 55 12 are taught, as follows:
 56 1. Beginning with the 2018-2019 school year, a school
 57 district shall provide at least one computer science course in
 58 no less than 4 percent of the district's total number of middle,

Page 2 of 7

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

581-02140-18

20181056c1

59 high, and combination schools.

60 2. Beginning with the 2019-2020 school year, a school
 61 district shall provide at least one computer science course in
 62 no less than 7 percent of the district's total number of middle,
 63 high, and combination schools.

64 3. Beginning with the 2020-2021 school year, a school
 65 district shall provide at least one computer science course in
 66 no less than 10 percent of the district's total number of
 67 middle, high, and combination schools.

68 4. Notwithstanding subparagraphs 1.-3., a school district
 69 with 10 or fewer public middle, high, and combination schools
 70 shall provide at least one computer science course in at least
 71 one middle, high, or combination school no later than the 2020-
 72 2021 school year.

73 (b) Computer science courses that count toward the
 74 percentage thresholds in paragraph (a) must be identified in the
 75 Course Code Directory and published on the Department of
 76 Education's website no later than July 1, 2018. Additional
 77 computer science courses may be subsequently identified and
 78 posted on the department's website.

79 (c) Student enrollment in computer science courses offered
 80 by the Florida Virtual School pursuant to subsection (3) may be
 81 used to satisfy the requirements of subparagraphs (a)1.-3.

82 (d) A charter school is not required to offer a computer
 83 science course; however, enrollment of a charter school's
 84 students in a computer science course under this section may be
 85 included in the school district's percentage calculation.

86 (3) The Florida Virtual School shall offer computer science
 87 courses identified in the Course Code Directory pursuant to

581-02140-18

20181056c1

88 paragraph (2) (b). If a school district does not offer an
 89 identified course, the district must provide students access to
 90 the course through the Florida Virtual School or through other
 91 means.

92 (4) (a) Subject to legislative appropriation, a school
 93 district or a consortium of school districts may apply to the
 94 department, in a format prescribed by the department, for
 95 funding to deliver or facilitate training for classroom teachers
 96 to earn an educator certificate in computer science pursuant to
 97 s. 1012.56 or an industry certification associated with a course
 98 identified in the Course Code Directory pursuant to paragraph
 99 (2) (b). Such funding shall only be used to provide training for
 100 classroom teachers and to pay fees for examinations that lead to
 101 a credential pursuant to this paragraph.

102 (b) Once the department has identified courses in the
 103 Course Code Directory pursuant to paragraph (2) (b), the
 104 department shall establish a deadline for submitting
 105 applications. The department shall award funding to school
 106 districts in a manner that allows for an equitable distribution
 107 of funding statewide based on student population.

108 (5)-(2) Elementary schools and middle schools may establish
 109 digital classrooms in which students are provided opportunities
 110 to improve digital literacy and competency; to learn digital
 111 skills, such as coding, multiple media presentation, and the
 112 manipulation of multiple digital graphic images; and to earn
 113 digital tool certificates and certifications pursuant to s.
 114 1003.4203 and grade-appropriate, technology-related industry
 115 certifications.

116 (6)-(3) High school students must be provided ~~schools may~~

581-02140-18 20181056c1

117 ~~provide students~~ opportunities to take computer science courses
 118 to satisfy high school graduation requirements, including, but
 119 not limited to, the following:

120 (a) High school computer science courses of sufficient
 121 rigor, as identified by the commissioner, such that one credit
 122 in computer science and the earning of related industry
 123 certifications constitute the equivalent of up to one credit of
 124 the mathematics requirement, with the exception of Algebra I or
 125 higher-level mathematics, or up to one credit of the science
 126 requirement, with the exception of Biology I or higher-level
 127 science, for high school graduation. Computer science courses
 128 and technology-related industry certifications that are
 129 identified as eligible for meeting mathematics or science
 130 requirements for high school graduation shall be included in the
 131 Course Code Directory.

132 (b) High school computer technology courses in 3D rapid
 133 prototype printing of sufficient rigor, as identified by the
 134 commissioner, such that one or more credits in such courses and
 135 related industry certifications earned may satisfy up to two
 136 credits of mathematics required for high school graduation with
 137 the exception of Algebra I. Computer technology courses in 3D
 138 rapid prototype printing and related industry certifications
 139 that are identified as eligible for meeting mathematics
 140 requirements for high school graduation shall be included in the
 141 Course Code Directory.

142 (7) Subject to legislative appropriation, a classroom
 143 teacher who was evaluated as effective or highly effective
 144 pursuant to s. 1012.34 in the previous school year or who is
 145 newly hired by the district school board and has not been

581-02140-18 20181056c1

146 evaluated pursuant to s. 1012.34 must receive a bonus as
 147 follows:

148 (a) If the classroom teacher holds an educator certificate
 149 in computer science pursuant to s. 1012.56 or if he or she has
 150 passed the computer science subject area examination and holds
 151 an adjunct certificate issued by a school district pursuant to
 152 s. 1012.57, he or she shall receive a bonus of \$1,000 after each
 153 year the individual completes teaching a computer science course
 154 identified in the Course Code Directory pursuant to paragraph
 155 (2) (b) at a public middle, high, or combination school in the
 156 state, for up to 3 years.

157 (b) If the classroom teacher holds an industry
 158 certification associated with a course identified in the Course
 159 Code Directory pursuant to paragraph (2) (b), he or she shall
 160 receive a bonus of \$500 after each year the individual completes
 161 teaching the identified course at a public middle, high, or
 162 combination school in the state, for up to 3 years.

163
 164 A school district shall report a qualifying classroom teacher to
 165 the department by a date and in a format established by the
 166 department. An eligible classroom teacher shall receive his or
 167 her bonus upon completion of the school year in which he or she
 168 taught the course. A teacher may not receive more than one bonus
 169 per year under this subsection.

170 (8) Subject to legislative appropriation, the department
 171 shall award high-need technology grants to eligible school
 172 districts if the funds provided in the Florida digital
 173 classrooms allocation pursuant to s. 1011.62(12) are
 174 insufficient to meet the costs specified in that subsection and

581-02140-18

20181056c1

175 the district has no remaining instructional materials funds
176 under s. 1011.67. The department shall establish an application
177 process and eligibility criteria. Such criteria must be based on
178 a school district's technology needs and must provide for an
179 equitable distribution of funding based on the geographic
180 distribution of the student population among school districts
181 determined to have a high need for technology.

182 ~~(9)(4)~~ The State Board of Education shall ~~may~~ adopt rules
183 to administer this section.

184 Section 2. This act shall take effect upon becoming a law.

THE FLORIDA SENATE

APPEARANCE RECORD

2/8/18
Meeting Date

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

1056
Bill Number (if applicable)

Topic COMPUTER SCIENCE INSTRUCTION

Amendment Barcode (if applicable)

Name JAMES TAYLOR

Job Title Executive Director

Address 115 E. PARK AVE

Phone 850-803-8324

Street

TALLAHASSEE

FL

32301

City

State

Zip

Email James.Taylor@FLTechCouncil.com

Speaking: For Against Information

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

Representing THE FLORIDA TECHNOLOGY COUNCIL

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.

THE FLORIDA SENATE

APPEARANCE RECORD

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

~~2/14/18~~ 2/18/18

Meeting Date

SB 1056

Bill Number (if applicable)

Topic Computer Science

Amendment Barcode (if applicable)

Name Sheela VanHoose

Job Title Dir. of State Gov. Affairs

Address 1631 NE 28th Ave

Phone 954-305-6157

Street

Pompano Beach, FL 33062

Email Sheela@code.org

City

State

Zip

Speaking: For Against Information

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

Representing Code.org

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

APPEARANCE RECORD

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

2/8/18

Meeting Date

1056

Bill Number (if applicable)

Topic Computer Science Instruction

Amendment Barcode (if applicable)

Name Debbie Morham

Job Title Legislative Director

Address 215 S. Monroe Street

Phone

Tallahassee FL 32301

Email debbie@excelined.org

Speaking: For Against Information

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

Representing Foundation for Florida's Future

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
APPEARANCE RECORD

2/8/2018 (Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting) 1056
Meeting Date Bill Number (if applicable)

Topic COMPUTER SCIENCE INSTRUCTION 442734
Amendment Barcode (if applicable)

Name SLATER BAYLISS

Job Title _____

Address 204 S. MONROE ST Phone 222 8900
Street

TALLAHASSEE FL 32301 Email slater@slater-bayliss.com
City State Zip

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

Representing TECH NET

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-2018

Meeting Date

1056

Bill Number (if applicable)

Topic Computer Science Instruction

Amendment Barcode (if applicable)

Name Erin Choy

Job Title Immediate Past Chair

Address 404 E. Sixth Avenue

Phone 5616354168

Street

Tallahassee

FL

32303

Email erin.choy@gmail.com

City

State

Zip

Speaking: For Against Information

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

Representing Junior Leagues of Florida

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
APPEARANCE RECORD

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

2/8/18

Meeting Date

SB 1050

Bill Number (if applicable)

Topic Computer Science

Amendment Barcode (if applicable)

Name Brittney Hunt

Job Title Policy Director

Address 136 S. Bronough St.

Phone (850) 521-1200

Street

Tallahassee FL 32301

City

State

Zip

Email bhunt@flchamber.com

Speaking: For Against Information

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

Representing Florida Chamber of Commerce

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
APPEARANCE RECORD

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

2/8/18

Meeting Date

SB 1056

Bill Number (if applicable)

Topic SB 1056

Amendment Barcode (if applicable)

Name Tanya Cooper

Job Title Director, Governmental Relations

Address 325 W. Gaines Street

Phone 850-245-9633

Street

Tallahassee

FL

32399

Email Tanya.Cooper@fldoe.org

City

State

Zip

Speaking: For Against Information

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

Representing Department of Education

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

APPEARANCE RECORD

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

4-8-18

Meeting Date

1056

Bill Number (if applicable)

Topic Computer Science Instruction

Amendment Barcode (if applicable)

Name Holly Sagues (Sag-us)

Job Title Exec. Dir. Gov. Affairs

Address Metro Center Blvd

Phone 321-695-1073

City Orlando State FL Zip 32835

Email hsagues@flus.net

Speaking: [] For [] Against [] Information

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

Representing Florida Virtual School

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/18

Meeting Date

1056

Bill Number (if applicable)

Topic Computer Science

Amendment Barcode (if applicable)

Name Tara Reid

Job Title Strategos Group

Address 200 W. College Ave, Ste 202

Phone 386-530-0426

Street

Tallahassee FL 32301

City

State

Zip

Email tara.e.reid@gmail.com

Speaking: For Against Information

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

Representing Project Lead the Way

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
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 Pre-K - 12 Education

BILL: CS/SB 1090

INTRODUCER: Education Committee and Senator Young

SUBJECT: Enrollment of Dependent Children of Active Duty Military Personnel in the Florida Virtual School

DATE: February 7, 2018

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB1090 promotes the enrollment of dependent children of certain active duty military personnel in approved virtual instruction programs. Specifically, the bill:

- Adds dependent children of active duty military personnel not stationed in the state to the types of students to whom the Florida Virtual School (FLVS) must give priority for enrollment.
- Adds virtual instruction programs from approved providers to the special academic programs for which a dependent child of active duty military personnel must receive first preference for admission if the child meets the eligibility criteria for such programs. Approved providers include providers approved by the Department of Education, the FLVS, a franchise of the FLVS, or a Florida College System institution.
- Authorizes the FLVS to use the State of Legal Residence Certificate to verify residency for a dependent child of active duty military personnel and to serve such children directly.
- Requires that funding for participation by such children in the FLVS must be in accordance with the law.

The bill has no impact on state revenues and an indeterminate, though expected minimal, impact on state expenditures relating to the virtual instruction programs funded through the Florida Education Finance Program (FEFP).

The bill takes effect July 1, 2018.

II. Present Situation:

The Florida Legislature has enacted legislation to deliver educational services to veterans and active duty military personnel and their families. Such policies remove barriers to educational success imposed on children of military families because of frequent moves and deployments.¹

Enrollment Preference for Students from Military Families

School-aged dependents of military personnel face numerous transitions during their formative years and relocation during the high school years provide special challenges to learning and future achievement.²

Dependent children of active duty military personnel³ who otherwise meet the eligibility criteria for special academic programs offered through public schools are given first preference for admission to such programs even if the program is being offered through a public school other than the school to which the student would generally be assigned. Such special academic programs include:⁴

- Magnet schools,
- Advanced studies programs,
- Advanced placement,
- Dual enrollment,
- Advanced International Certificate of Education, and
- International Baccalaureate.

Legal Residence for Military Personnel

Home of Record

The “Home of Record” (HOR) is defined as the state where a servicemember first enlisted or received a commission from one of the branches of armed services.⁵ The HOR determines certain benefits, such as a travel allowance upon separation from the military.⁶ The HOR is changed only to correct an error or after a break in military service.⁷

¹ See s. 1000.36, F.S., the Interstate Compact on Educational Opportunity for Military Children, and ss. 1002.31(2)(c)1., and 1003.05, F.S., which provide preferential treatment in controlled open enrollment and preferential admissions to special academic programs for dependent children of active duty military personnel.

² Section 1003.05(1), F.S.

³ Under the Interstate Compact on Educational Opportunity for Military Children, “Active duty” means the full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. ss. 1209 and 1211. Section 1000.36, Art. II(A), F.S.

⁴ Section 1003.05(3), F.S.

⁵ Military.com, *HOR vs. SLR: What’s the Difference?*, <https://www.military.com/money/personal-finance/taxes/home-of-legal-record-for-taxes.html> (last visited Jan. 12, 2018).

⁶ *Id.*

⁷ *Id.*

State of Legal Residence Certificate – DD Form 2058

The “State of Legal Residence” (SLR) is considered the servicemember’s permanent home, and where the servicemember intends to live after separation from the military.⁸ The SLR is considered the legal residence for state income tax purposes, qualification for in-state tuition rates,⁹ eligibility to vote for federal and state elections, and for a will to be probated.¹⁰

The purpose of the “State of Legal Residence Certificate” is to determine the correct state of legal residence for purposes of withholding state income taxes from military pay.¹¹ A change to the state of legal residence generally requires physical presence in the new state with the simultaneous intent of making that state the permanent home and abandoning the old state of legal residence.¹²

Virtual Instruction Programs

A virtual instruction program is a program of academic instruction provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both.¹³ Each school district must provide eligible students within its boundaries the option to participate in a virtual instruction program.¹⁴

An approved provider¹⁵ of a virtual instruction program is:¹⁶

- A provider that is approved by the Department of Education;¹⁷
- The Florida Virtual School (FLVS);
- A franchise of the FLVS; or
- A Florida College System institution.

⁸ *Id.*

⁹ In Florida, active duty members of the Armed Services, their spouses and children, and active drilling members of the Florida National Guard are classified as residents for tuition purposes if they reside or are stationed in this state or, if they are not stationed in Florida, whose home of record or state of legal residence certificate, DD Form 2058, is Florida. *Guidelines on Florida Residency for Tuition Purposes*, (Oct. 28, 2015), available at <https://www.floridashines.org/documents/111597/112691/09.22.16+Florida+Tuition+Residency+Guidelines.pdf/e726c0fd-3784-428d-aa27-74cc04db218f> at 4.

¹⁰ Military.com, *HOR vs. SLR: What’s the Difference?*, <https://www.military.com/money/personal-finance/taxes/home-of-legal-record-for-taxes.html> (last visited Jan. 12, 2018).

¹¹ United States Department of Defense, Executive Services Directorate, *State of Legal Residence Certificate*, available at <http://www.esd.whs.mil/Portals/54/Documents/DD/forms/dd/dd2058.pdf>.

¹² *Id.*

¹³ Section 1002.45(1)(a)2., F.S.

¹⁴ *Id.* at (b). To provide students with virtual instruction program options a school district may contract with the FLVS or establish a franchise of the FLVS, contract with an approved provider, enter into an agreement with another school district in that school district’s virtual instruction program, establish a school district operated part- or full-time virtual instruction program, or enter into an agreement with a virtual charter school. *Id.* at (c).

¹⁵ Florida Department of Education, *List of Approved Program and Course Providers*, www.fldoe.org/schools/school-choice/virtual-edu/approved-provider-resources/approved-providers/ (last visited January 17, 2018)

¹⁶ Section 1002.45(1)(a)1., F.S. (1).

¹⁷ To be approved by the Department of Education, a provider must document compliance with specified statutory requirements. Section 1002.45(2), F.S., see also Rule 6A-6.0981(3), F.A.C.

Florida Virtual School

The FLVS is intended to develop and deliver online and distance learning education.¹⁸ The mission of the FLVS is to provide students with technology-based educational opportunities to gain the knowledge and skills necessary to succeed.¹⁹ The school must serve any student in the state who meets the profile for success²⁰ in the online educational environment and must give priority to:²¹

- Students who need expanded access to courses in order to meet their educational goals, such as home education students and students in inner-city and rural high schools who do not have access to higher-level courses.
- Students seeking accelerated access in order to obtain a high school diploma at least one semester early.

The FLVS is authorized to provide full-time and part-time instruction for students in kindergarten through grade 12.²² Accordingly, the FLVS offers two programs for K-12 students in Florida:²³

- FLVS Flex offers part-time instruction available to students enrolled in home education programs, district public and charter schools, and private schools in the state.²⁴
- FLVS Full Time offers full-time instruction as the district and school of enrollment.²⁵

Residency Requirements

A student may participate in FLVS Flex if the student is:²⁶

- Enrolled in a Florida traditional public school or charter school;
- Enrolled and in good standing as a homeschool student with a Florida public school district;
- Enrolled in an affiliated Florida private school and whose legal guardian is a representative of the school or a Florida resident; or
- The child of a parent who is stationed at a Florida military base.

For a student to participate in FLVS Full Time, a copy of one of the following documents must be provided to verify legal residence:²⁷

¹⁸ Section 1002.37(1)(a), F.S.

¹⁹ *Id.* at (b).

²⁰ The FLVS has identified hard and soft skills and other requirements that facilitate student success in online instruction. Such skills include written and oral communication, academic honesty, self-motivation, computer literacy, time management, reading competency, personal commitment, and access to technology. Email, Florida Virtual School (Jan. 9, 2018).

²¹ *Id.*

²² Section 1002.37(8)(a), F.S.

²³ Florida Virtual School, *FLVS Student Progression Plan, 2017-18 School Year* (August 2017), available at https://www.flvs.net/docs/default-source/district/student-progression-plan.pdf?sfvrsn=d3437f2a_4, at 9.

²⁴ Florida Virtual School, *FLVS Student Progression Plan, 2017-18 School Year* (August 2017), available at https://www.flvs.net/docs/default-source/district/student-progression-plan.pdf?sfvrsn=d3437f2a_4, at 12.

²⁵ *Id.* at 13.

²⁶ *Id.* at 23.

²⁷ *Id.* at 41 and 46. Alternative documentation may be used subject to FLVS approval. *Id.*

- Gas, electric, or water bill from the last 60 days that includes the name and service address; or a
- Mortgage statement or lease agreement.

Children of military families who are permanent Florida residents²⁸ currently residing outside the state may take FLVS courses free of charge through the FLVS Full Time option,²⁹ or through the FLVS Flex option by registering as homeschool students with their Florida district of record.³⁰

Funding

Full-time equivalent student³¹ credits completed through FLVS Flex and FLVS Full Time, including credits completed during the summer, are funded through the Florida Education Finance Program.³²

III. Effect of Proposed Changes:

The bill promotes the enrollment of dependent children of certain active duty military personnel in virtual instruction programs provided by approved providers. Specifically, the bill:

- Adds dependent children of active duty military personnel not stationed in the state to the types of students to whom the Florida Virtual School (FLVS) must give priority for enrollment.
- Adds virtual instruction programs from approved providers to the special academic programs for which a dependent child of active duty military personnel must receive first preference for admission if the child meets the eligibility criteria for such programs. Approved providers include providers approved by the Department of Education (DOE), the FLVS, a franchise of the FLVS, or a Florida College System institution.
- Authorizes the FLVS to use the State of Legal Residence Certificate to verify residency for a dependent child of active duty military personnel, and to serve such children directly.
- Requires that funding for participation by such children in the FLVS must be in accordance with the law.

²⁸ Military families residing outside of Florida who do not have an established Florida residence are not eligible to take free courses through the FLVS Flex or FLVS Full Time options, but may enroll in the FLVS Global School, which is the tuition-based option. Florida Virtual School, *FLVS Flex Frequently Asked Questions*, <https://www.flvs.net/flex/faqs> (last visited Jan. 12, 2018).

²⁹ *Id.* at 44.

³⁰ *Id.* at 14. Students must submit documentation to prove Florida residency to the school district of residence in order to register as a home education student with that school district. Email, Florida Virtual School (Jan. 10, 2018). Military families residing outside of Florida who do not have an established Florida residence are not eligible to take free courses through the FLVS Flex or FLVS Full Time options, but may enroll in the FLVS Global School, which is the tuition-based option. *Id.*

³¹ An FLVS full-time equivalent student consists of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in specified programs. Section 1011.62(1)(c)1.b.(V), F.S.

³² Section 1002.37(3)(b), F.S. The FEFP is the primary mechanism for funding the operating costs of Florida school districts. Florida Department of Education. *2017-18 Funding for Florida School Districts*, available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>, at 1.

Enrollment Preference for Students from Military Families (Sections 1 and 2)

Section 1 amends s. 1002.37, F.S., to add to the list of student groups who must receive priority for FLVS services. The FLVS must also give priority to dependent children of active duty military personnel not stationed in the state whose home of record is Florida or whose State of Legal Residence Certificate, the DD Form 2058, lists Florida.

Additionally, section 2 amends s. 1003.05, F.S., to add virtual instruction programs by approved providers to the list of special academic programs to which dependent children of active duty military personnel who meet eligibility criteria³³ must be given first preference for admission.

Legal Residence for Military Personnel (Section 1)

Section 1 amends s. 1002.37, F.S., to provide additional options to demonstrate residency of dependent children of active duty military personnel to participate in the FLVS Flex and FLVS Full Time programs. For purposes of the enrollment of a dependent child of active duty military personnel as a part-time or full-time student in the FLVS, the FLVS may use the State of Legal Residence Certificate, DD Form 2058, to verify residency for the child and may serve the student directly.

Accordingly, a dependent child of active duty military personnel who participates in the:

- FLVS Flex program will not be required to demonstrate proof of residency to the school district and register as a home education student.³⁴ Such students may demonstrate proof of residency using the State of Legal Residency Certificate, DD Form 2058, and be served directly by the FLVS. This may reduce administrative barriers to participation in the FLVS by such students.³⁵
- FLVS Full Time program may submit to the FLVS as proof of residency the State of Legal Residence Certificate, DD Form 2058, instead of a utilities or mortgage statement or lease agreement. This may expedite student participation in the FLVS by dependent children of active duty military personnel who are stationed out-of-state.

Funding (Section 1)

Section 1 specifies that funding for such students be provided in accordance with the law regarding FLVS funding. Such students must be included in the reporting of full-time equivalent student credit completed for funding through the Florida Educational Finance Program.

The bill takes effect July 1, 2018.

³³ Section 1002.455(4), F.S., specifies that all Florida students are eligible to participate in the FLVS. There are, however, additional eligibility criteria that include, but are not limited to, requirements that students be under age 19 (except for students with a disability) or need to earn more than 25 percent of their required credits for a standard high school diploma. Florida Virtual School, *FLVS Student Progression Plan, 2017-18 School Year* (August 2017), available at https://www.flvs.net/docs/default-source/district/student-progression-plan.pdf?sfvrsn=d3437f2a_4, at 23 and 44.

³⁴ Email, Florida Virtual School (Jan. 10, 2018).

³⁵ Email, Florida Virtual School (Jan. 10, 2018).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Additional dependent children of active duty military personnel will have the option of taking courses from the Florida Virtual School (FLVS) free of charge, which may provide a cost savings to certain military families.

C. Government Sector Impact:

In 2016-2017, there were fewer than 10 instances of dependent children of active duty military personnel stationed out of state for whom residency considerations posed an issue for enrollment in the FLVS.³⁶ Most students take one full-year course.³⁷

As an example, the enrollment of 10 students in the FLVS who take one full-year course may result in the reporting of less than two full-time equivalent students.³⁸ Accordingly, the impact is indeterminate but minimal.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

³⁶ Emails, Florida Virtual School (Jan. 10 and 12, 2018).

³⁷ *Id.*

³⁸ *Id.*

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.37 and 1003.05.

IX. Additional Information:

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

CS by Education on January 16, 2018:

The committee substitute adds virtual instruction programs by approved providers to the special academic programs in which dependent children of active duty military personnel must be given first preference for admission. Accordingly, first preference for admission must be given for such students in virtual instruction programs approved by the DOE, the Florida Virtual School (FLVS), a franchise of the FLVS, or a Florida College System institution.

- B. **Amendments:**

None.

By the Committee on Education; and Senator Young

581-02141-18

20181090c1

1 A bill to be entitled
 2 An act relating to enrollment of dependent children of
 3 active duty military personnel in the Florida Virtual
 4 School; amending s. 1002.37, F.S.; requiring the
 5 Florida Virtual School to give enrollment priority to
 6 dependent children of certain active duty military
 7 personnel; authorizing the Florida Virtual School to
 8 use a specified form to determine residency and to
 9 serve specified students directly; providing for
 10 funding for certain students; amending s. 1003.05,
 11 F.S.; requiring that certain dependent children of
 12 active duty military personnel be given first
 13 preference for admission to certain virtual
 14 instruction programs; providing an effective date.
 15
 16 Be It Enacted by the Legislature of the State of Florida:
 17
 18 Section 1. Present subsection (10) of section 1002.37,
 19 Florida Statutes, is renumbered as subsection (11), paragraph
 20 (b) of subsection (1) of that section is amended, and a new
 21 subsection (10) is added to that section, to read:
 22 1002.37 The Florida Virtual School.—
 23 (1)
 24 (b) The mission of the Florida Virtual School is to provide
 25 students with technology-based educational opportunities to gain
 26 the knowledge and skills necessary to succeed. The school shall
 27 serve any student in the state who meets the profile for success
 28 in this educational delivery context and shall give priority to:
 29 1. Students who need expanded access to courses in order to

Page 1 of 3

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

581-02141-18

20181090c1

30 meet their educational goals, such as home education students
 31 and students in inner-city and rural high schools who do not
 32 have access to higher-level courses.
 33 2. Students seeking accelerated access in order to obtain a
 34 high school diploma at least one semester early.
 35 3. Dependent children of active duty military personnel not
 36 stationed in the state whose home of record is Florida or whose
 37 State of Legal Residence Certificate, DD Form 2058, lists
 38 Florida.
 39
 40 The board of trustees of the Florida Virtual School shall
 41 identify appropriate performance measures and standards based on
 42 student achievement that reflect the school's statutory mission
 43 and priorities, and shall implement an accountability system for
 44 the school that includes assessment of its effectiveness and
 45 efficiency in providing quality services that encourage high
 46 student achievement, seamless articulation, and maximum access.
 47 (10) For purposes of the enrollment of a dependent child of
 48 active duty military personnel as a part-time or full-time
 49 student in the Florida Virtual School, the Florida Virtual
 50 School may use the State of Legal Residence Certificate, DD Form
 51 2058, to verify residency for the child and may serve the
 52 student directly. Funding for such students shall be provided in
 53 accordance with subsection (3).
 54 Section 2. Subsection (3) of section 1003.05, Florida
 55 Statutes, is amended to read:
 56 1003.05 Assistance to transitioning students from military
 57 families.—
 58 (3) Dependent children of active duty military personnel

Page 2 of 3

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

581-02141-18

20181090c1

59 who otherwise meet the eligibility criteria for special academic
60 programs offered through public schools shall be given first
61 preference for admission to such programs even if the program is
62 being offered through a public school other than the school to
63 which the student would generally be assigned. If such a program
64 is offered through a public school other than the school to
65 which the student would generally be assigned, the parent or
66 guardian of the student must assume responsibility for
67 transporting the student to that school. For purposes of this
68 subsection, special academic programs include virtual
69 instruction programs provided by approved providers, as defined
70 in s. 1002.45(1)(a)1.; magnet schools; advanced studies
71 programs; advanced placement; dual enrollment; Advanced
72 International Certificate of Education; and International
73 Baccalaureate.

74 Section 3. This act shall take effect July 1, 2018.

75

THE FLORIDA SENATE

APPEARANCE RECORD

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

4-8-18

Meeting Date

1090

Bill Number (if applicable)

Topic Enrollment of Dep. Children of Active Duty Military

Amendment Barcode (if applicable)

Name Personnel in FLVS Holly Sagues (Sa-gus)

Job Title Exec Dir Gov. Affairs

Address Metro Center Blvd

Phone 321-695-1073

Street

Orlando

FL

32835

Email hsagues@flvs.net

City

State

Zip

Speaking: [] For [] Against [] Information

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

Representing Florida Virtual School

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] 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.

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 Pre-K - 12 Education

BILL: PCS/CS/SB 1172 (610956)

INTRODUCER: Appropriations Subcommittee on Pre-K-12 Education; Education Committee and Senator Galvano

SUBJECT: Hope Scholarship Program

DATE: February 7, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Androff</u>	<u>Graf</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	<u>Recommend: Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1172 creates the Hope Scholarship Program (HSP) to provide the parent of a public school student who was the victim of a substantiated incident of violence or abuse an opportunity to transfer the student to another public school that has capacity or to request and receive from the state a scholarship for the student to attend an eligible private school. In addition, the bill specifies eligibility criteria, a funding mechanism, and responsibilities for:

- School districts to notify the parents of the victim and the alleged offender within 24 hours after a specified incident and provide a statement of the expected investigative actions and a timeline for reporting the investigation's outcome.
- School principals, or the school principal's designee, to:
 - Investigate the incident and determine whether the incident is substantiated or unsubstantiated and whether the incident is required to be reported.
 - Take all actions necessary to continue educational services of students involved in the reported incident while taking every precaution to keep the victim and alleged offender separated.
 - Keep parents of the victim and alleged offender updated on the status of the investigation and report the findings or outcomes of the investigation.
 - Notify the victim's parent of the availability of the HSP.
- Private schools that participate in the HSP to comply with all requirements for participating in state scholarship programs and:
 - Provide specified documentation and respond to information requests.

- Be academically accountable to the parent for meeting the student's educational needs.
- Maintain a physical location in Florida.
- The Department of Education (DOE) to:
 - Annually verify the eligibility of private schools in the HSP and require notarized compliance certifications from the private schools.
 - Cross-check the list of students participating in the HSP with public school enrollment lists and other state scholarship program participation lists before each HSP payment.
 - Require annual reports by scholarship-funding organizations (SFOs).
 - Contract with an independent entity to provide an annual evaluation of the HSP and school climate.
 - Conduct site visits to participating private schools for specified purposes.
- The Commissioner of Education to deny, suspend, or revoke a private school's participation in the program and to immediately suspend scholarship fund payments under specified circumstances.
- Nonprofit SFOs to establish scholarships for eligible students and provide quarterly and annual reports to the DOE.
- The Auditor General to conduct an annual operational audit of each SFO that participates in the HSP.

The bill specifies that the HSP is funded by taxpayers who make an eligible contribution, limited to a single \$20 payment, at the time of a vehicle purchase or registration in Florida and authorizes a credit of 100 percent of the amount of such eligible contribution by the taxpayer against the sales and use tax on the vehicle purchase or registration.

The Revenue Estimating Conference estimated proposed language similar to the bill would reduce General Revenue Fund receipts by at least \$7.9 million in Fiscal Year 2018-19 and each year thereafter.¹

The bill appropriates \$2 million in recurring funds from the General Revenue Fund to the DOE to implement the program.

The bill takes effect July 1, 2018, except as otherwise provided.

II. Present Situation:

Florida law has established various scholarship programs to promote school choice and assist parents in the placement of their children in diverse educational settings including private schools.²

School Safety and Student Discipline

Current law provides for student and parent rights and specifies duties of the district school board and personnel related to student discipline and school safety.

¹ Florida Office of Economic and Demographic Research, *Revenue Estimating Conference, Proposed Language -- Hope Scholarship*, (Dec. 1, 2017), available at http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2018/_pdf/Impact1201.pdf (last visited Jan. 19, 2018).

² Sections 1002.385, 1002.39, and 1002.395, F.S.

Student and Parent Rights

Parents of public school students are entitled to receive accurate and timely information regarding their child's academic progress and ways to help their child succeed in school.³ Additionally, Florida law affords students and parents other rights,⁴ including, but not limited to, rights regarding the discipline of a public school student.⁵

A student may be suspended pursuant to a district school board's rules.⁶ A good faith effort must be made to immediately inform the parent, by telephone, of the suspension and related reason.⁷ Each suspension must be reported in writing within 24 hours to the parent by U.S. mail.⁸ A good faith effort must be made to use parental assistance before suspension, unless the situation requires immediate suspension.⁹

District School Board Duties

A district school board is responsible for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to the health, safety and welfare of students.¹⁰ Specifically, a district school board must adopt rules for the control, discipline, in-school suspension, suspension, and expulsion of students and decide all cases recommended for expulsion.¹¹

Additionally, a district school board must adopt a code of student conduct for elementary, middle, and high schools and distribute the appropriate code to all teachers, school personnel, students, and parents at the beginning of each school year.¹² In addition to the code of student conduct, each school board must adopt policies prohibiting bullying and harassment, hazing, and dating violence and abuse.¹³

Bullying and Harassment

Florida law prohibits bullying or harassment of any student or employee of a public K-12 educational institution in the following situations or instances:¹⁴

- During any education program or activity conducted by a public K-12 educational institution;
- During any school-related or school-sponsored program or activity or on a school bus of a public K-12 educational institution;

³ Section 1002.20, F.S.

⁴ Section 1002.20, F.S.

⁵ *Id.*

⁶ Section 1002.20(4)(a), F.S.

⁷ *Id.* at (a)1.

⁸ *Id.*

⁹ Section 1002.20(4)(a)1., F.S.

¹⁰ Section 1006.07, F.S.

¹¹ Section 1006.07(1)(a), F.S.

¹² Section 1006.07(2), F.S.

¹³ *See* ss. 1006.07(4) and (6), 1006.135, 1006.14, 1006.147, and 1006.148, F.S.

¹⁴ Section 1006.147(2), F.S.

- Through the use of data or computer software that is accessed through a computer, computer system, or computer network within the scope of a public K-12 institution¹⁵; or
- Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school.

Bullying, for these purposes, includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students and may involve: teasing; social exclusion; threat; intimidation; stalking; physical violence; theft; sexual, religious, or racial harassment; public or private humiliation; or destruction of property.¹⁶

Cyberbullying means bullying through the use of technology or any electronic communication, including electronic mail, internet communications, instant messages, or facsimile communication.¹⁷ Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions of bullying.¹⁸ Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the conditions enumerated in the definition of bullying.¹⁹

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:²⁰

- Places a student or school employee in reasonable fear of harm to his or her person or damage or his or her property;
- Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- Has the effect of substantially disrupting the orderly operation of a school.

School District Policy

Each school district must adopt and review, at least every 3 years, a policy prohibiting bullying and harassment of a student or employee of a public K-12 educational institution.²¹ The school district must involve students, parents, teachers, administrators, school staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting and

¹⁵ "Within the scope of a public K-12 educational institution" means, regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity. Section 1006.147(3)(d), F.S.

¹⁶ Section 1006.147(3)(a), F.S.

¹⁷ Section 1006.147(3)(b), F.S.

¹⁸ *Id.*

¹⁹ Section 1006.147(3)(d), F.S.

²⁰ Section 1006.147(3)(c), F.S.

²¹ Section 1006.147(4), F.S.

reviewing the policy.²² The law outlines minimum components that the policy must contain, which includes, but is not limited to the following:²³

- A description of the type of behavior expected from each student and employee of a public K-12 educational institution, including statement prohibiting and defining bullying and harassment.
- The consequences for a student or employee who commits an act of bullying or harassment or who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.
- A procedure for receiving reports of an alleged act of bullying or harassment and for the prompt investigation of such incident, including allowing a person to anonymously report such an act. However, formal disciplinary action is not permitted to be based solely on an anonymous report.²⁴
- A procedure to immediately notify the parents of a victim of bullying or harassment and the parents of the perpetrator of an act of bullying or harassment, as well as notification to all local agencies where criminal charges may be pursued against the perpetrator.
- A procedure to refer victims and perpetrators of bullying or harassment for counseling.
- A procedure for publicizing the policy, which must include publishing the policy in the code of student conduct and in all employee handbooks.

School Safety Information

The School Environmental Safety Incident Reporting (SESIR) System assists schools, districts, and the Florida Department of Education (DOE) staff in assessing the extent and nature of problems in school safety.²⁵ The SESIR system requires all public schools, including charter schools and traditional public schools to report 26 types of serious safety incidents that occur on school grounds, on school transportation, and at off-campus, school-sponsored events.²⁶ SESIR data is reported statewide and by school district within the Florida Statewide Report on School Safety and Discipline and must include the disciplinary action taken for each reported incident (e.g., suspension, expulsion, corporal punishment).²⁷ DOE also collects annual data on the types and number of disciplinary action administered for student violations of district school board rules.²⁸

The Youth Risk Behavior Survey is a statewide survey of Florida high school students administered every other year by the Department of Health, in collaboration with the DOE that monitors health-risk behaviors that contribute to the leading causes of death and disability among youth, including behaviors that contribute to unintentional injuries and violence.²⁹

²² *Id.*

²³ *Id.* at (4)(a)-(n).

²⁴ Section 1006.147(4)(f), F.S.

²⁵ Florida Department of Education, *School Environmental Safety Incident Reporting (SESIR)*, <http://www.fldoe.org/schools/safe-healthy-schools/safe-schools/sesir-discipline-data/> (last visited January 19, 2018).

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Florida Department of Health, *Behavioral Risk Factor Surveillance System*, <http://www.floridahealth.gov/statistics-and-data/survey-data/florida-youth-survey/youth-risk-behavior-survey/index.html> (last visited Jan. 19, 2018).

Florida Tax Credit Scholarship

The Florida Tax Credit Scholarship Program (FTC) was established in 2001³⁰ to provide an income tax credit for corporations that contribute money to non-profit scholarship-funding organizations (SFOs) that award scholarships to students from families with limited resources.³¹ The purpose of the FTC is to enable taxpayers to make private, voluntary contributions to SFOs for children of families that have limited financial resources to expand educational opportunities for these children to achieve a greater level of educational excellence and improve the quality of education in Florida.³²

The FTC program is funded with contributions to private nonprofit SFOs from taxpayers who receive a tax credit or credits for use against their tax liability due under one or more of the following:³³

- Corporate income tax;
- Insurance premium tax;
- Severance taxes on oil and gas production;
- Self-accrued sales tax liabilities of direct pay permit holders; or
- Alcoholic beverage taxes on beer, wine, and spirits.

The tax credit is equal to 100 percent of the eligible contributions made.³⁴ A taxpayer is permitted to submit an application to the Department of Revenue for a tax credit or credits under one or more of the authorized tax liabilities listed above.³⁵ Florida law provides an annual tax credit cap amount.³⁶

Motor Vehicle Taxes

Florida sales and use tax, plus any applicable discretionary sales surtax, is due on all new or used motor vehicles sold, leased, delivered into, imported into, or used in Florida, unless a specific exemption applies.³⁷ Florida sales and use tax is due on the sales price of the motor vehicle, including any separately itemized charge or fee for items, such as:³⁸

- Any accessory sold with the vehicle;
- Preparation, settlement, or closing fees;
- Freight, handling, or delivery of the motor vehicle to the dealer;
- Commission; and
- Any other expense or cost of the dealer that the dealer requires the purchaser to pay.

³⁰ Section 5, ch. 2001-225, L.O.F.

³¹ Section 1002.395, F.S.

³² Section 1002.395(1)(b), F.S.

³³ Section 1002.395(5), F.S.

³⁴ Sections 220.1875 and 1002.395(5), F.S.

³⁵ Section 1002.395(5)(b), F.S.

³⁶ Section 1002.395(5)(a)1.-2., F.S.

³⁷ Sections 212.02, 212.05, 212.07, 212.08, F.S.; Rule 12A-1.007, F.A.C.; see *Florida Department of Revenue, Sales and Use Tax on Motor Vehicles*, available at http://floridarevenue.com/Forms_library/current/gt800030.pdf.

³⁸ *Id.*

Any separately itemized fee or charge mandated by a state law for titling, licensing, or registering the motor vehicle, or for recording a lien on the motor vehicle, is not subject to tax.³⁹ Florida collects a six percent sales tax rate on the purchase of all vehicles.⁴⁰

Private Schools and Programs

Florida law defines a private school to mean a nonpublic school defined as an individual, association, corporation, or other such entity, that designates itself as an educational center that includes elementary, secondary, business, technical, or trade school below college level. The definition also includes any organization that provides instructional services that meet the intent of Florida law, or that gives preemployment or supplementary training in technology or in fields of trade or industry that offers academic, literary, or career training below college level. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school.⁴¹

Florida law authorizes any 25 or more adults, who are legal residents of Florida and the county in which a corporation may be formed, to form a private school corporation and prescribes requirements related to such corporations' charter, dissolution, consolidation, operations, and powers and duties.⁴²

School attendance requirements are specified in the Florida Statutes.⁴³ Regular school attendance means the actual attendance of a student during the school day in:⁴⁴

- A public school supported by public funds;
- A parochial, religious, or denominational school;
- A private school supported in whole or in part by tuition charges or by endowments or gifts;
- A home education program that meets the requirements of chapter 1002; or
- A private tutoring program that meets the requirements of chapter 1002.

III. Effect of Proposed Changes:

This bill establishes the Hope Scholarship Program (HSP) to provide the parent of a public school student who was the victim of a substantiated incident of violence or abuse an opportunity to transfer the student to another public school that has capacity or to request and receive from the state a scholarship for the student to enroll in and attend an eligible private school. In addition, the bill specifies eligibility criteria, a funding mechanism, and responsibilities for:

- School districts to notify the parents of the victim and the alleged offender within 24 hours after a specified incident and provide a statement of the expected investigative actions and a timeline for reporting the investigation's outcome.
- School principals, or the school principal's designee, to:
 - Investigate the incident and determine whether the incident is substantiated or unsubstantiated and whether the incident is required to be reported.

³⁹Sections 212.02, 212.05, 212.07, 212.08, F.S.; Rule 12A-1.007, F.A.C.; see *Florida Department of Revenue, Sales and Use Tax on Motor Vehicles*, available at http://floridarevenue.com/Forms_library/current/gt800030.pdf.

⁴⁰ *Id.*

⁴¹ Section 1002.01(2), F.S.

⁴² Chapter 623, F.S.

⁴³ Section 1003.21, F.S.

⁴⁴ Section 1003.01(13), F.S.

- Take all actions necessary to continue educational services of students involved in the reported incident while taking every precaution to keep the victim and alleged offender separated.
- Keep parents of the victim and alleged offender updated on the status of the investigation and report the findings or outcomes of the investigation.
- Notify the victim's parent of the availability of the HSP.
- Private schools that participate in the HSP to comply with all requirements for participating in state scholarship programs and:
 - Provide specified documentation and respond to information requests.
 - Be academically accountable to the parent for meeting the student's educational needs.
 - Maintain a physical location in Florida.
- The Department of Education (DOE) to:
 - Annually verify the eligibility of private schools in the HSP and require notarized compliance certifications from the private schools.
 - Cross-check the list of students participating in the HSP with public school enrollment lists and other state scholarship program participation lists before each HSP payment.
 - Require annual reports by scholarship-funding organizations (SFO).
 - Contract with an independent entity to provide an annual evaluation of the HSP and school climate.
 - Conduct site visits to participating private schools for specified purposes.
- The Commissioner of Education to deny, suspend, or revoke a private school's participation in the program and to immediately suspend scholarship fund payments under specified circumstances.
- Nonprofit SFOs to establish scholarships for eligible students and provide quarterly and annual reports to the DOE.
- The Auditor General to conduct an annual operational audit of each SFO that participates in the HSP.

The bill specifies that the HSP is funded by taxpayers who make an eligible contribution, limited to a single \$20 payment, at the time of a vehicle purchase or registration in Florida and authorizes a credit of 100 percent of the amount of such eligible contribution by the taxpayer against the sales and use tax on the vehicle purchase or registration.

Student Eligibility Criteria (Section 1)

Section 1 creates s. 1002.40, F.S., which establishes the Hope Scholarship Program. This section provides that, beginning with the 2018-2019 school year, on a first-come, first-serve basis and contingent upon available funds, a student enrolled full-time in a Florida public school in kindergarten through grade 12 is eligible for the HSP if all of the following conditions are met:

- The student is the victim of a substantiated incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school.
- The incident is formally reported by the victim or the victim's parent to the principal.
- Through an investigation, the principal finds that the incident is substantiated.

- The principal's investigation remains open or the district's resolution of issues related to the incident remain unresolved after timely notification, deliberative evaluation, and 30 days of responsible and appropriate action taken in accordance with the law.

Section 1 specifies that a scholarship payment may not be made if a student is:

- Enrolled in a public school, including, but not limited to, the Florida School for the Deaf and the Blind, the College-Preparatory Boarding Academy, the Florida Virtual School, a developmental research school, or a charter school authorized under Florida law;
- Enrolled in a school operating for the purpose of providing educational services to youth in the Department of Juvenile Justice commitment programs;
- Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year; or
- Receiving another state school choice scholarship.
- Participating in a home education program as defined in law.⁴⁵

School District Duties (Section 1)

Section 1 provides that within 24 hours of receipt of a formal report of a specified incident, the school principal must provide a copy of the report to the victim's parent and the alleged offender's parent. The report must include a statement of the expected investigative actions and the timeline for reporting outcome of the investigation. Within 24 hours after receipt of the formal report, the principal must also provide the superintendent with a copy of the report and verification that the parents of the victim and the alleged offender have been provided a copy of the incident report and other required information.

Investigation

The principal must investigate the incident to determine whether the incident is substantiated or unsubstantiated, and if the incident must be reported. At his or her discretion, the principal may determine the extent to which each student was engaged in instigating, or reacting to a physical altercation, and may consider such information when evaluating and determining appropriate disciplinary actions and investigation outcomes.

Section 1 specifies that during the investigation period, the principal and the superintendent must take all actions necessary to continue the educational services of students involved in the reported incident while taking every reasonable precaution to keep the alleged offender separated from the victim or any sibling of the victim while on school grounds or on school transportation, pursuant to law.⁴⁶ After a principal determines that an alleged incident is unsubstantiated or the resolution of issues related to a substantiated incident or within 15 days after the incident was reported, whichever occurs first, the principal must report to the victim's parent and the alleged offender's parent the findings, outcome, or status of the investigation. The principal must

⁴⁵ A home education program means the sequentially progressive instruction of a student directed by his or her parent to satisfy the attendance requirements specified in law. Section 1002.01(1), F.S.

⁴⁶The bill references provisions in state law regarding district school board duties relating to student discipline and school safety, policy for zero tolerance of crime and victimization, and prohibition on bullying and harassment. Sections 1006.09, 1006.13, and 1006.147, F.S.

continue to provide such reports to the parents at least every 15 days until the investigation concludes and issues associated with the incident are resolved.

HSP Notification

Section 1 directs that if the principal's investigation into the incident remains open for more than 30 days after the date a substantiated incident was reported or issues associated with the incident remain unresolved, the school district must

- Notify the victim's parent of the availability of the HSP and offer that parent an opportunity to enroll his or her student in another public school or to request and receive a scholarship to attend an eligible private school, subject to available funding.
- Provide written notification to the victim's parent of the result of the investigation of the alleged incident. The parent must provide this notification to the SFO that verifies the student's eligibility.

School districts must report and verify student enrollment information during and outside of the regular full-time equivalent student enrollment survey periods as requested by the DOE, in order to facilitate timely, appropriate, and fiscally accountable scholarship payments.

For each student participating in the program in a private school who chooses to participate in the statewide assessments or the Florida Alternate Assessment, the school district in which the student resides must notify the student and his or her parent about the locations and times to take the statewide assessments.

Accordingly, this section establishes a mechanism to investigate and substantiate the incident and inform students and parents about the HSP and the opportunities for such students to participate in statewide assessments.

Private School Eligibility (Section 1)

To be eligible to participate in the HSP, section 1 specifies that private school may be sectarian or nonsectarian and must comply with all requirements for private schools to participate in state school choice scholarship programs.

The private school must provide to the SFO and DOE, upon request, all documentation required for the student's participation, including the private schools and the student's fee schedules. The private school must be academically accountable to the parent for meeting the educational needs of the student by:

- Annually providing to the parent a written explanation of the student's progress.
- Annually administering or making provision for students participating in the program in grades 3 through 10 to take one of the national norm-referenced tests identified by the department or the statewide assessments. A participating school must report a student's scores to his or her parent.
- Cooperating with the student whose parent who chooses to have the student participate in the statewide assessments or, if a private school chooses to offer statewide assessments, administering the assessments at the school.

- A participating private school may choose to offer and administer the statewide assessments to all students who attend the private school in grades 3 through 10.
- A participating private school must submit a request in writing by March 1 of each year in order to administer the statewide assessments in the next school year.
- Employ or contract with teachers who have regular and direct contact with each student receiving an HSP scholarship at the school's physical location.
- Maintain in this state a physical location where a scholarship student regularly attends classes.
- Provide a report from an independent certified public accountant who performs the agreed-upon procedures developed in law if the private school receives more than \$250,000 in funds from state scholarship programs. The report must be annually submitted to the organization that awarded the majority of the school's scholarship funds by September 15. The agreed-upon procedures must be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.

Section 1 specifies that the failure of a private school to meet the requirements in law constitutes a basis for the ineligibility of the private school to participate in the program, as determined by the DOE.

Department of Education Duties (Section 1)

Consistent with other state scholarship programs, section 1 requires the Department of Education (DOE) to:

- Establish a toll-free hotline that provides parents and private schools with information on participation in the program;
- Annually verify the eligibility of private schools;
- Require an annual notarized and sworn compliance statement by participating private schools certifying compliance with state laws.
- Cross-check the list of participating students with the public school enrollment lists and participation lists in other state scholarship programs before each HSP payment, in order to avoid duplication.

In addition, the DOE must:

- Maintain a list of nationally norm-referenced tests that meet industry quality standards.
- Require quarterly reports by an eligible nonprofit SFO regarding the number of students participating in the scholarship program, the private schools in which the students are enrolled, and other information deemed necessary by the DOE.

Annual Evaluation

Section 1 requires the DOE to contract with an independent entity to provide an annual evaluation of the HSP by:

- Reviewing the school climate and code of student conduct of each public school that reported a monthly average of 10 or more substantiated incidents to determine areas in the school or school district procedures involving reporting, investigating, and communicating a parent's and student's rights that are in need of improvement. At a minimum, this review must include:

- An assessment of the investigation time and quality of the response of the school and the school district.
- An assessment of the effectiveness of communication procedures with the students involved in an incident, the students' parents, and the school and school district personnel;
- An analysis of school incident and discipline data;
- The challenges and obstacles relating to implementing recommendations from this review.
- Reviewing the school climate and code of student conduct of each public school, to which a student from a school with a monthly average of 10 or more substantiated incidents transferred, in order to identify best practices and make recommendations to a public school at which the incidents occurred.
- Reviewing the performance of participating students enrolled in a private school in which the majority of the school's total enrolled students in the prior school year participated in any state scholarship program, in which there are at least 10 participating students who have scores for tests administered; and reviewing the school climate and code of conduct of the private school if one or more scholarship participants were involved in a reported incident at the school during the prior school year.
- Surveying the parents of participating students to determine academic, safety, and school climate satisfaction and to identify any challenges or obstacles in addressing the incident or relating to the use of the scholarship.

Statewide Assessments

Section 1 specifies that upon the request of a participating private school, the DOE must provide, at no cost to the school, the statewide assessments and any related materials for administering the assessments. This section provides that students at a private school may be assessed using the statewide assessments if the addition of those students and the school does not cause the state to exceed its contractual caps for the number of students tested and the number of testing sites. The state must provide the same materials and support that it provides to a public school to the private school. A private school that chooses to administer statewide assessments must follow the requirements related to the student assessment program, test administration and security, SBE rules, and the district-level testing policies established by the district school board.

Accordingly, this section promotes student access to statewide assessments, which may assist the parents and schools in monitoring student performance.

Violations

Section 1 requires the DOE to establish a process by which individuals may notify the department of any violation by a parent, private school, or school district of state laws relating to HSP participation. The DOE must conduct an inquiry or make a referral to the appropriate agency for an investigation of a written violation if the complaint is signed and legally sufficient. A complaint is legally sufficient if such complaint contains ultimate facts that show that a violation of this section or any rule adopted by the SBE has occurred. In order to determine legal sufficiency, the DOE may require supporting information or documentation from the complainant. A department inquiry is not subject to the public records requirements.

These provisions are consistent with other state scholarship programs.

Site Visits

Section 1 requires the DOE to conduct site visits to participating private schools. The purpose of the site visits is solely to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results. The DOE may not make more than seven site visits each year. However, the DOE is authorized to make additional site visits at any time to a school that is the subject of a violation complaint, is identified by an organization for a known or suspected violation, or has received a notice of noncompliance or a notice of proposed action within the current year or the previous two years.

Reporting Requirements

The DOE must annually, by December 15, report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the DOE's actions with respect to implementing accountability in the HSP, any substantiated allegations or violations of law or rule by an eligible private school under the HSP, and the corrective action taken by the DOE.

Commissioner of Education Authority and Obligations

Similar to other state scholarship programs, section 1:

- Requires the commissioner to deny, suspend, or revoke a private school's participation in the HSP if it is determined that the private school has failed to comply with the legal requirements of the HSP. However, if the noncompliance is correctable with a reasonable amount of time and if the health, safety, or welfare of students is not threatened, the commissioner is authorized to issue a notice of noncompliance which provides the private school with a timeframe within which to provide evidence of compliance before taking action to suspend or revoke the private school's participation in the program.
- Authorizes the commissioner to deny, suspend or revoke a private school's participation in the program if the commissioner determines that an owner or operator of the private school is operating or has operated an educational institution in a manner contrary to the health, safety, or welfare of the public. In making such determination, the commissioner is authorized to consider factors that include, but are not limited to the following:
 - Acts or omissions by an owner or operator which led to a previous denial or revocation of participation in an education scholarship program;
 - An owner's or operator's failure to reimburse the DOE for scholarship funds improperly received or retained by a school;
 - Imposition of a prior criminal sanction related to an owner's or operator's management or operation of an educational institution;
 - Imposition of a civil fine or administrative fine, license revocation or suspension, or program eligibility suspension, termination or revocation related to an owner's or operator's management of an educational institution;
 - Other types of criminal proceedings in which an owner or operator was found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, any offense involving fraud, deceit, dishonesty, or moral turpitude.

For the purposes of the commissioner's authority, the term "owner or operator" includes an owner, operator, superintendent, or principal of, or a person who has equivalent decisionmaking authority over, a private school participating in the scholarship program.

This section also authorizes the commissioner to immediately suspend payment of scholarship funds if it is determined that there is probable cause to believe that there is an imminent threat to the health, safety, or welfare of the students; or fraudulent activity on the part of the private school. In incidents of alleged fraudulent activity with respect to the HSP, DOE's Office of the Inspector General is authorized to release personally identifiable records or reports of student to the following persons or organizations:

- A court of competent jurisdiction in compliance with an order of that court or the attorney of record in accordance with a lawfully issued subpoena.⁴⁷
- A person or entity authorized by a court of competent jurisdiction in compliance with an order of that court or the attorney issued subpoena.⁴⁸
- Any person, entity, or authority issuing a subpoena for law enforcement purposes when the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.⁴⁹

Notification and Appeal Process (Section 1)

Section 1 provides that if the Commissioner intends to deny, suspend, or revoke a private school's participation in the program, the DOE must notify the private school of such proposed action in writing by certified and regular mail to the private school's address of record. This notification must include the reasons for the proposed action and notice of the timelines and procedures. The private school must have 15 days after receipt of the notice of proposed action to file with the department's agency clerk a request for a proceeding specified in law.⁵⁰

If the private school is entitled to a hearing based on such request, the DOE must refer the request to the Division of Administrative Hearings. Upon receipt of such request, the director of the Division of Administrative Hearings must expedite the hearing and assign an administrative law judge who must commence a hearing within 30 days after the receipt of the formal written request by the division and enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript, whichever is later. Each party must be allowed 10 days in which to submit written exceptions to the recommended order. The agency must enter a final order within 30 days after the entry of a recommended order. This section provides that the provisions related to this process may be waived upon stipulation by all parties.

These notification and appeal provisions are consistent with the requirements for other state scholarship programs.

This section also authorizes a private school to appeal the immediate suspension of a scholarship fund payment in the same manner as the appeal of a notice of proposed action.

⁴⁷ Consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

⁴⁸ Consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

⁴⁹ Consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

⁵⁰ The bill refers to a proceeding pursuant to ss. 120.569 and 120.57, F.S.

Parent and Student Responsibilities (Section 1)

Consistent with other state scholarship programs, section 1 emphasizes that a parent who applies for a Hope Scholarship is exercising his or her parental option to place his or her student in an eligible private school.

This section requires a parent to select an eligible private school and apply for the admission of his or her student. The parent must inform the student's school district when the parent withdraws his or her student to attend an eligible private school. Any student participating in the program must comply with the regular attendance requirements in law and remain in attendance throughout the school year unless the student is excused by the school for illness or other good cause. Each parent and student has an obligation to the private school to comply with the private school's published policies. The parent may remove the student from the private school and place the student in a public school in accordance with the HSP, upon reasonable notice to the DOE and the school district.

This section requires a parent to ensure that the student participating in the HSP takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments⁵¹ and if the private school has not chosen to offer and administer the statewide assessments, the parent is responsible for transporting the student to the assessment site that is designated by the school district.

Upon receipt of a scholarship warrant, the parent to whom the warrant is made must restrictively endorse the warrant to the private school for deposit into the school's account. The parent is prohibited from designating any entity or individual associated with the participating private school as the parent's attorney in fact to endorse a scholarship warrant. A parent who fails to comply with the responsibilities established in this section forfeits the scholarship.

Obligations of Nonprofit Scholarship-Funding Organizations (Section 1)

Section 1 authorizes a nonprofit scholarship-funding organization (SFO) to establish scholarships for eligible students by taking the following actions:

- Receiving applications and determining student eligibility.
- Notifying parents of their receipt of a scholarship on a first-come, first-served basis, based upon available funds.
- Preparing and submitting quarterly and annual reports to the DOE.
- Notifying the department of any violation of the specified provision under the HSP by a private school, parent, or student.

This section authorizes an SFO to use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated as an SFO for at least the preceding 3 fiscal years and did not have any findings of material weakness or material noncompliance in its most recent audit.⁵² These administrative expenses must be reasonable and necessary for the organization's management

⁵¹ Section 1008.22, F.S.

⁵² The bill references the audit required under the Florida Tax Credit scholarship program. Section 1002.395(6)(m) , F.S.

and distribution of eligible contributions under this section. Additionally, such administrative funds are prohibited from being used for lobbying, political activity, or expenses related to lobbying or political activity. The SFO may use up to one-third of the funds permitted for administrative expenses for expenses related to the recruitment of contributions from taxpayers. These administrative expense-related provisions are consistent with the requirements for other state scholarship programs.

Funding and Payment (Section 1)

Section 1 provides that the maximum amount awarded to a student enrolled in an eligible private school must be determined as a percentage of the unweighted FTE as follows:

- 88 percent for a student enrolled in kindergarten through grade 5.
- 92 percent for a student enrolled in grade 6 through grade 8.
- 96 percent for a student enrolled in grade 9 through grade 12.

A parent who chooses to enroll his or her student in a Florida public school located outside the district in which the student resides must be eligible for a scholarship to transport the student. The maximum amount for a transportation scholarship is \$750. The provisions in this section related to the maximum award amounts are the same as the specifications under the Florida Tax Credit Scholarship program.⁵³

This section specifies that when a student enters the program, the SFO must receive all documentation required for the student's participation, including a copy of the report of the original qualifying incident and the private school's and the student's fee schedules. The initial scholarship payment must be made after verification of admission to the private school, and subsequent payments must be made only upon verification of continued enrollment and attendance at the private school.

Payment of the scholarship by the eligible SFO may be by individual warrant made payable to the student's parent or by funds transfer made by debit cards, electronic payment cars, or other means that the department deems commercially viable or cost-effective. If payment is made by warrant, the warrant must be delivered by the eligible SFO to the private school of the parent's choice, and the parent must restrictively endorse the warrant to the private school. If payment is made by funds transfer, the parent must approve each payment before the scholarship funds may be deposited. The SFO must make payment of the scholarship at least on a quarterly basis.

This section also clarifies that moneys received pursuant to the HSP do not constitute taxable income to the qualified student or his or her parent.

Auditor General Responsibilities (Section 1)

Section 1 requires the Auditor General to conduct an annual operational audit of all accounts and records of each SFO that participates in the HSP. As part of this audit, the Auditor General must verify, at a minimum, the total number of students served and transmit that information to the DOE. Additionally, the Auditor General must provide the commissioner with a copy of each

⁵³ Section 1002.395(12)(a)1., F.S.

required annual operational audit within 10 days after the audit is finalized. The Auditor General must notify the DOE of any SFO that fails to comply with a request for information.

Scholarship Funding Tax Credit (Sections 1, 2, and 13)

Section 2 creates s. 212.1832, F.S., to establish a credit of 100 percent of an eligible contribution made to an eligible nonprofit SFO against any tax imposed by the state and due under chapter 212 of the Florida Statutes as a result of the purchase or acquisition of a motor vehicle. This credit may not exceed the tax otherwise owed.

Section 1 defines an eligible contribution, or contribution, to mean a monetary contribution from a person required to pay sales and use tax on the purchase or acquisition of a motor vehicle to an eligible SFO. The taxpayer making the contribution is prohibited from designating a specific student as the beneficiary of the contribution.

Section 1 limits each eligible contribution to a single payment of \$20 at the time of purchase of a motor vehicle or a single payment of \$20 at the time of registration of a motor vehicle that was not purchased from a dealer. An eligible contribution must be accompanied by an election to contribute to the program and must be made by the purchaser at the time of purchase or at the time of registration on a form provided by the Department of Revenue (DOR). Contribution payments must be made to a dealer at the time of purchase of a motor vehicle, or to a designated DOR agent at the time of registration of a motor vehicle that was not purchased from a dealer.

Section 1 prescribes that a tax collector, designated DOR agent, or a dealer must:

- Provide the purchaser with the contribution election form.
- Collect eligible contributions and remit to the SFO, on or before the 20th day of each month, the total amount of contributions made and collected during the preceding calendar month.
- Report on each return filed with the DOR the total amount of credits allowed under the HSP during the preceding calendar month.

Section 2 directs the DOR, for purposes of the distributions of tax revenue, to disregard any tax credits allowed under the HSP to ensure that any reduction in tax revenue received that is attributable to the tax credits results only in a reduction in distributions to the General Revenue Fund.

Additionally, section 13 authorizes the DOR to adopt emergency rules to administer the specified HSP provisions.

Fraud Penalty (Section 1)

Section 1 includes accountability provisions to specify that a person who, with intent to unlawfully deprive or defraud the program of its moneys, fails to remit a contribution collected under the HSP is guilty of the theft of charitable funds, punishable as follows:

- If the total amount stolen is less than \$300, the offense is a misdemeanor of the second degree, punishable by up to 60 days imprisonment or with a fine of up to \$500. Upon a second conviction, the offender is guilty of a misdemeanor of the first degree, punishable by up to 1 year imprisonment or with a fine of up to \$1,000. Upon a third or subsequent

conviction, the offender is guilty of a felony of the third degree, punishable by up to 5 years imprisonment or with a fine of up to \$5,000.

- If the total amount stolen is \$300 or more, but less than \$20,000, the offense is a felony of a third degree punishable by up to 5 years imprisonment or with a fine of up to \$5,000.
- If the total amount stolen is \$20,000 or more, but less than \$100,000, the offense is a felony of the second degree, punishable by up to 15 years imprisonment or with a fine of up to \$10,000.
- If the total amount stolen is \$100,000 or more, the offense is a felony of the first degree, punishable by up to 30 years imprisonment or with a fine of up to \$10,000.

A person convicted of an offense under the HSP must be ordered by the sentencing judge to make restitution to the organization in the amount that was stolen from the program.

Private Schools and Programs (Sections 3, 6, 7, 8, 10, 11 and 12)

Section 3 amends s. 1002.01, F.S., to modify the definition of private school to mean a school that registers with the DOE in addition to meeting the other criteria specified in law.

This section also defines a state scholarship program by listing the four state scholarship programs under chapter 1002: the Gardiner Scholarship Program, the McKay Scholarship Program, the Florida Tax Credit Scholarship, and the Hope Scholarship Program.

Section 10 and 11 repeal private school corporations established under chapter 623 of the Florida Statutes,⁵⁴ and related provisions, effective July 1, 2019.

Sections 12 repeals s. 1002.43, F.S., establishing private tutoring programs as a means for meeting regular school attendance requirements. Sections 6, 7, and 8 conform cross-references to the Gardiner Scholarship Program, the McKay Scholarship Program, and the Florida Tax Credit Scholarship Program accordingly.

Other Provisions (Sections 4, 5, 9, and 14)

Section 4 amends s. 1002.20, F.S., to update the name of the Personal Learning Scholarship Accounts Program to the Gardiner Scholarship Program, consistent with law.

Section 5 amends s. 1003.01, F.S., to revise the definition of regular school attendance to mean full-time attendance in a specified school or program, and removing reference to private tutoring programs.

⁵⁴ Private School Corporations pursuant to chapter 623 of the Florida Statutes were established under the “Private School Corporation Law of 1959” as a set of statutory requirements individuals use to establish business organizations through charters approved by a judge of the circuit court for the county in which a corporation will operate. Section. 1, ch. 59-113, L.O.F. Although section 623.02 of the Florida Statutes requires the corporation to include the words “private school” in its name, chapter 623 do not address or cross-reference academic, curricular, attendance, or other health, safety, welfare requirements specified under the School Code (Chapters 1000-1013, F.S.), or any other provisions of the Florida Statutes It is unclear how many, if any, such corporations exist because Florida law does not require state-level accounting of such corporations by the Department of Education or another state agency.

Section 9 amends s. 1003.26, F.S., to conform to the revised definition of regular school attendance.

Section 14 appropriates \$2 million in recurring funds to the Department of Education to implement the HSP.

The bill takes effect July 1, 2018, except for the repeal of chapter 623 of the Florida Statutes, which is effective July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The Revenue Estimating Conference estimated proposed language similar to SB 1172, except that the pertinent language in the proposal contained a description of what the contribution form, on which the necessary contribution election must be made, will contain.⁵⁵ This contribution form description may impact the participation rate, which could affect the bill's fiscal impact.⁵⁶

Based on the proposed language with the form description, the Revenue Estimating Conference estimates that the proposed language will reduce General Revenue Fund receipts by at least \$7.9 million in Fiscal Year 2018-19 and each year thereafter.⁵⁷

B. Private Sector Impact:

Private schools that enroll students who receive a Hope Scholarship Program award may see an increase in revenue.⁵⁸

⁵⁵ Florida Office of Economic and Demographic Research, *Revenue Estimating Conference, Proposed Language -- Hope Scholarship*, (Dec. 1, 2017), available at http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2018/_pdf/Impact1201.pdf (last visited Jan. 19, 2018).

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ Florida Department of Education, *2018 Agency Legislative Bill Analysis: HB 1*, (Nov. 3, 2017), at 12. HB 1 is substantively the same as SB 1172.

C. **Government Sector Impact:**

The bill appropriates \$2 million in recurring funds from the General Revenue Fund to the Department of Education to implement the program.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 212.08, 1002.01, 1002.20, 1003.01, 1002.385, 1002.39, 1002.395, and 1003.26.

This bill creates sections 1002.40 and 212.1832 of the Florida Statutes.

This bill repeals chapter 623 and section 1002.43 of the Florida Statutes.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on PreK-12 Education on February 8, 2018:

The committee substitute:

- Clarifies that a student may transfer to another public school that has capacity under the Hope Scholarship Program (HSP).
- Defines “principal” to mean the principal or his or her designee.
- Requires the school district to provide written notification to the victim’s parent of the result of the investigation of the alleged incident. The parent must provide this notification to the scholarship-funding organization (SFO) that verifies the student’s eligibility.
- Authorizes payment of the scholarship by the SFO by funds transfer made by debit cards, electronic payment cars, or other means that the department deems commercially viable or cost-effective.
- Appropriates \$2 million in recurring funds to the Department of Education to implement the HSP.

CS by Education on January 22, 2018:

The committee substitute retains the substance of the bill with some modifications. Specifically, the committee substitute modifies the provisions in the bill related to:

- Student eligibility criteria to require a formal report and a principal’s determination that a reported incident is substantiated.
- School district obligations to specify responsibilities for the principal regarding the investigation, substantiation, resolution, and reporting of specified incidents.

- Department of Education’s (DOE’s/department’s) obligations regarding:
 - Contracting with an independent entity to require the entity to review the school climate and code of student conduct of the private school if one or more scholarship participants were involved in a reported incident at the school during the prior school year.
 - Scope of site visits by the department to include conditions specified in law in addition to the conditions specified in the bill.
 - Scope of follow-up site visits by the department to include visit to a school that is the subject of a violation complaint or is identified by an organization for a known or suspected violation.

The committee substitute also adds to the bill, provisions to:

- Clarify the definition of private school to mean a private school that registers with the DOE, in accordance with the law, in addition to meeting other criteria specified in law.
- Define a scholarship program to include the four state scholarship programs under chapter 1002 of the Florida Statutes.
- Revise the definition of regular school attendance to mean full-time attendance in a specified school or program, and adds related conforming provisions.

Finally, the committee substitute:

- Eliminates obsolete private tutoring programs.
- Repeals private schools established under chapter 623, private school corporations, and related provisions, effective July 1, 2019.
- Updates the name of the Personal Learning Scholarship Accounts Program to the Gardiner Scholarship Program, consistent with the law.
- Changes the effective date from upon becoming law to July 1, 2018, unless otherwise provided

B. Amendments:

None.



400462

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Galvano)
recommended the following:

Senate Amendment

Delete line 86
and insert:
another public school that has capacity or to request and
receive a



747612

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Galvano)
recommended the following:

Senate Amendment

Between lines 109 and 110

insert:

(g) "Principal" means the principal or his or her designee.



963454

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Galvano)
recommended the following:

Senate Amendment

Delete lines 197 - 202
and insert:
remain unresolved, the school district, in accordance with the
school district's code of student conduct, shall:

a. Notify the victim's parent of the availability of the
program and offer that parent an opportunity to enroll his or
her student in another public school or to request and receive a
scholarship to attend an eligible private school, subject to



963454

11 available funding; and
12 b. Provide the victim's parent with a written notification
13 of the result of the principal's investigation of the alleged
14 incident. The parent must provide such notification to the
15 scholarship-funding organization that verifies the student's
16 eligibility.



666962

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Galvano)
recommended the following:

Senate Amendment

Delete lines 557 - 563
and insert:
scholarship-funding organization may be by individual warrant
made payable to the student's parent or by funds transfer made
by debit cards, electronic payment cards, or other means of
payment which the department deems to be commercially viable or
cost-effective. If payment is made by warrant, the warrant must
be delivered by the eligible nonprofit scholarship-funding



666962

11 organization to the private school of the parent's choice, and
12 the parent shall restrictively endorse the warrant to the
13 private school. If payment is made by funds transfer, the parent
14 must approve each payment before the scholarship funds may be
15 deposited. The parent may not designate any entity or individual
16 associated with the participating private school as the parent's
17 attorney in fact to endorse a scholarship warrant or approve a
18 funds transfer.



962870

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Galvano)
recommended the following:

Senate Amendment (with title amendment)

Between lines 1058 and 1059

insert:

Section 14 For the 2018-2019 fiscal year, \$2 million in
recurring funds from the General Revenue Fund is appropriated to
the Department of Education to implement the provisions of this
act.

===== T I T L E A M E N D M E N T =====



962870

11 And the title is amended as follows:
12 Delete line 75
13 and insert:
14 purposes; providing an appropriation; providing
15 effective dates.

By the Committee on Education; and Senator Galvano

581-02334-18

20181172c1

1 A bill to be entitled
 2 An act relating to the Hope Scholarship Program;
 3 creating s. 1002.40, F.S.; establishing the Hope
 4 Scholarship Program; providing the purpose of the
 5 program; defining terms; providing eligibility
 6 requirements; prohibiting the payment of a scholarship
 7 under certain circumstances; requiring a principal to
 8 provide copies of a report of physical violence or
 9 emotional abuse to certain individuals within a
 10 specified timeframe; requiring the principal to
 11 investigate such incidents; requiring a school
 12 district to notify an eligible student's parent of the
 13 program under certain circumstances; requiring a
 14 school district to provide certain information
 15 relating to the statewide assessment program;
 16 providing requirements and obligations for eligible
 17 private schools; providing Department of Education
 18 obligations relating to participating students and
 19 private schools and program requirements; providing
 20 Commissioner of Education obligations; requiring the
 21 commissioner to deny, suspend, or revoke a private
 22 school's participation in the program or the payment
 23 of scholarship funds under certain circumstances;
 24 defining the term "owner or operator"; providing a
 25 process for review of a decision from the commissioner
 26 under certain circumstances; providing for the release
 27 of personally identifiable student information under
 28 certain circumstances; providing parent and student
 29 responsibilities for initial and continued

Page 1 of 37

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

581-02334-18

20181172c1

30 participation in the program; providing nonprofit
 31 scholarship-funding organization obligations;
 32 providing for the calculation of the scholarship
 33 amount; providing the scholarship amount for students
 34 transferred to certain public schools; requiring
 35 verification of specified information before a
 36 scholarship may be disbursed; providing requirements
 37 for the scholarship payments; providing funds for
 38 administrative expenses for certain nonprofit
 39 scholarship-funding organizations; providing
 40 requirements for administrative expenses; prohibiting
 41 a nonprofit scholarship-funding organization from
 42 charging an application fee; providing Auditor General
 43 obligations; providing requirements for taxpayer
 44 elections to contribute to the program; requiring the
 45 Department of Revenue to adopt forms to administer the
 46 program; providing requirements for certain agents of
 47 the Department of Revenue and motor vehicle dealers;
 48 providing reporting requirements for nonprofit
 49 scholarship-funding organizations relating to taxpayer
 50 contributions; providing penalties; providing for the
 51 restitution of specified funds under certain
 52 circumstances; providing the state is not liable for
 53 the award or use of program funds; prohibiting
 54 additional regulations for private schools
 55 participating in the program beyond those necessary to
 56 enforce program requirements; requiring the State
 57 Board of Education to adopt rules to administer the
 58 program; creating s. 212.1832, F.S.; authorizing

Page 2 of 37

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

581-02334-18

20181172c1

59 certain persons to elect to direct certain state sales
 60 and use tax revenue to be transferred to a nonprofit
 61 scholarship-funding organization for the Hope
 62 Scholarship Program; amending s. 1002.01, F.S.;
 63 revising and defining terms; amending s. 1002.20;
 64 updating educational options and terminology; amending
 65 s. 1003.01, F.S.; redefining the term "regular school
 66 attendance"; amending ss. 1002.385, 1002.39, 1002.395,
 67 and 1003.26, F.S.; conforming cross-references and
 68 provisions to changes made by the act; updating
 69 terminology; repealing ch. 623, F.S., relating to
 70 private school corporations, on a specified date;
 71 amending s. 212.08, F.S.; conforming a cross-
 72 reference; repealing s. 1002.43, F.S., relating to
 73 private tutoring programs; authorizing the Department
 74 of Revenue to adopt emergency rules for specified
 75 purposes; providing effective dates.

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

78
 79 Section 1. Section 1002.40, Florida Statutes, is created to
 80 read:

81 1002.40 The Hope Scholarship Program.—

82 (1) PURPOSE.—The Hope Scholarship Program is established to
 83 provide the parent of a public school student who was the victim
 84 of a substantiated incident of violence or abuse, as listed in
 85 subsection (3), an opportunity to transfer the student to
 86 another public school or to request and receive from the state a
 87 scholarship for the student to enroll in and attend an eligible

Page 3 of 37

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

581-02334-18

20181172c1

88 private school.

89 (2) DEFINITIONS.—As used in this section, the term:

90 (a) "Department" means the Department of Education.

91 (b) "Eligible contribution" or "contribution" means a
 92 monetary contribution from a person required to pay sales and
 93 use tax on the purchase or acquisition of a motor vehicle,
 94 subject to the restrictions provided in this section, to an
 95 eligible nonprofit scholarship-funding organization. The
 96 taxpayer making the contribution may not designate a specific
 97 student as the beneficiary of the contribution.

98 (c) "Eligible nonprofit scholarship-funding organization"
 99 or "organization" has the same meaning as provided in s.
 100 1002.395(2) (f), as determined by the department.

101 (d) "Eligible private school" has the same meaning as
 102 provided in s. 1002.395(2) (g), as determined by the department.

103 (e) "Motor vehicle" has the same meaning as provided in s.
 104 320.01(1) (a), but does not include heavy trucks, truck tractors,
 105 trailers, and motorcycles.

106 (f) "Parent" means a resident of this state who is a
 107 parent, as defined in s. 1000.21, and whose public school
 108 student was the victim of a reported incident, as listed in
 109 subsection (3).

110 (g) "Program" means the Hope Scholarship Program.

111 (h) "School" includes any educational program or activity
 112 conducted by a public K-12 educational institution, any school-
 113 related or school-sponsored program or activity, and riding on a
 114 school bus, as defined in s. 1006.25(1), including waiting at a
 115 school bus stop.

116 (i) "Unweighted FTE funding amount" means the statewide

Page 4 of 37

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

581-02334-18 20181172c1

117 average total funds per unweighted full-time equivalent funding
 118 amount that is incorporated by reference in the General
 119 Appropriations Act for the applicable state fiscal year.

120 (3) PROGRAM ELIGIBILITY.—Beginning with the 2018-2019
 121 school year, contingent upon available funds, and on a first-
 122 come, first-served basis, a student enrolled full time in a
 123 Florida public school in kindergarten through grade 12 is
 124 eligible for a scholarship under this program if all of the
 125 following conditions are met:

126 (a) The student is the victim of a substantiated incident
 127 of battery; harassment; hazing; bullying; kidnapping; physical
 128 attack; robbery; sexual offenses, harassment, assault, or
 129 battery; threat or intimidation; or fighting at school.

130 (b) The incident is formally reported by the victim or the
 131 victim's parent to the principal.

132 (c) Through an investigation, the principal finds that the
 133 incident is substantiated.

134 (d) The principal's investigation remains open or the
 135 district's resolution of issues related to the incident remain
 136 unresolved after timely notification, deliberative evaluation,
 137 and 30 days of responsible and appropriate action taken in
 138 accordance with paragraph (5) (a).

139 (4) PROGRAM PROHIBITIONS.—Payment of a scholarship may not
 140 be made if a student is:

141 (a) Enrolled in a public school, including, but not limited
 142 to, the Florida School for the Deaf and the Blind; the College-
 143 Preparatory Boarding Academy; the Florida Virtual School; a
 144 developmental research school authorized under s. 1002.32; or a
 145 charter school authorized under s. 1002.33, s. 1002.331, s.

581-02334-18 20181172c1

146 1002.332, or s. 1002.333;

147 (b) Enrolled in a school operating for the purpose of
 148 providing educational services to youth in the Department of
 149 Juvenile Justice commitment programs;

150 (c) Participating in a virtual school, correspondence
 151 school, or distance learning program that receives state funding
 152 pursuant to the student's participation unless the participation
 153 is limited to no more than two courses per school year;

154 (d) Receiving any other educational scholarship pursuant to
 155 this chapter; or

156 (e) Participating in a home education program, as defined
 157 in s. 1002.01.

158 (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

159 (a)1. Within 24 hours after receipt of a formal report of
 160 an incident listed in subsection (3) (a), the principal shall
 161 provide a copy of the report to the victim's parent and the
 162 alleged offender's parent. The report must include a statement
 163 of the expected investigative actions and the timeline for
 164 reporting the outcome of the investigation. Within 24 hours
 165 after receipt of the formal report, the principal must also
 166 provide the superintendent with a copy of the report and
 167 verification that the parents of the victim and the alleged
 168 offender have been provided a copy of the incident report and
 169 other required information.

170 2. In accordance with s. 1006.09, the principal must
 171 investigate the incident to determine if the incident is
 172 substantiated or unsubstantiated, and if the incident must be
 173 reported. The principal may, at his or her discretion, determine
 174 the extent to which each student was engaged in instigating,

581-02334-18

20181172c1

175 initiating, or reacting to a physical altercation, and may
 176 consider such information when evaluating and determining
 177 appropriate disciplinary actions and investigation outcomes.

178 3. During the investigation period, the principal and the
 179 superintendent shall take all necessary actions to continue the
 180 educational services of students involved in the reported
 181 incident while taking every reasonable precaution to keep the
 182 alleged offender separated from the victim or any sibling of the
 183 victim while on school grounds or on school transportation,
 184 pursuant to ss. 1006.09, 1006.13, and 1006.147, as appropriate.

185 4. Upon the principal's determination that an alleged
 186 incident is unsubstantiated or the resolution of issues related
 187 to a substantiated incident or within 15 days after the incident
 188 was reported, whichever occurs first, the principal must report
 189 to the victim's parent and the alleged offender's parent the
 190 findings, outcome, or status of the investigation. The principal
 191 shall continue to provide such reports to the parents at least
 192 every 15 days until the investigation concludes and issues
 193 associated with the incident are resolved.

194 5. If the principal's investigation into the incident
 195 remains open more than 30 days after the date a substantiated
 196 incident was reported or issues associated with the incident
 197 remain unresolved the school district, in accordance with the
 198 school district's code of student conduct, shall notify the
 199 victim's parent of the availability of the program and offer
 200 that parent an opportunity to enroll his or her student in
 201 another public school or to request and receive a scholarship to
 202 attend an eligible private school, subject to available funding.

203 6. To facilitate timely, appropriate, and fiscally

Page 7 of 37

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

581-02334-18

20181172c1

204 accountable scholarship payments, school districts must report
 205 and verify student enrollment information during and outside of
 206 regular FTE student enrollment survey periods, as requested by
 207 the department pursuant to paragraph (7) (d).

208 (b)1. A parent who, pursuant to s. 1002.31, chooses to
 209 enroll his or her student in a Florida public school located
 210 outside the district in which the student resides shall be
 211 eligible for a scholarship under paragraph (11) (b) to transport
 212 the student.

213 2. For each student participating in the program in a
 214 private school who chooses to participate in the statewide
 215 assessments under s. 1008.22 or the Florida Alternate
 216 Assessment, the school district in which the student resides
 217 must notify the student and his or her parent about the
 218 locations and times to take all statewide assessments.

219 (6) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
 220 private school may be sectarian or nonsectarian and shall:

221 (a) Meet the definition of a private school in s. 1002.01
 222 and comply with all requirements for private schools
 223 participating in state school choice scholarship programs
 224 pursuant to this section and s. 1002.421.

225 (b) Provide to the organization and the department, upon
 226 request, all documentation required for the student's
 227 participation, including, but not limited to, the private
 228 school's and the student's fee schedules.

229 (c) Be academically accountable to the parent for meeting
 230 the educational needs of the student by:

231 1. At a minimum, annually providing to the parent a written
 232 explanation of the student's progress.

Page 8 of 37

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

581-02334-18

20181172c1

233 2. Annually administering or making provision for students
 234 participating in the program in grades 3 through 10 to take one
 235 of the nationally norm-referenced tests identified by the
 236 department or the statewide assessments pursuant to s. 1008.22.
 237 Students with disabilities for whom standardized testing is not
 238 appropriate are exempt from this requirement. A participating
 239 private school shall report a student's scores to his or her
 240 parent.

241 3. Cooperating with the student whose parent chooses to
 242 have the student participate in the statewide assessments
 243 pursuant to s. 1008.22 or, if a private school chooses to offer
 244 the statewide assessments, administering the assessments at the
 245 school.

246 a. A participating private school may choose to offer and
 247 administer the statewide assessments to all students who attend
 248 the private school in grades 3 through 10.

249 b. A participating private school shall submit a request in
 250 writing to the department by March 1 of each year in order to
 251 administer the statewide assessments in the subsequent school
 252 year.

253 (d) Employ or contract with teachers who have regular and
 254 direct contact with each student receiving a scholarship under
 255 this section at the school's physical location.

256 (e) Maintain in this state a physical location where a
 257 scholarship student regularly attends classes.

258 (f) Provide a report from an independent certified public
 259 accountant who performs the agreed-upon procedures developed
 260 under s. 1002.395(6)(o) if the private school receives more than
 261 \$250,000 in funds from scholarships awarded under this section

Page 9 of 37

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

581-02334-18

20181172c1

262 in a state fiscal year. A private school subject to this
 263 paragraph must annually submit the report by September 15 to the
 264 organization that awarded the majority of the school's
 265 scholarship funds. The agreed-upon procedures must be conducted
 266 in accordance with attestation standards established by the
 267 American Institute of Certified Public Accountants.

268

269 The failure of a private school to meet the requirements of this
 270 subsection constitutes a basis for the ineligibility of the
 271 private school to participate in the program, as determined by
 272 the department.

273 (7) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
 274 shall:

275 (a) Establish a toll-free hotline that provides parents and
 276 private schools with information on participation in the
 277 program.

278 (b) Annually verify the eligibility of private schools that
 279 meet the requirements of subsection (6).

280 (c) Require an annual notarized and sworn compliance
 281 statement by participating private schools certifying compliance
 282 with state laws and retain such records.

283 (d) Cross-check the list of participating students with the
 284 public school enrollment lists and participation lists in other
 285 scholarship programs established under this chapter before each
 286 scholarship payment to avoid duplication.

287 (e) Maintain a list of nationally norm-referenced tests
 288 identified for purposes of satisfying the testing requirement in
 289 paragraph (9)(f). The tests must meet industry standards of
 290 quality in accordance with State Board of Education rule.

Page 10 of 37

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

581-02334-18

20181172c1

291 (f) Require quarterly reports by an eligible nonprofit
 292 scholarship-funding organization regarding the number of
 293 students participating in the scholarship program, the private
 294 schools in which the students are enrolled, and other
 295 information deemed necessary by the department.

296 (g) Contract with an independent entity to provide an
 297 annual evaluation of the program by:

298 1. Reviewing the school climate and code of student conduct
 299 of each public school that reported the occurrence of a monthly
 300 average of 10 or more substantiated incidents to determine areas
 301 in the school or school district procedures involving reporting,
 302 investigating, and communicating a parent's and student's rights
 303 which are in need of improvement. At a minimum, the review must
 304 include:

305 a. An assessment of the investigation time and quality of
 306 the response of the school and the school district;

307 b. An assessment of the effectiveness of communication
 308 procedures with the students involved in an incident, the
 309 students' parents, and the school and school district personnel;

310 c. An analysis of school incident and discipline data; and

311 d. The challenges and obstacles relating to implementing
 312 recommendations from this review.

313 2. Reviewing the school climate and code of student conduct
 314 of each public school a student transferred to if the student
 315 was from a school identified in subparagraph 1. in order to
 316 identify best practices and make recommendations to a public
 317 school at which the incidents occurred.

318 3. Reviewing the performance of participating students
 319 enrolled in a private school in which the majority of the

581-02334-18

20181172c1

320 school's total enrolled students in the prior school year
 321 participated in one or more scholarship programs, as defined in
 322 s. 1002.01, in which there are at least 10 participating
 323 students who have scores for tests administered; and reviewing
 324 the school climate and code of student conduct of the private
 325 school if one or more scholarship participants were involved in
 326 a reported incident at the school during the prior school year.

327 4. Surveying the parents of participating students to
 328 determine academic, safety, and school climate satisfaction and
 329 to identify any challenges or obstacles in addressing the
 330 incident or relating to the use of the scholarship.

331 (h) Upon the request of a participating private school,
 332 provide at no cost to the school the statewide assessments
 333 administered under s. 1008.22 and any related materials for
 334 administering the assessments. Students at a private school may
 335 be assessed using the statewide assessments if the addition of
 336 those students and the school does not cause the state to exceed
 337 its contractual caps for the number of students tested and the
 338 number of testing sites. The state shall provide the same
 339 materials and support to a private school that it provides to a
 340 public school. A private school that chooses to administer
 341 statewide assessments under s. 1008.22 shall follow the
 342 requirements set forth in ss. 1008.22 and 1008.24, rules adopted
 343 by the State Board of Education to implement those sections, and
 344 district-level testing policies established by the district
 345 school board.

346 (i) Establish a process by which individuals may notify the
 347 department of any violation by a parent, private school, or
 348 school district of state laws relating to program participation.

581-02334-18

20181172c1

349 The department shall conduct an inquiry or make a referral to
 350 the appropriate agency for an investigation of any written
 351 complaint of a violation of this section if the complaint is
 352 signed by the complainant and is legally sufficient. A complaint
 353 is legally sufficient if such complaint contains ultimate facts
 354 that show that a violation of this section or any rule adopted
 355 by the State Board of Education pursuant to this section has
 356 occurred. In order to determine legal sufficiency, the
 357 department may require supporting information or documentation
 358 from the complainant. A department inquiry is not subject to the
 359 requirements of chapter 120.

360 (j)1. Conduct site visits to participating private schools.
 361 The purpose of the site visits is solely to verify the
 362 information reported by the schools concerning the enrollment
 363 and attendance of students, the credentials of teachers,
 364 background screening of teachers, teachers' fingerprinting
 365 results, and other conditions required pursuant to s. 1002.421
 366 and this section. The department may not make more than seven
 367 site visits each year; however, the department may make
 368 additional site visits at any time to a school that is the
 369 subject of a violation complaint submitted pursuant to paragraph
 370 (i), is identified by an organization for a known or suspected
 371 violation, or has received a notice of noncompliance or a notice
 372 of proposed action within the current year or the previous 2
 373 years.

374 2. Annually, by December 15, report to the Governor, the
 375 President of the Senate, and the Speaker of the House of
 376 Representatives the department's actions with respect to
 377 implementing accountability in the program under this section

Page 13 of 37

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

581-02334-18

20181172c1

378 and s. 1002.421, any substantiated allegations or violations of
 379 law or rule by an eligible private school under this program and
 380 the corrective action taken by the department.

381 (8) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

382 (a) The Commissioner of Education:

383 1. Shall deny, suspend, or revoke a private school's
 384 participation in the program if it is determined that the
 385 private school has failed to comply with the provisions of this
 386 section. However, if the noncompliance is correctable within a
 387 reasonable amount of time and if the health, safety, or welfare
 388 of the students is not threatened, the commissioner may issue a
 389 notice of noncompliance which provides the private school with a
 390 timeframe within which to provide evidence of compliance before
 391 taking action to suspend or revoke the private school's
 392 participation in the program.

393 2. May deny, suspend, or revoke a private school's
 394 participation in the program if the commissioner determines that
 395 an owner or operator of the private school is operating or has
 396 operated an educational institution in this state or in another
 397 state or jurisdiction in a manner contrary to the health,
 398 safety, or welfare of the public.

399 a. In making such a determination, the commissioner may
 400 consider factors that include, but are not limited to, acts or
 401 omissions by an owner or operator which led to a previous denial
 402 or revocation of participation in an education scholarship
 403 program; an owner's or operator's failure to reimburse the
 404 department for scholarship funds improperly received or retained
 405 by a school; imposition of a prior criminal sanction related to
 406 an owner's or operator's management or operation of an

Page 14 of 37

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

581-02334-18

20181172c1

407 educational institution; imposition of a civil fine or
 408 administrative fine, license revocation or suspension, or
 409 program eligibility suspension, termination, or revocation
 410 related to an owner's or operator's management or operation of
 411 an educational institution; or other types of criminal
 412 proceedings in which an owner or operator was found guilty of,
 413 regardless of adjudication, or entered a plea of nolo contendere
 414 or guilty to, any offense involving fraud, deceit, dishonesty,
 415 or moral turpitude.

416 b. For purposes of this subparagraph, the term "owner or
 417 operator" includes an owner, operator, superintendent, or
 418 principal of, or a person who has equivalent decisionmaking
 419 authority over, a private school participating in the
 420 scholarship program.

421 (b) The commissioner's determination is subject to the
 422 following:

423 1. If the commissioner intends to deny, suspend, or revoke
 424 a private school's participation in the program, the department
 425 shall notify the private school of such proposed action in
 426 writing by certified mail and regular mail to the private
 427 school's address of record with the department. The notification
 428 shall include the reasons for the proposed action and notice of
 429 the timelines and procedures set forth in this paragraph.

430 2. The private school that is adversely affected by the
 431 proposed action shall have 15 days after receipt of the notice
 432 of proposed action to file with the department's agency clerk a
 433 request for a proceeding pursuant to ss. 120.569 and 120.57. If
 434 the private school is entitled to a hearing under s. 120.57(1),
 435 the department shall refer the request to the Division of

581-02334-18

20181172c1

436 Administrative Hearings.

437 3. Upon receipt of a request referred pursuant to this
 438 paragraph, the director of the Division of Administrative
 439 Hearings shall expedite the hearing and assign an administrative
 440 law judge who shall commence a hearing within 30 days after the
 441 receipt of the formal written request by the division and enter
 442 a recommended order within 30 days after the hearing or within
 443 30 days after receipt of the hearing transcript, whichever is
 444 later. Each party shall be allowed 10 days in which to submit
 445 written exceptions to the recommended order. A final order shall
 446 be entered by the agency within 30 days after the entry of a
 447 recommended order. The provisions of this subparagraph may be
 448 waived upon stipulation by all parties.

449 (c) The commissioner may immediately suspend payment of
 450 scholarship funds if it is determined that there is probable
 451 cause to believe that there is:

452 1. An imminent threat to the health, safety, or welfare of
 453 the students; or

454 2. Fraudulent activity on the part of the private school.
 455 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
 456 activity pursuant to this section, the department's Office of
 457 Inspector General is authorized to release personally
 458 identifiable records or reports of students to the following
 459 persons or organizations:

460 a. A court of competent jurisdiction in compliance with an
 461 order of that court or the attorney of record in accordance with
 462 a lawfully issued subpoena, consistent with the Family
 463 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

464 b. A person or entity authorized by a court of competent

581-02334-18 20181172c1

465 jurisdiction in compliance with an order of that court or the
 466 attorney of record pursuant to a lawfully issued subpoena,
 467 consistent with the Family Educational Rights and Privacy Act,
 468 20 U.S.C. s. 1232g.

469 c. Any person, entity, or authority issuing a subpoena for
 470 law enforcement purposes when the court or other issuing agency
 471 has ordered that the existence or the contents of the subpoena
 472 or the information furnished in response to the subpoena not be
 473 disclosed, consistent with the Family Educational Rights and
 474 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.
 475

476 The commissioner's suspension of payment pursuant to this
 477 paragraph may be appealed pursuant to the same procedures and
 478 timelines as the notice of proposed action set forth in
 479 paragraph (b).

480 (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 481 PARTICIPATION.—A parent who applies for a Hope Scholarship is
 482 exercising his or her parental option to place his or her
 483 student in an eligible private school.

484 (a) The parent must select an eligible private school and
 485 apply for the admission of his or her student.

486 (b) The parent must inform the student's school district
 487 when the parent withdraws his or her student to attend an
 488 eligible private school.

489 (c) Any student participating in the program must comply
 490 with the regular attendance requirements of s. 1003.01(13) and
 491 remain in attendance throughout the school year unless excused
 492 by the school for illness or other good cause.

493 (d) Each parent and each student has an obligation to the

581-02334-18 20181172c1

494 private school to comply with the private school's published
 495 policies.

496 (e) Upon reasonable notice to the department and the school
 497 district, the parent may remove the student from the private
 498 school and place the student in a public school in accordance
 499 with this section.

500 (f) The parent must ensure that the student participating
 501 in the program takes the norm-referenced assessment offered by
 502 the private school. The parent may also choose to have the
 503 student participate in the statewide assessments pursuant to s.
 504 1008.22. If the parent requests that the student participating
 505 in the program take the statewide assessments pursuant to s.
 506 1008.22 and the private school has not chosen to offer and
 507 administer the statewide assessments, the parent is responsible
 508 for transporting the student to the assessment site designated
 509 by the school district.

510 (g) Upon receipt of a scholarship warrant, the parent to
 511 whom the warrant is made must restrictively endorse the warrant
 512 to the private school for deposit into the account of the
 513 private school. The parent may not designate any entity or
 514 individual associated with the participating private school as
 515 the parent's attorney in fact to endorse a scholarship warrant.
 516 A parent who fails to comply with this paragraph forfeits the
 517 scholarship.

518 (10) OBLIGATIONS OF NONPROFIT SCHOLARSHIP-FUNDING
 519 ORGANIZATIONS.—An organization may establish scholarships for
 520 eligible students by:

521 (a) Receiving applications and determining student
 522 eligibility in accordance with the requirements of this section.

581-02334-18

20181172c1

523 (b) Notifying parents of their receipt of a scholarship on
 524 a first-come, first-served basis, based upon available funds.
 525 (c) Preparing and submitting quarterly and annual reports
 526 to the department pursuant to paragraphs (7) (f) and (g). In
 527 addition, an eligible nonprofit scholarship-funding organization
 528 must submit in a timely manner any information requested by the
 529 department relating to the scholarship program.
 530 (d) Notifying the department of any known or suspected
 531 violation of this section by a private school, parent, or
 532 student.
 533 (11) FUNDING AND PAYMENT.—
 534 (a) The maximum amount awarded to a student enrolled in an
 535 eligible private school shall be determined as a percentage of
 536 the unweighted FTE funding amount for that state fiscal year and
 537 thereafter as follows:
 538 1. Eighty-eight percent for a student enrolled in
 539 kindergarten through grade 5.
 540 2. Ninety-two percent for a student enrolled in grade 6
 541 through grade 8.
 542 3. Ninety-six percent for a student enrolled in grade 9
 543 through grade 12.
 544 (b) The maximum amount awarded to a student enrolled in a
 545 Florida public school located outside of the district in which
 546 the student resides shall be \$750.
 547 (c) When a student enters the program, the organization
 548 must receive all documentation required for the student's
 549 participation, including a copy of the report of the
 550 substantiated incident received pursuant to subsection (5) and
 551 the private school's and the student's fee schedules. The

Page 19 of 37

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

581-02334-18

20181172c1

552 initial payment shall be made after verification of admission
 553 acceptance, and subsequent payments shall be made upon
 554 verification of continued enrollment and attendance at the
 555 private school.
 556 (d) Payment of the scholarship by the eligible nonprofit
 557 scholarship-funding organization shall be by individual warrant
 558 made payable to the student's parent. If the parent chooses that
 559 his or her student attend an eligible private school, the
 560 warrant must be delivered by the eligible nonprofit scholarship-
 561 funding organization to the private school of the parent's
 562 choice, and the parent shall restrictively endorse the warrant
 563 to the private school.
 564 (e) An eligible nonprofit scholarship-funding organization
 565 shall obtain verification from the private school of a student's
 566 continued attendance at the school for each period covered by a
 567 scholarship payment.
 568 (f) Payment of the scholarship shall be made by the
 569 eligible nonprofit scholarship-funding organization no less
 570 frequently than on a quarterly basis.
 571 (g) An organization may use up to 3 percent of eligible
 572 contributions received during the state fiscal year in which
 573 such contributions are collected for administrative expenses if
 574 the organization has operated as an eligible nonprofit
 575 scholarship-funding organization for at least the preceding 3
 576 fiscal years and did not have any findings of material weakness
 577 or material noncompliance in its most recent audit under s.
 578 1002.395(6) (m). Such administrative expenses must be reasonable
 579 and necessary for the organization's management and distribution
 580 of eligible contributions under this section. Funds authorized

Page 20 of 37

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

581-02334-18

20181172c1

581 under this paragraph may not be used for lobbying or political
 582 activity or expenses related to lobbying or political activity.
 583 Up to one-third of the funds authorized for administrative
 584 expenses under this paragraph may be used for expenses related
 585 to the recruitment of contributions from taxpayers. An eligible
 586 nonprofit scholarship-funding organization may not charge an
 587 application fee.

588 (h) Moneys received pursuant to this section do not
 589 constitute taxable income to the qualified student or his or her
 590 parent.

591 (12) OBLIGATIONS OF THE AUDITOR GENERAL.—

592 (a) The Auditor General shall conduct an annual operational
 593 audit of accounts and records of each organization that
 594 participates in the program. As part of this audit, the Auditor
 595 General shall verify, at a minimum, the total number of students
 596 served and transmit that information to the department. The
 597 Auditor General shall provide the commissioner with a copy of
 598 each annual operational audit performed pursuant to this
 599 subsection within 10 days after the audit is finalized.

600 (b) The Auditor General shall notify the department of any
 601 organization that fails to comply with a request for
 602 information.

603 (13) SCHOLARSHIP FUNDING TAX CREDITS.—

604 (a) A tax credit is available under s. 212.1832 for use by
 605 a taxpayer that makes an eligible contribution to the program.
 606 Each eligible contribution is limited to a single payment of \$20
 607 at the time of purchase of a motor vehicle or a single payment
 608 of \$20 at the time of registration of a motor vehicle that was
 609 not purchased from a dealer. An eligible contribution shall be

581-02334-18

20181172c1

610 accompanied by an election to contribute to the program and
 611 shall be made by the purchaser at the time of purchase or at the
 612 time of registration on a form provided by the Department of
 613 Revenue. Payments of contributions shall be made to a dealer, as
 614 defined in chapter 212, at the time of purchase of a motor
 615 vehicle or to an agent of the Department of Revenue, as
 616 designated by s. 212.06(10), at the time of registration of a
 617 motor vehicle that was not purchased from a dealer.

618 (b) A tax collector or any person or firm authorized to
 619 sell or issue a motor vehicle license who is designated as an
 620 agent of the Department of Revenue pursuant to s. 212.06(10) or
 621 who is a dealer shall:

622 1. Provide the purchaser the contribution election form, as
 623 prescribed by the Department of Revenue, at the time of purchase
 624 of a motor vehicle or at the time of registration of a motor
 625 vehicle that was not purchased from a dealer.

626 2. Collect eligible contributions.

627 3. Using a form provided by the Department of Revenue,
 628 which shall include the dealer's or agent's federal employer
 629 identification number, remit to an organization on or before the
 630 20th day of each month the total amount of contributions made to
 631 that organization and collected during the preceding calendar
 632 month.

633 4. Report on each return filed with the Department of
 634 Revenue the total amount of credits allowed under s. 212.1832
 635 during the preceding calendar month.

636 (c) An organization shall report to the Department of
 637 Revenue, on or before the 20th day of each month, the total
 638 amount of contributions received pursuant to paragraph (b) in

581-02334-18 20181172c1

639 the preceding calendar month on a form provided by the
 640 Department of Revenue. Such report shall include the federal
 641 employer identification number of each tax collector, authorized
 642 agent of the Department of Revenue, or dealer who remitted
 643 contributions to the organization during that reporting period.

644 (d) A person who, with intent to unlawfully deprive or
 645 defraud the program of its moneys or the use or benefit thereof,
 646 fails to remit a contribution collected under this section is
 647 guilty of theft of charitable funds, punishable as follows:

648 1. If the total amount stolen is less than \$300, the
 649 offense is a misdemeanor of the second degree, punishable as
 650 provided in s. 775.082 or s. 775.083. Upon a second conviction,
 651 the offender is guilty of a misdemeanor of the first degree,
 652 punishable as provided in s. 775.082 or s. 775.083. Upon a third
 653 or subsequent conviction, the offender is guilty of a felony of
 654 the third degree, punishable as provided in s. 775.082, s.
 655 775.083, or s. 775.084.

656 2. If the total amount stolen is \$300 or more, but less
 657 than \$20,000, the offense is a felony of the third degree,
 658 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

659 3. If the total amount stolen is \$20,000 or more, but less
 660 than \$100,000, the offense is a felony of the second degree,
 661 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

662 4. If the total amount stolen is \$100,000 or more, the
 663 offense is a felony of the first degree, punishable as provided
 664 in s. 775.082, s. 775.083, or s. 775.084.

665 (e) A person convicted of an offense under paragraph (d)
 666 shall be ordered by the sentencing judge to make restitution to
 667 the organization in the amount that was stolen from the program.

581-02334-18 20181172c1

668 (14) LIABILITY.—The state is not liable for the award or
 669 any use of awarded funds under this section.

670 (15) SCOPE OF AUTHORITY.—This section does not expand the
 671 regulatory authority of this state, its officers, or any school
 672 district to impose additional regulation on participating
 673 private schools beyond those reasonably necessary to enforce
 674 requirements expressly set forth in this section.

675 (16) RULES.—The State Board of Education shall adopt rules
 676 to administer this section.

677 Section 2. Section 212.1832, Florida Statutes, is created
 678 to read:

679 212.1832 Credit for contributions to the Hope Scholarship
 680 Program.—

681 (1) There is allowed a credit of 100 percent of an eligible
 682 contribution made to an eligible nonprofit scholarship-funding
 683 organization under s. 1002.40 against any tax imposed by the
 684 state and due under this chapter as a result of the purchase or
 685 acquisition of a motor vehicle. The credit may not exceed the
 686 tax otherwise owed.

687 (2) For purposes of the distributions of tax revenue under
 688 s. 212.20, the department shall disregard any tax credits
 689 allowed under this section to ensure that any reduction in tax
 690 revenue received that is attributable to the tax credits results
 691 only in a reduction in distributions to the General Revenue
 692 Fund. The provisions of s. 1002.40 apply to the credit
 693 authorized by this section.

694 Section 3. Section 1002.01, Florida Statutes, is amended to
 695 read:

696 1002.01 Definitions.—

581-02334-18

20181172c1

697 (1) A "home education program" means the sequentially
 698 progressive instruction of a student directed by his or her
 699 parent in order to satisfy the attendance requirements of ss.
 700 1002.41, 1003.01(13), and 1003.21(1).

701 (2) A "private school" is a nonpublic school that is
 702 registered in accordance with s. 1002.42 and is defined as an
 703 individual, association, copartnership, or corporation, or
 704 department, division, or section of such organizations, that
 705 designates itself as an educational center that includes
 706 kindergarten or a higher grade or as an elementary, secondary,
 707 business, technical, or trade school below college level or any
 708 organization that provides instructional services that meet the
 709 intent of s. 1003.01(13) or that gives preemployment or
 710 supplementary training in technology or in fields of trade or
 711 industry or that offers academic, literary, or career training
 712 below college level, or any combination of the above, including
 713 an institution that performs the functions of the above schools
 714 through correspondence or extension, except those licensed under
 715 the provisions of chapter 1005. A private school may be a
 716 parochial, religious, denominational, for-profit, or nonprofit
 717 school attended by a student in order to satisfy the attendance
 718 requirements of s. 1003.01(13). This definition does not include
 719 home education programs conducted in accordance with s. 1002.41.

720 (3) For purposes of this chapter, a "scholarship program"
 721 means any one of the following:

722 (a) The Opportunity Scholarship Program established
 723 pursuant to s. 1002.38.

724 (b) The Gardiner Scholarship Program established pursuant
 725 to s. 1002.385.

581-02334-18

20181172c1

726 (c) The John M. McKay Scholarships for Students with
 727 Disabilities Program established pursuant to s. 1002.39.

728 (d) The Florida Tax Credit Scholarship Program established
 729 pursuant to s. 1002.395.

730 (e) The Hope Scholarship Program established pursuant to s.
 731 1002.40.

732 Section 4. Paragraph (b) of subsection (2) and subsection
 733 (6) of section 1002.20, Florida Statutes, are amended to read:

734 1002.20 K-12 student and parent rights.—Parents of public
 735 school students must receive accurate and timely information
 736 regarding their child's academic progress and must be informed
 737 of ways they can help their child to succeed in school. K-12
 738 students and their parents are afforded numerous statutory
 739 rights including, but not limited to, the following:

740 (2) ATTENDANCE.—

741 (b) *Regular school attendance.*—Parents of students who have
 742 attained the age of 6 years by February 1 of any school year but
 743 who have not attained the age of 16 years must comply with the
 744 compulsory school attendance laws. Parents have the option to
 745 comply with the school attendance laws by attendance of the
 746 student in a public school; a private parochial, religious, or
 747 denominational school; a private school; or a home education
 748 program; ~~or a private tutoring program~~, in accordance with the
 749 ~~provisions of s. 1003.01(13)~~.

750 (6) EDUCATIONAL CHOICE.—

751 (a) *Public educational school choices.*—Parents of public
 752 school students may seek any public educational school choice
 753 options that are applicable and available to students throughout
 754 the state. These options may include controlled open enrollment,

581-02334-18 20181172c1

754 single-gender programs, lab schools, virtual instruction
 755 programs, charter schools, charter technical career centers,
 756 magnet schools, alternative schools, special programs, auditory-
 757 oral education programs, advanced placement, dual enrollment,
 758 International Baccalaureate, International General Certificate
 759 of Secondary Education (pre-AICE), CAPE digital tools, CAPE
 760 industry certifications, collegiate high school programs,
 761 Advanced International Certificate of Education, early
 762 admissions, credit by examination or demonstration of
 763 competency, the New World School of the Arts, the Florida School
 764 for the Deaf and the Blind, and the Florida Virtual School.
 765 These options may also include the public educational choice
 766 options of the Opportunity Scholarship Program and the McKay
 767 Scholarships for Students with Disabilities Program.
 768 (b) Private educational choices.—The parent of a student
 769 may choose to enroll the student in a private school, as defined
 770 in s. 1002.01(2). Parents of public school students may seek
 771 private educational choice options under certain programs.
 772 1. Under the McKay Scholarships for Students with
 773 Disabilities Program, the parent of a public school student with
 774 a disability may request and receive a McKay Scholarship for the
 775 student to attend a private school in accordance with s.
 776 1002.39.
 777 2. Under the Florida Tax Credit Scholarship Program, the
 778 parent of a student who qualifies for free or reduced-price
 779 school lunch or who is currently placed, or during the previous
 780 state fiscal year was placed, in foster care as defined in s.
 781 39.01 may seek a scholarship from an eligible nonprofit
 782 scholarship-funding organization in accordance with s. 1002.395.
 783

581-02334-18 20181172c1

784 3. Under the Gardiner Scholarship Program ~~Florida Personal~~
 785 ~~Learning Scholarship Accounts Program~~, the parent of a student
 786 with a qualifying disability may apply for a Gardiner
 787 Scholarship ~~personal learning scholarship~~ to be used for
 788 individual educational needs in accordance with s. 1002.385.
 789 4. Under the Hope Scholarship Program, the parent of a
 790 student who was the victim of a substantiated incident of
 791 violence or abuse while attending a public school may seek a
 792 scholarship for the student to attend a private school in
 793 accordance with s. 1002.40.
 794 (c) Home education.—The parent of a student may choose to
 795 place the student in a home education program, as defined in s.
 796 1002.01(1), in accordance with ~~the provisions of~~ s. 1002.41.
 797 ~~(d) Private tutoring.~~ ~~The parent of a student may choose to~~
 798 ~~place the student in a private tutoring program in accordance~~
 799 ~~with the provisions of s. 1002.43(1).~~
 800 Section 5. Subsection (13) of section 1003.01, Florida
 801 Statutes, is amended to read:
 802 1003.01 Definitions.—As used in this chapter, the term:
 803 (13) “Regular school attendance” means the actual
 804 attendance of a student during the school day as defined by law
 805 and rules of the State Board of Education. Regular attendance
 806 within the intent of s. 1003.21 may be achieved by a student’s
 807 full-time attendance in one of the following options:
 808 (a) A public school supported by public funds, including,
 809 but not limited to, the Florida School for the Deaf and the
 810 Blind, the Florida Virtual School, a developmental research
 811 school, and a charter school established pursuant to chapter
 812 1002.†

581-02334-18

20181172c1

813 ~~(b) A parochial, religious, or denominational school;~~
 814 (b)(e) A private school, as defined in s. 1002.01(2) and in
 815 compliance with s. 1002.42, including, but not limited to, a
 816 private parochial, religious, or denominational school; and a
 817 private school supported in whole or in part by tuition charges
 818 or by endowments or gifts. This option includes an eligible
 819 private school in which a student attends as a participant in a
 820 scholarship program, as defined in s. 1002.01(3).~~†~~
 821 ~~(c)(d) A home education program, as defined in s.~~
 822 1002.01(1), which that meets the requirements of chapter 1002.~~†~~
 823 ~~or~~
 824 ~~(e) A private tutoring program that meets the requirements~~
 825 ~~of chapter 1002.~~
 826 Section 6. Paragraphs (d) and (h) of subsection (5) and
 827 paragraph (a) of subsection (11) of section 1002.385, Florida
 828 Statutes, are amended to read:
 829 1002.385 The Gardiner Scholarship.—
 830 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
 831 used to meet the individual educational needs of an eligible
 832 student and may be spent for the following purposes:
 833 (d) Enrollment in, or tuition or fees associated with
 834 enrollment in, a home education program, an eligible private
 835 school, an eligible postsecondary educational institution or a
 836 program offered by the institution, ~~a private tutoring program~~
 837 ~~authorized under s. 1002.43,~~ a virtual program offered by a
 838 department-approved private online provider that meets the
 839 provider qualifications specified in s. 1002.45(2)(a), the
 840 Florida Virtual School as a private paying student, or an
 841 approved online course offered pursuant to s. 1003.499 or s.

Page 29 of 37

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

581-02334-18

20181172c1

842 1004.0961.
 843 (h) Tuition and fees for part-time tutoring services
 844 provided by a person who holds a valid Florida educator's
 845 certificate pursuant to s. 1012.56; a person who holds an
 846 adjunct teaching certificate pursuant to s. 1012.57; or a person
 847 who has demonstrated a mastery of subject area knowledge
 848 pursuant to s. 1012.56(5). As used in this paragraph, the term
 849 "part-time tutoring services" does not qualify as regular school
 850 attendance as defined in s. 1003.01(13) ~~s. 1003.01(13)(c)~~.
 851
 852 A provider of any services receiving payments pursuant to this
 853 subsection may not share, refund, or rebate any moneys from the
 854 Gardiner Scholarship with the parent or participating student in
 855 any manner. A parent, student, or provider of any services may
 856 not bill an insurance company, Medicaid, or any other agency for
 857 the same services that are paid for using Gardiner Scholarship
 858 funds.
 859 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 860 PARTICIPATION.—A parent who applies for program participation
 861 under this section is exercising his or her parental option to
 862 determine the appropriate placement or the services that best
 863 meet the needs of his or her child. The scholarship award for a
 864 student is based on a matrix that assigns the student to support
 865 Level III services. If a parent receives an IEP and a matrix of
 866 services from the school district pursuant to subsection (7),
 867 the amount of the payment shall be adjusted as needed, when the
 868 school district completes the matrix.
 869 (a) To satisfy or maintain program eligibility, including
 870 eligibility to receive and spend program payments, the parent

Page 30 of 37

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

581-02334-18 20181172c1

871 must sign an agreement with the organization and annually submit
872 a notarized, sworn compliance statement to the organization to:

873 1. Affirm that the student is enrolled in a program that
874 meets regular school attendance requirements as provided in s.
875 1003.01(13)(b) or (c) ~~e. 1003.01(13)(b) (d)~~.

876 2. Affirm that the program funds are used only for
877 authorized purposes serving the student's educational needs, as
878 described in subsection (5).

879 3. Affirm that the parent is responsible for the education
880 of his or her student by, as applicable:

881 a. Requiring the student to take an assessment in
882 accordance with paragraph (8)(c);

883 b. Providing an annual evaluation in accordance with s.
884 1002.41(1)(c); or

885 c. Requiring the child to take any preassessments and
886 postassessments selected by the provider if the child is 4 years
887 of age and is enrolled in a program provided by an eligible
888 Voluntary Prekindergarten Education Program provider. A student
889 with disabilities for whom a preassessment and postassessment is
890 not appropriate is exempt from this requirement. A participating
891 provider shall report a student's scores to the parent.

892 4. Affirm that the student remains in good standing with
893 the provider or school if those options are selected by the
894 parent.

895 A parent who fails to comply with this subsection forfeits the
896 Gardiner Scholarship.

897 Section 7. Subsection (3) of section 1002.39, Florida
898 Statutes, is amended to read:
899

581-02334-18 20181172c1

900 1002.39 The John M. McKay Scholarships for Students with
901 Disabilities Program.—There is established a program that is
902 separate and distinct from the Opportunity Scholarship Program
903 and is named the John M. McKay Scholarships for Students with
904 Disabilities Program.

905 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is
906 not eligible for a John M. McKay Scholarship:

907 (a) While he or she is enrolled in a school operating for
908 the purpose of providing educational services to youth in
909 Department of Juvenile Justice commitment programs;

910 (b) While he or she is receiving a Florida tax credit
911 scholarship under s. 1002.395;

912 (c) While he or she is receiving an educational scholarship
913 pursuant to this chapter;

914 (d) While he or she is participating in a home education
915 program as defined in s. 1002.01(1);

916 ~~(e) While he or she is participating in a private tutoring
917 program pursuant to s. 1002.43;~~

918 (e) ~~(f)~~ While he or she is participating in a virtual
919 school, correspondence school, or distance learning program that
920 receives state funding pursuant to the student's participation
921 unless the participation is limited to no more than two courses
922 per school year;

923 (f) ~~(g)~~ While he or she is enrolled in the Florida School
924 for the Deaf and the Blind;

925 (g) ~~(h)~~ While he or she is not having regular and direct
926 contact with his or her private school teachers at the school's
927 physical location unless he or she is enrolled in the private
928 school's transition-to-work program pursuant to subsection (10);

581-02334-18

20181172c1

929 or

930 (h)~~(i)~~ If he or she has been issued a temporary 504
 931 accommodation plan under s. 504 of the Rehabilitation Act of
 932 1973 which is valid for 6 months or less.

933 Section 8. Subsection (4) of section 1002.395, Florida
 934 Statutes, is amended to read:

935 1002.395 Florida Tax Credit Scholarship Program.—

936 (4) SCHOLARSHIP PROHIBITIONS.—A student is not eligible for
 937 a scholarship while he or she is:

938 (a) Enrolled in a school operating for the purpose of
 939 providing educational services to youth in Department of
 940 Juvenile Justice commitment programs;

941 (b) Receiving a scholarship from another eligible nonprofit
 942 scholarship-funding organization under this section;

943 (c) Receiving an educational scholarship pursuant to
 944 chapter 1002;

945 (d) Participating in a home education program as defined in
 946 s. 1002.01(1);

947 ~~(e) Participating in a private tutoring program pursuant to~~
 948 ~~s. 1002.43;~~

949 (e)~~(f)~~ Participating in a virtual school, correspondence
 950 school, or distance learning program that receives state funding
 951 pursuant to the student's participation unless the participation
 952 is limited to no more than two courses per school year; or

953 (f)~~(g)~~ Enrolled in the Florida School for the Deaf and the
 954 Blind.

955 Section 9. Paragraph (f) of subsection (1) of section
 956 1003.26, Florida Statutes, is amended to read:

957 1003.26 Enforcement of school attendance.—The Legislature

581-02334-18

20181172c1

958 finds that poor academic performance is associated with
 959 nonattendance and that school districts must take an active role
 960 in promoting and enforcing attendance as a means of improving
 961 student performance. It is the policy of the state that each
 962 district school superintendent be responsible for enforcing
 963 school attendance of all students subject to the compulsory
 964 school age in the school district and supporting enforcement of
 965 school attendance by local law enforcement agencies. The
 966 responsibility includes recommending policies and procedures to
 967 the district school board that require public schools to respond
 968 in a timely manner to every unexcused absence, and every absence
 969 for which the reason is unknown, of students enrolled in the
 970 schools. District school board policies shall require the parent
 971 of a student to justify each absence of the student, and that
 972 justification will be evaluated based on adopted district school
 973 board policies that define excused and unexcused absences. The
 974 policies must provide that public schools track excused and
 975 unexcused absences and contact the home in the case of an
 976 unexcused absence from school, or an absence from school for
 977 which the reason is unknown, to prevent the development of
 978 patterns of nonattendance. The Legislature finds that early
 979 intervention in school attendance is the most effective way of
 980 producing good attendance habits that will lead to improved
 981 student learning and achievement. Each public school shall
 982 implement the following steps to promote and enforce regular
 983 school attendance:

984 (1) CONTACT, REFER, AND ENFORCE.—

985 (f)1. If the parent of a child who has been identified as
 986 exhibiting a pattern of nonattendance enrolls the child in a

581-02334-18

20181172c1

987 home education program pursuant to chapter 1002, the district
 988 school superintendent shall provide the parent a copy of s.
 989 1002.41 and the accountability requirements of this paragraph.
 990 The district school superintendent shall also refer the parent
 991 to a home education review committee composed of the district
 992 contact for home education programs and at least two home
 993 educators selected by the parent from a district list of all
 994 home educators who have conducted a home education program for
 995 at least 3 years and who have indicated a willingness to serve
 996 on the committee. The home education review committee shall
 997 review the portfolio of the student, as defined by s. 1002.41,
 998 every 30 days during the district's regular school terms until
 999 the committee is satisfied that the home education program is in
 1000 compliance with s. 1002.41(1)(b). The first portfolio review
 1001 must occur within the first 30 calendar days of the
 1002 establishment of the program. The provisions of subparagraph 2.
 1003 do not apply once the committee determines the home education
 1004 program is in compliance with s. 1002.41(1)(b).

1005 2. If the parent fails to provide a portfolio to the
 1006 committee, the committee shall notify the district school
 1007 superintendent. The district school superintendent shall then
 1008 terminate the home education program and require the parent to
 1009 enroll the child in an attendance option that meets the
 1010 definition of "regular school attendance" under s.
 1011 1003.01(13)(a) or (b) ~~s. 1003.01(13)(a), (b), (c), or (e)~~,
 1012 within 3 days. Upon termination of a home education program
 1013 pursuant to this subparagraph, the parent shall not be eligible
 1014 to reenroll the child in a home education program for 180
 1015 calendar days. Failure of a parent to enroll the child in an

Page 35 of 37

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

581-02334-18

20181172c1

1016 attendance option as required by this subparagraph after
 1017 termination of the home education program pursuant to this
 1018 subparagraph shall constitute noncompliance with the compulsory
 1019 attendance requirements of s. 1003.21 and may result in criminal
 1020 prosecution under s. 1003.27(2). Nothing contained herein shall
 1021 restrict the ability of the district school superintendent, or
 1022 the ability of his or her designee, to review the portfolio
 1023 pursuant to s. 1002.41(1)(b).

1024 Section 10. Effective July 1, 2019, chapter 623, Florida
 1025 Statutes, consisting of sections 623.01, 623.02, 623.03, 623.04,
 1026 623.05, 623.06, 623.07, 623.08, 623.09, 623.10, 623.11, 623.12,
 1027 623.13, and 623.14, is repealed.

1028 Section 11. Effective July 1, 2019, subsection (13) of
 1029 section 212.08, Florida Statutes, is amended to read:

1030 212.08 Sales, rental, use, consumption, distribution, and
 1031 storage tax; specified exemptions.—The sale at retail, the
 1032 rental, the use, the consumption, the distribution, and the
 1033 storage to be used or consumed in this state of the following
 1034 are hereby specifically exempt from the tax imposed by this
 1035 chapter.

1036 (13) No transactions shall be exempt from the tax imposed
 1037 by this chapter except those expressly exempted herein. All laws
 1038 granting tax exemptions, to the extent they may be inconsistent
 1039 or in conflict with this chapter, including, but not limited to,
 1040 the following designated laws, shall yield to and be superseded
 1041 by the provisions of this subsection: ss. 125.019, 153.76,
 1042 154.2331, 159.15, 159.31, 159.50, 159.708, 163.385, 163.395,
 1043 215.76, 243.33, 315.11, 348.65, 348.762, 349.13, 403.1834, and
 1044 ~~616.07, and 623.09~~, and the following Laws of Florida, acts of

Page 36 of 37

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

581-02334-18

20181172c1

1045 the year indicated: s. 31, chapter 30843, 1955; s. 19, chapter
1046 30845, 1955; s. 12, chapter 30927, 1955; s. 8, chapter 31179,
1047 1955; s. 15, chapter 31263, 1955; s. 13, chapter 31343, 1955; s.
1048 16, chapter 59-1653; s. 13, chapter 59-1356; s. 12, chapter 61-
1049 2261; s. 19, chapter 61-2754; s. 10, chapter 61-2686; s. 11,
1050 chapter 63-1643; s. 11, chapter 65-1274; s. 16, chapter 67-1446;
1051 and s. 10, chapter 67-1681. This subsection does not supersede
1052 the authority of a local government to adopt financial and local
1053 government incentives pursuant to s. 163.2517.

1054 Section 12. Section 1002.43, Florida Statutes, is repealed.

1055 Section 13. The Department of Revenue may, and all
1056 conditions are deemed met to, adopt emergency rules pursuant to
1057 ss. 120.536(1) and 120.54, Florida Statutes, to administer ss.
1058 1002.40 and 212.1832 which are created by this act.

1059 Section 14. Except as otherwise expressly provided in this
1060 act, this act shall take effect July 1, 2018.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/17
Meeting Date

1172
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Bill Bunkley

Job Title President

Address PO Box 341644
Street

Phone 813-264-2977

Tampa FL 33694
City State Zip

Email _____

Speaking: For Against Information

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

Representing FL Ethics & Religious Liberty Commission

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/17

Meeting Date

1172

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Amber Kelly

Job Title _____

Address 4853 S. Orange Ave. Ste C
Street

Phone _____

Orlando FL 32806
City State Zip

Email _____

Speaking: For Against Information

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

Representing FL Family Action

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
APPEARANCE RECORD

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

2/8/2018

1172

Meeting Date

Bill Number (if applicable)

Topic Hope Voucher Program

Amendment Barcode (if applicable)

Name Scott D. McCoy

Job Title Senior Policy Counsel

Address P.O. 10788

Phone 850-521-3042

Street

Tallahassee

FL

32302

Email scott.mccoy@splcenter.org

City

State

Zip

Speaking: For Against Information

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

Representing Southern Poverty Law Center

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
APPEARANCE RECORD

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

2/8/18

Meeting Date

1172

Bill Number (if applicable)

Topic Hope Scholarship

Amendment Barcode (if applicable)

Name Debbie Mortham

Job Title Legislative Director

Address 215 S Monroe

Phone _____

Street

TLH FL 32301

City

State

Zip

Email debbie@excelined.org

Speaking: For Against Information

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

Representing Foundation for Florida's Future

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
APPEARANCE RECORD

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

8-FEB. 2018

Meeting Date

SB 1172

Bill Number (if applicable)

Topic HOPE SCHOLARSHIP PROGRAM

Amendment Barcode (if applicable)

Name DAVID GATES

Job Title _____

Address 1444 MENLO AVE.

Street

Phone 904-772-3995

JACKSONVILLE FL. 32218

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing MYSELF

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

APPEARANCE RECORD

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

2-8-2018
Meeting Date

1172
Bill Number (if applicable)

Topic: HOPE Scholarship Program

Amendment Barcode (if applicable)

Name: SHAWN McDONNELL

Job Title: N/A

Address: 3312 April Lane
Street

Phone: 727-423-0055

Palm Harbor FL 34689
City State Zip

Email: SHAWN@IBEW915.ORG

Speaking: For Against Information

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

Representing: Myself

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-18
Meeting Date

1172
Bill Number (if applicable)

Topic Hope Scholarship Program

Amendment Barcode (if applicable)

Name Andy Starling

Job Title _____

Address 6851 NE CR 337
Street

Phone 352-318-5410

Bronson FL 32621
City State Zip

Email andystarling84@yahoo.com

Speaking: For Against Information

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

Representing Myself

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/18

Meeting Date

1172

Bill Number (if applicable)

Topic Hope Scholarship Program

Amendment Barcode (if applicable)

Name Jeremy Zain

Job Title _____

Address 172 TusconyBend Street

Phone 386-679-4636

Street

Daytona Beach FL 32117

City

State

Zip

Email j.zain@live.com

Speaking: For Against Information

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

Representing Myself & Family

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
APPEARANCE RECORD

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

02-08-2018
Meeting Date

SB 1172
Bill Number (if applicable)

Topic Hope Scholarship Program

Amendment Barcode (if applicable)

Name Kevin L. Gibbs

Job Title N/A

Address 33 General Doolittle Rd.
Street

Phone 386-481-7489

Daytona Beach, FL 32124
City State Zip

Email snapper@756

Speaking: For Against Information

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

Representing myself

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/18

Meeting Date

1172

Bill Number (if applicable)

Topic Hope Scholarship

Amendment Barcode (if applicable)

Name Sara Clements

Job Title Director, External Affairs

Address 1901 Ulmerton Rd #180
Street

Phone 727-451-9811

Clearwater FL 32308
City State Zip

Email sclements@sufs.org

Speaking: For Against Information

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

Representing Step Up For Students

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

APPEARANCE RECORD

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

1-08-18

Meeting Date

1172

Bill Number (if applicable)

Topic Hope Scholarship

Amendment Barcode (if applicable)

Name Chikara Parks

Job Title

Address 1214 19th Avenue South

Phone 727)565 5439

Street

St Petersburg Fla 33705

Email Chikaraparks@yahoo.com

City

State

Zip

Speaking: [X] For [] Against [] Information

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

Representing Self

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2.8.2018

Meeting Date

1172

Bill Number (if applicable)

Topic Hope Scholarship

Amendment Barcode (if applicable)

Name Nadia Duncan

Job Title _____

Address 35. W. Avery St.

Street

Phone 850.292.7071

Pensacola

City

FL

State

32501

Zip

Email Nadia@psprx.com

Speaking: For Against Information

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

Representing _____

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
APPEARANCE RECORD

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

2/8/18

Meeting Date

SB 1172

Bill Number (if applicable)

Topic Bully Voucher

Amendment Barcode (if applicable)

Name Stephanie Kunkel

Job Title Legislative Specialist

Address 213 S. Adams St

Phone 850-224-2078

Street

Tallahassee

FL

32301

Email Stephanie.Kunkel@floridaea.org

City

State

Zip

Speaking: For Against Information

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

Representing Florida Education Association

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
APPEARANCE RECORD

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

2/18/18

Meeting Date

1172

Bill Number (if applicable)

Topic HOPE SCHOLARSHIP

Amendment Barcode (if applicable)

Name GUENDA ABICHT

Job Title SERVICES TECH

Address 4305 SW 98 AV

Phone 786-376-1181

Street

MIAMI

City

FL

State

33165

Zip

Email GUENDA.ABICHT@GMAIL.COM

Speaking: For Against Information

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

Representing _____

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
APPEARANCE RECORD

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

Feb 8 2018

Meeting Date

1172

Bill Number (if applicable)

Topic Hope Scholarships Program

Amendment Barcode (if applicable)

Name Marie-Claire Leman

Job Title _____

Address 1911 Wahalaw Ct
Street

Phone 850 728 7514

Tallahassee FL 32301
City State Zip

Email _____

Speaking: For Against Information

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

Representing Common Ground

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
APPEARANCE RECORD

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

2/8/15
Meeting Date

Bill Number (if applicable)

Topic Public Hearing

Amendment Barcode (if applicable)

Name Lynn Orum

Job Title School Board member

Address 5800 Bitter Orange
Street

Phone 813-453-7865

Gump FL 33625
City State Zip

Email _____

Speaking: For Against Information

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

Representing H. H. B. City Public Schools

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/19

Meeting Date

1172

Bill Number (if applicable)

Topic Hope Scholarships

Amendment Barcode (if applicable)

Name Rocco Diaz

Job Title Student

Address 1201 Ponce de Leon Dr.
Street

Phone _____

Fort Lauderdale FL 33316
City State Zip

Email _____

Speaking: For Against Information

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

Representing _____

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
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 Pre-K - 12 Education

BILL: SB 1286

INTRODUCER: Senator Simmons

SUBJECT: Gardiner Scholarship

DATE: February 7, 2018 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Olenick</u>	<u>Graf</u>	<u>ED</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 1286 revises the definition of a rare disease for the purposes of the Gardiner Scholarship Program. Specifically, the bill:

- Specifies that a rare disease is a disorder that affects patient populations of 200,000 individuals or fewer in the united States, and
- Conforms the definition of a rare disease to the definition provided by the Orphan Drug Act of 1983, Pub. L. No. 97-414.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2018.

II. Present Situation:

Gardiner Scholarship Disability Eligibility Requirements

The Gardiner Scholarship Program was established in 2014¹ to provide an educational option for a parent of an eligible child² to better meet the individual educational needs of his or her child who has a disability.³

A “disability” as defined under the Gardiner Scholarship Program, means, for a 3– or 4–year-old child or a student in kindergarten to grade 12, students with disabilities who are documented as having autism spectrum disorder; cerebral palsy; Down syndrome; an intellectual disability; Phelan-McDermid syndrome; Prader-Willi syndrome; spina-bifida; being a high-risk child; muscular dystrophy; Williams syndrome; rare diseases which affect patient populations of fewer

¹ Section 16, ch. 2014-184, L.O.F.

² Section 1002.385(1) and (3), F.S.

³ Section 1002.385(2)(d), F.S.

than 200,000 individuals in the United States, as defined by the National Organization for Rare Disorders; anaphylaxis; deaf; visually impaired; traumatic brain injury; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts.

During the 2016-2017 school year, 7,593 students qualified for the Gardiner scholarship.⁴

III. Effect of Proposed Changes:

SB 1286 revises the definition of a rare disease for the purposes of the Gardiner Scholarship Program. The bill:

- Specifies that a rare disease is a disorder that affects patient populations of 200,000 individuals or fewer, and
- Conforms the definition of a rare disease to the definition as provided by the Orphan Drug Act of 1983, Pub. L. No. 97-414.

In 2017, the Legislature expanded the definition of disability for the Gardiner Scholarship Program to include a child diagnosed with a rare disease or condition, which affects patient populations of fewer than 200,000 individuals in the United States, as defined by the National Organization for Rare Disorders.⁵

The National Organization for Rare Disorders (NORD) provides brief introductions for patients and their families to more than 1,200 rare diseases.⁶ However, NORD is not a comprehensive database since there are nearly 7,000 diseases considered rare in the United States.⁷ Accordingly, the bill conforms the definition of a rare disease to the federal law.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁴ Florida Department of Education, *2017 Gardiner Scholarship Statistics*, (2017), available at http://www.fldoe.org/core/fileparse.php/5606/urlt/Gardiner_Dec_2017.pdf, Step Up for Students, *2016-2017 Step Up For Students Annual Report*, (2017), available at https://www.stepupforstudents.org/wp-content/uploads/SU_AR_2017-16_Final_Online.pdf.

⁵ Section 1, ch. 2017-166, L.O.F.

⁶ National Organization for Rare Disorders, *Rare Disease Information*, <https://rarediseases.org/for-patients-and-families/information-resources/rare-disease-information/> (last visited Jan. 19, 2018).

⁷ *Id.*

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1002.385 of the Florida Statutes:

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Simmons

9-01017-18

20181286__

1 A bill to be entitled
 2 An act relating to the Gardiner Scholarship; amending
 3 s. 1002.385, F.S.; revising the meaning of a rare
 4 disease within the definition of a "disability" for
 5 purposes of the Gardiner Scholarship Program;
 6 providing an effective date.
 7
 8 Be It Enacted by the Legislature of the State of Florida:
 9
 10 Section 1. Paragraph (d) of subsection (2) of section
 11 1002.385, Florida Statutes, is amended to read:
 12 1002.385 The Gardiner Scholarship.—
 13 (2) DEFINITIONS.—As used in this section, the term:
 14 (d) "Disability" means, for a 3- or 4-year-old child or for
 15 a student in kindergarten to grade 12, autism spectrum disorder,
 16 as defined in the Diagnostic and Statistical Manual of Mental
 17 Disorders, Fifth Edition, published by the American Psychiatric
 18 Association; cerebral palsy, as defined in s. 393.063(6); Down
 19 syndrome, as defined in s. 393.063(15); an intellectual
 20 disability, as defined in s. 393.063(24); Phelan-McDermid
 21 syndrome, as defined in s. 393.063(28); Prader-Willi syndrome,
 22 as defined in s. 393.063(29); spina bifida, as defined in s.
 23 393.063(40); being a high-risk child, as defined in s.
 24 393.063(23)(a); muscular dystrophy; Williams syndrome; a rare
 25 disease, a disorder that affects ~~diseases which affect~~ patient
 26 populations of ~~fewer than~~ fewer than 200,000 individuals or fewer in the
 27 United States, as defined by the Orphan Drug Act of 1983, Pub.
 28 L. No. 97-414 National Organization for Rare Disorders;
 29 anaphylaxis; deaf; visually impaired; traumatic brain injured;

Page 1 of 2

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

9-01017-18

20181286__

30 hospital or homebound; or identification as dual sensory
 31 impaired, as defined by rules of the State Board of Education
 32 and evidenced by reports from local school districts. The term
 33 "hospital or homebound" includes a student who has a medically
 34 diagnosed physical or psychiatric condition or illness, as
 35 defined by the state board in rule, and who is confined to the
 36 home or hospital for more than 6 months.
 37 Section 2. This act shall take effect July 1, 2018.

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)

2/8/18

Meeting Date

1286

Bill Number (if applicable)

Topic Gardiner Scholarship

Amendment Barcode (if applicable)

Name Debbie Mortham

Job Title Legislative Director

Address 215 S Monroe
Street

Phone _____

TLH FL 32301
City State Zip

Email debbie@excelined.org

Speaking: For Against Information

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

Representing Foundation for Florida's Future

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
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 Pre-K - 12 Education

BILL: SB 1306

INTRODUCER: Senator Perry

SUBJECT: Reading Instruction

DATE: February 7, 2018 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Androff</u>	<u>Graf</u>	<u>ED</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 1306 modifies provisions related to reading intervention. Specifically, the bill:

- Requires teachers who provide reading interventions under a school district’s K-12 comprehensive reading plan to be certified or endorsed in reading, beginning with the 2020-2021 school year.
- Requires the Florida Department of Education (DOE), as part of its review of certain certification and endorsement requirements, to consider awarding reading endorsements to teachers who are certified by an internationally recognized organization that establishes standards for reading intervention or who complete a postsecondary program that is accredited by such an organization.
- Requires each school district to provide all elementary grades instructional personnel access to training to earn a reading endorsement.

The bill does not affect state revenues or expenditures.

The bill takes effect July 1, 2018.

II. Present Situation:

Educator Certification Coverage Areas and Endorsements

A person must hold a certificate issued by the Florida Department of Education (DOE) to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school.¹ Persons employed or occupying a position as a school supervisor, school principal, teacher, library media specialist, school counselor, athletic coach, or in another

¹ Sections 1012.55(1) and 1002.33(12)(f), F.S.

instructional capacity must be certified.² The purpose of certification is to require school-based personnel to possess the credentials, knowledge, and skills necessary for a high-quality education in the public schools.³

Each educator certificate has a subject area coverage, which indicates the field in which the educator has content knowledge (*e.g.*, Mathematics, grades 6-12). An endorsement is a rider shown on an educator certificate that signifies the educator has knowledge of instructional strategies that target particular levels, stages of development, or circumstances (*e.g.*, Reading Endorsement or Endorsement in English for Speakers of Other Languages).⁴

To add a subject area coverage or an endorsement to a professional certificate or temporary certificate, an educator must submit an application and the required fee and complete requirements as specified in state board rule.⁵

The specialization requirements for a K-12 reading certification are:⁶

- A master's or higher degree with a graduate major in reading; or
- A bachelor's or higher degree with 30 semester hours in reading to include the following areas:
 - Six semester hours in foundations of reading instruction to include the elementary and secondary levels.
 - Six semester hours in diagnosis of reading disabilities and techniques of corrective or remedial reading.
 - Three semester hours in educational measurement.
 - Three semester hours in literature for children or adolescents.
 - Three semester hours in methods of teaching language arts at the elementary or secondary level.
 - Three semester hours in administration and interpretation of instructional assessments with instructional strategies and materials based upon scientifically based reading research for the prevention and remediation of reading difficulties.
 - Three semester hours in a supervised reading practicum to obtain practical experience in increasing the reading performance of a student(s) with the prescription and utilization of appropriate strategies and materials based upon scientifically based reading research to address the prevention, identification, and intervention of reading difficulties.

The specialization requirements for a reading endorsement are a bachelor's or higher degree with certification in an academic, degreed vocational, administrative, or specialty class coverage and 15 semester hours in reading coursework based upon scientifically-based reading research with a

² Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certificated individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

³ Section 1012.54, F.S.; *see* rule 6A-4.001(1), F.A.C.

⁴ *See* Florida Department of Education, *Certificate Additions*, <http://www.fldoe.org/teaching/certification/additions/> (last visited Jan. 26, 2018).

⁵ *Id.*; *see* Rule 6A-5.066, F.A.C.

⁶ Rule 6A-4.0291, F.A.C.

focus on both the prevention and remediation of reading difficulties. This required coursework includes the following:⁷

- Six semester hours in understanding reading as a process of student engagement in both fluent decoding of words and construction of meaning.
- Three semester hours in the administration and interpretation of instructional assessments to include screening, diagnosis, and progress monitoring with purposes of prevention, identification, and remediation of reading difficulties.
- Three semester hours in understanding how to prescribe, differentiate instruction, and utilize appropriate strategies and materials based upon scientifically based reading research in order to address the prevention, identification, and remediation of reading difficulties in order to increase reading performance.
- Three semester hours in a supervised practicum to obtain practical experience in increasing the reading performance of a student(s) with the prescription and utilization of appropriate strategies and materials based upon scientifically based reading research to address the prevention, identification, and remediation of reading difficulties.

By July 1, 2018, and at least once every five years thereafter, the DOE must review specialization and coverage area requirements in the elementary, reading, and exceptional student educational areas.⁸ At the conclusion of each review, the DOE must recommend to the State Board of Education changes to the specialization and coverage area requirements based upon any instructional or intervention strategies identified by the DOE that are proven to improve student reading performance.⁹

Research-Based Reading Allocation

The Florida Education Finance Program (FEFP), which is used to provide equalized funding for all school districts across the state, includes a research-based reading allocation for districts to provide a K-12 comprehensive system of research-based reading instruction.¹⁰ The Legislature appropriated \$130 million for the allocation for the 2017-18 fiscal year.¹¹ Among other things, funds from the allocation may be used to provide intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment.¹²

To be eligible to receive funds from the allocation, a school district must annually submit a K-12 comprehensive reading plan for review and approval by the Just Read, Florida! Office (JRFO) within the DOE.¹³ The plan is deemed approved unless the JRFO rejects the plan on or before June 1.¹⁴ The plan format must be developed with input from school district personnel and must

⁷ Rule 6A-4.0292, F.A.C.

⁸ Section 1012.586(1)(b), F.S., *as amended* by s. 12, ch. 2017-116, L.O.F.

⁹ *Id.*

¹⁰ See s. 1011.62(9)(d), F.S.; s. 6, ch. 2017-234, L.O.F. See also Florida Department of Education, *2017-18 Funding for Florida School Districts* (2017) at 18, available at www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf.

¹¹ See s. 6, ch. 2017-234, L.O.F.

¹² See s. 1011.62(9)(c)7., F.S. Section 1008.22, F.S. establishes requirements related to statewide, standardized assessments.

¹³ Section 1011.62(9)(d)1., F.S.

¹⁴ Section 1011.62(9)(d)1., F.S.

allow courses in core, career, and alternative programs that deliver intensive reading remediation through integrated curricula by a teacher who is deemed “highly qualified to teach reading or working toward that status.”¹⁵

The JRFO was established by the Legislature in 2006 to implement the Just Read, Florida! initiative, which aimed to help students become successful, independent readers.¹⁶ Among other things, the JRFO must:¹⁷

- Work with the Lastinger Center for Learning at the University of Florida to develop training for K-12 teachers, reading coaches, and school principals on effective content-area-specific reading strategies and the integration of content-rich curriculum from other core subject areas into reading instruction;
- Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students’ background knowledge and literacy skills; and
- Work with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.

Professional Development

Florida law requires the DOE, public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations, to work collaboratively to develop a coordinated system of professional development. The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.¹⁸

Each school district is required to develop a professional development system in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations.¹⁹

Currently, each school district must provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student

¹⁵ *Id.*

¹⁶ Section 8, ch. 2006-74, L.O.F. The initiative was established by Governor Jeb Bush in 2001. *See* Exec. Order No. 01-260 (2001).

¹⁷ *See* s. 1001.215(3), (4), and (8), F.S. Reading intervention includes evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual instruction, multisensory approaches, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities. Section 1001.215(8), F.S.

¹⁸ Section 1012.98(1), F.S.

¹⁹ Section 1012.98(4)(b), F.S.

needs.²⁰ The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies.²¹ Each district must provide all elementary grades instructional personnel access to training sufficient to meet certain certification renewal requirements.²²

III. Effect of Proposed Changes:

The bill modifies provisions related to reading intervention. Specifically, the bill:

- Requires teachers who provide reading interventions under a school district's K-12 comprehensive reading plan to be certified or endorsed in reading, beginning with the 2020-2021 school year.
- Requires the Florida Department of Education (DOE), as part of its review of certain certification and endorsement requirements, to consider awarding reading endorsements to teachers who are certified by an internationally recognized organization that establishes standards for reading intervention or who complete a postsecondary program that is accredited by such an organization.
- Requires each school district to provide to all elementary grades instructional personnel access to training to earn a reading endorsement.

Research-Based Reading Allocation (Section 1)

Section 1 amends s. 1011.62, F.S., to require that, beginning with the 2020-2021 school year, teachers who provide reading interventions under a school district's K-12 comprehensive reading plan be certified or endorsed in reading. In addition, this section requires these interventions to incorporate the evidence-based intervention strategies identified by the Just Read, Florida! Office. These changes will ensure that K-12 reading interventions are provided by individuals who have received endorsements or certificates in reading intervention, which may improve the quality of reading instruction in Florida.

Educator Certification Coverage Areas and Endorsements (Section 2)

Section 2 amends s. 1012.586, F.S., to require the Florida Department of Education (DOE), as part of its review of certain certification and endorsement requirements, to consider awarding a reading endorsement to teachers who are certified by an internationally recognized organization that establishes standards for reading intervention or who complete a postsecondary program that is accredited by such an organization.

²⁰ Section 1012.98(4)(b)11., F.S.

²¹ *Id.*

²² *Id.* Section 1012.585(3)(f), F.S., requires that an applicant for renewal of a professional certificate in any area of certification identified by State Board of Education rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a beginning validity date of July 1, 2020, or thereafter, must earn a minimum of 2 college credits or the equivalent inservice points in the use of explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies. Such training must be provided by teacher preparation programs or approved school district professional development systems.

Any such certificate must require an individual who completes the certificate or accredited program to demonstrate competence in reading intervention strategies through clinical experience.

This section may increase opportunities for teachers to obtain endorsements for providing evidence-based interventions to struggling readers and may improve school district efforts to provide targeted reading interventions to students.

Professional Development (Section 3)

Section 3 amends s. 1012.98, F.S., to require each school district to provide to all elementary grades instructional personnel access to training to earn a reading endorsement. This requirement may increase educator access to reading endorsements.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not affect on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1011.62, 1012.586, and 1012.98.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

By Senator Perry

8-01046-18

20181306__

A bill to be entitled

An act relating to reading instruction; amending s. 1011.62, F.S.; requiring K-12 comprehensive reading plans to provide for intensive reading interventions that are delivered by teachers who meet certain criteria beginning with a specified school year; providing requirements for such interventions; amending s. 1012.586, F.S.; requiring the Department of Education to consider the award of endorsements for a teaching certificate to individuals who hold specified certifications or who complete specified programs that meet certain criteria in a specified review; amending s. 1012.98, F.S.; requiring school districts to provide access to training sufficient for certain instructional personnel to earn an endorsement in reading; providing an effective date.

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

Section 1. Paragraph (d) of subsection (9) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(d)1. Annually, by a date determined by the Department of

Page 1 of 9

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

8-01046-18

20181306__

Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall provide for ~~allow courses in core, career, and alternative programs that deliver~~ intensive reading interventions ~~remediation~~ through integrated curricula, provided that, beginning with the 2020-2021 school year, the interventions are delivered by a teacher who is certified or endorsed in reading. Such interventions must incorporate strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8) deemed highly qualified to teach reading or ~~working toward that status~~. No later than July 1 annually, the department shall release the school district's allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a

Page 2 of 9

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

8-01046-18 20181306__
 59 determination that reading instruction allocation funds are not
 60 being used to implement the approved plan. The department shall
 61 monitor and track the implementation of each district plan,
 62 including conducting site visits and collecting specific data on
 63 expenditures and reading improvement results. By February 1 of
 64 each year, the department shall report its findings to the
 65 Legislature.

66 2. Each school district that has a school designated as one
 67 of the 300 lowest-performing elementary schools as specified in
 68 paragraph (a) shall specifically delineate in the comprehensive
 69 reading plan, or in an addendum to the comprehensive reading
 70 plan, the implementation design and reading intervention
 71 strategies that will be used for the required additional hour of
 72 reading instruction. The term "reading intervention" includes
 73 evidence-based strategies frequently used to remediate reading
 74 deficiencies and also includes individual instruction, tutoring,
 75 mentoring, or the use of technology that targets specific
 76 reading skills and abilities.

77 Section 2. Paragraph (b) of subsection (1) of section
 78 1012.586, Florida Statutes, is amended to read:

79 1012.586 Additions or changes to certificates; duplicate
 80 certificates.—A school district may process via a Department of
 81 Education website certificates for the following applications of
 82 public school employees:

83 (1) Addition of a subject coverage or endorsement to a
 84 valid Florida certificate on the basis of the completion of the
 85 appropriate subject area testing requirements of s.
 86 1012.56(5)(a) or the completion of the requirements of an
 87 approved school district program or the inservice components for

8-01046-18 20181306__
 88 an endorsement.
 89 (b) By July 1, 2018, and at least once every 5 years
 90 thereafter, the department shall conduct a review of existing
 91 subject coverage or endorsement requirements in the elementary,
 92 reading, and exceptional student educational areas. The review
 93 must include reciprocity requirements for out-of-state
 94 certificates and requirements for demonstrating competency in
 95 the reading instruction professional development topics listed
 96 in s. 1012.98(4)(b)11. The review must also consider the award
 97 of an endorsement to an individual who holds a certificate
 98 issued by an internationally recognized organization that
 99 establishes standards for providing evidence-based interventions
 100 to struggling readers or who completes a postsecondary program
 101 that is accredited by such organization. Any such certificate or
 102 program must require an individual who completes the certificate
 103 or program to demonstrate competence in reading intervention
 104 strategies through clinical experience. At the conclusion of
 105 each review, the department shall recommend to the state board
 106 changes to the subject coverage or endorsement requirements
 107 based upon any identified instruction or intervention strategies
 108 proven to improve student reading performance. This paragraph
 109 does not authorize the state board to establish any new
 110 certification subject coverage.

111
 112 The employing school district shall charge the employee a fee
 113 not to exceed the amount charged by the Department of Education
 114 for such services. Each district school board shall retain a
 115 portion of the fee as defined in the rules of the State Board of
 116 Education. The portion sent to the department shall be used for

8-01046-18 20181306__

117 maintenance of the technology system, the web application, and
118 posting and mailing of the certificate.

119 Section 3. Paragraph (b) of subsection (4) of section
120 1012.98, Florida Statutes, is amended to read:

121 1012.98 School Community Professional Development Act.—

122 (4) The Department of Education, school districts, schools,
123 Florida College System institutions, and state universities
124 share the responsibilities described in this section. These
125 responsibilities include the following:

126 (b) Each school district shall develop a professional
127 development system as specified in subsection (3). The system
128 shall be developed in consultation with teachers, teacher-
129 educators of Florida College System institutions and state
130 universities, business and community representatives, and local
131 education foundations, consortia, and professional
132 organizations. The professional development system must:

133 1. Be approved by the department. All substantial revisions
134 to the system shall be submitted to the department for review
135 for continued approval.

136 2. Be based on analyses of student achievement data and
137 instructional strategies and methods that support rigorous,
138 relevant, and challenging curricula for all students. Schools
139 and districts, in developing and refining the professional
140 development system, shall also review and monitor school
141 discipline data; school environment surveys; assessments of
142 parental satisfaction; performance appraisal data of teachers,
143 managers, and administrative personnel; and other performance
144 indicators to identify school and student needs that can be met
145 by improved professional performance.

8-01046-18 20181306__

146 3. Provide inservice activities coupled with followup
147 support appropriate to accomplish district-level and school-
148 level improvement goals and standards. The inservice activities
149 for instructional personnel shall focus on analysis of student
150 achievement data, ongoing formal and informal assessments of
151 student achievement, identification and use of enhanced and
152 differentiated instructional strategies that emphasize rigor,
153 relevance, and reading in the content areas, enhancement of
154 subject content expertise, integrated use of classroom
155 technology that enhances teaching and learning, classroom
156 management, parent involvement, and school safety.

157 4. Provide inservice activities and support targeted to the
158 individual needs of new teachers participating in the
159 professional development certification and education competency
160 program under s. 1012.56(8)(a).

161 5. Include a master plan for inservice activities, pursuant
162 to rules of the State Board of Education, for all district
163 employees from all fund sources. The master plan shall be
164 updated annually by September 1, must be based on input from
165 teachers and district and school instructional leaders, and must
166 use the latest available student achievement data and research
167 to enhance rigor and relevance in the classroom. Each district
168 inservice plan must be aligned to and support the school-based
169 inservice plans and school improvement plans pursuant to s.
170 1001.42(18). Each district inservice plan must provide a
171 description of the training that middle grades instructional
172 personnel and school administrators receive on the district's
173 code of student conduct adopted pursuant to s. 1006.07;
174 integrated digital instruction and competency-based instruction

8-01046-18 20181306__

175 and CAPE Digital Tool certificates and CAPE industry
 176 certifications; classroom management; student behavior and
 177 interaction; extended learning opportunities for students; and
 178 instructional leadership. District plans must be approved by the
 179 district school board annually in order to ensure compliance
 180 with subsection (1) and to allow for dissemination of research-
 181 based best practices to other districts. District school boards
 182 must submit verification of their approval to the Commissioner
 183 of Education no later than October 1, annually. Each school
 184 principal may establish and maintain an individual professional
 185 development plan for each instructional employee assigned to the
 186 school as a seamless component to the school improvement plans
 187 developed pursuant to s. 1001.42(18). An individual professional
 188 development plan must be related to specific performance data
 189 for the students to whom the teacher is assigned, define the
 190 inservice objectives and specific measurable improvements
 191 expected in student performance as a result of the inservice
 192 activity, and include an evaluation component that determines
 193 the effectiveness of the professional development plan.

194 6. Include inservice activities for school administrative
 195 personnel that address updated skills necessary for
 196 instructional leadership and effective school management
 197 pursuant to s. 1012.986.

198 7. Provide for systematic consultation with regional and
 199 state personnel designated to provide technical assistance and
 200 evaluation of local professional development programs.

201 8. Provide for delivery of professional development by
 202 distance learning and other technology-based delivery systems to
 203 reach more educators at lower costs.

8-01046-18 20181306__

204 9. Provide for the continuous evaluation of the quality and
 205 effectiveness of professional development programs in order to
 206 eliminate ineffective programs and strategies and to expand
 207 effective ones. Evaluations must consider the impact of such
 208 activities on the performance of participating educators and
 209 their students' achievement and behavior.

210 10. For middle grades, emphasize:

211 a. Interdisciplinary planning, collaboration, and
 212 instruction.

213 b. Alignment of curriculum and instructional materials to
 214 the state academic standards adopted pursuant to s. 1003.41.

215 c. Use of small learning communities; problem-solving,
 216 inquiry-driven research and analytical approaches for students;
 217 strategies and tools based on student needs; competency-based
 218 instruction; integrated digital instruction; and project-based
 219 instruction.

220

221 Each school that includes any of grades 6, 7, or 8 must include
 222 in its school improvement plan, required under s. 1001.42(18), a
 223 description of the specific strategies used by the school to
 224 implement each item listed in this subparagraph.

225 11. Provide training to reading coaches, classroom
 226 teachers, and school administrators in effective methods of
 227 identifying characteristics of conditions such as dyslexia and
 228 other causes of diminished phonological processing skills;
 229 incorporating instructional techniques into the general
 230 education setting which are proven to improve reading
 231 performance for all students; and using predictive and other
 232 data to make instructional decisions based on individual student

8-01046-18

20181306__

233 needs. The training must help teachers integrate phonemic
234 awareness; phonics, word study, and spelling; reading fluency;
235 vocabulary, including academic vocabulary; and text
236 comprehension strategies into an explicit, systematic, and
237 sequential approach to reading instruction, including
238 multisensory intervention strategies. Each district must provide
239 all elementary grades instructional personnel access to training
240 sufficient to meet the requirements of s. 1012.585(3)(f) and to
241 earn an endorsement in reading consistent with s.
242 1012.586(1)(b).

243 Section 4. This act shall take effect July 1, 2018.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/8/18
Meeting Date

SB 1306
Bill Number (if applicable)

Topic READING INSTRUCTION

Amendment Barcode (if applicable)

Name PHILIP POEKERT

Job Title ASST. DIRECTOR, UF LASTINGER CENTER

Address 6315 NORMAN HALL
Street

Phone 352.273.4103

GAINESVILLE FL 32601
City State Zip

Email poekert@coe.ufl.edu

Speaking: For Against Information

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

Representing UF LASTINGER CENTER

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
APPEARANCE RECORD

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

2/8/18

Meeting Date

1306

Bill Number (if applicable)

Topic Reading Instruction

Amendment Barcode (if applicable)

Name Debbie Mortham

Job Title Legislative Director

Address 215 S Monroe
Street

Phone _____

TH FL 32301
City State Zip

Email debbie@exclined.org

Speaking: For Against Information

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

Representing Foundation for Florida's Future

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
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 Pre-K - 12 Education

BILL: SB 1532

INTRODUCER: Senator Stargel and others

SUBJECT: Early Learning Coalitions

DATE: February 7, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Olenick</u>	<u>Graf</u>	<u>ED</u>	Favorable
2.	<u>Sikes</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3.	_____	_____	<u>AP</u>	_____

I. Summary:

SB 1532 authorizes an early learning coalition to refuse to contract with a school readiness program provider if the provider has been cited for a class I violation. A class I violation is the most serious in nature and poses an imminent threat to a child including abuse or neglect that could result in death or serious harm to the health, safety or well-being of a child.

The bill does not affect state revenues or expenditures.

The bill takes effect July 1, 2018.

II. Present Situation:

The school readiness program was established in 1999¹ and provides subsidies for childcare 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.²

School Readiness Program

The school readiness program (program) is a state-federal partnership between Florida's Office of Early Learning (OEL)³ and the Office of Child Care of the United States Department of

¹ Section 1, ch. 99-357, L.O.F.

² Sections 1002.87, F.S.

³ In 2013, the Legislature established the Office of Early Learning in the Office of Independent Education and Parental Choice within the Department of Education (DOE). The office is administered by an executive director and is fully accountable to the Commissioner of Education but shall independently exercise all powers, duties, and functions prescribed by law, as well as adopt rules for the establishment and operation of the School Readiness Program and the VPK Program. Section 1, ch. 2013-252, L.O.F., *codified as s. 1001.213, F.S.*

Health and Human Services.⁴ The program is administered by early learning coalitions (ELCs) at the county or regional level.⁵

At the state level, the OEL administers the program, including statewide coordination of the ELCs.⁶ The OEL is the lead agency for administering the federal Child Care and Development Block Grant Trust Fund, which funds are used to implement the school readiness program.⁷ The OEL must adopt, in rule, a statewide provider contract to be used by each provider⁸ and must monitor and evaluate the performance of each ELC in administering the school readiness program.⁹

The Florida Department of Children and Families' (DCF) Office of Child Care Regulations, as the agency responsible for the state's child care provider licensing program, inspects licensed and license exempt childcare providers who provide a school readiness program for specified health and safety standards.¹⁰

School Readiness Program Eligibility

To be eligible to deliver the school readiness program in this state, a provider must be:¹¹

- A licensed child care facility;
- A licensed or registered family day care home (FDCH);
- A licensed large family child care home (LFCCH);
- A public school or nonpublic school;
- A license-exempt faith-based child care provider;
- A before-school or after-school program; or
- An informal childcare provider authorized in the state's Child Care and Development Fund plan.

All school readiness program providers must be inspected to ensure compliance with basic health and safety requirements and to ensure compliance with the age-appropriate immunizations of children enrolled in the school readiness program.¹² In addition, each childcare facility, family day care home, and large family day care home must annually submit to the DCF an affidavit of compliance with the requirements to report instances of child abuse, abandonment, or neglect.¹³

⁴ See U.S. Department of Health and Human Services, *Child Care and Development Fund Fact Sheet*, <https://www.acf.hhs.gov/occ/fact-sheet-occ> (last visited Jan. 26, 2018).

⁵ Section 1002.83(1), F.S.

⁶ Section 1001.213(3), F.S.

⁷ Section 1002.82(1), F.S.

⁸ Section 1008.82(2)(m), F.S.

⁹ Section 1008.82(2)(p), F.S.

¹⁰ See ss. 402.301-319, F.S., and Parts V and VI, ch. 1002, F.S.

¹¹ Section 1002.88(1)(a), F.S.

¹² Rule 6M-4.620, F.A.C. The Department of Children and Families or the local licensing agency (whichever is applicable) is authorized to inspect school readiness providers.

¹³ Section 402.319(3), F.S.

Early Learning Coalition Responsibilities

There are currently 30 early learning coalitions.¹⁴ Each ELC administers and implements a local comprehensive program of school readiness program services, which enhances the cognitive, social and physical development of children to achieve the performance standards.¹⁵

Florida law specifies the responsibilities for the ELCs.¹⁶ These responsibilities include a requirement that each ELC monitor school readiness program providers in accordance with the coalition's plan, or in response to a parental complaint, to verify that the standards specified in law¹⁷ are being met using a standard monitoring tool adopted by the OEL.¹⁸ Providers determined to be high-risk by the ELC, as determined by substantial findings of violations of federal law or the general or local laws of the state, must be monitored more frequently.¹⁹ Providers with three consecutive years of compliance may be monitored biennially.²⁰

Florida law specifies that if a school readiness program provider fails or refuses to comply with school readiness program provider standards²¹, or any contractual obligation of the statewide provider contract,²² the ELC may revoke the provider's eligibility to deliver the school readiness program or receive state or federal funds for a period of five years.²³

In addition, ELCs may terminate a provider's contract if the provider has one or more Class I violations, five or more Class II violations, or six or more Class III violations, and the violation(s) pose an immediate and serious danger to the health, safety and welfare of the children in care.²⁴

Class I violations are the most serious in nature and pose an imminent threat to a child including abuse or neglect that could result in death or serious harm to the health, safety or well-being of a child.²⁵ Class II violations are less serious than Class I violations and could pose a threat to the

¹⁴ Florida's Office of Early Learning, *Parents – Contact your County's Early Learning Coalition*, http://www.floridaearlylearning.com/parents/find_quality_child_care/locate_a_child_care_resource_referral_program/county_s_early_learning_coalition.aspx (last visited Jan. 26, 2018).

¹⁵ Section 1002.84(1), F.S.

¹⁶ Section 1002.84, F.S.

¹⁷ Section 1002.84 (15), F.S.

¹⁸ Section 1002.84(15), F.S.

¹⁹ *Id.*

²⁰ *Id.*

²¹ Section 1002.88, F.S.

²² The Office of Early Learning must adopt by rule a standard statewide provider contract to be used with each school readiness program provider, with standardized attachments by provider type. The office must publish a copy of the standard statewide provider contract on its website. The standard statewide contract must include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose an immediate and serious danger to the health, safety, or welfare of the children. The standard statewide provider contract must also include appropriate due process procedures. During the pendency of an appeal of a termination, the provider may not continue to offer its services. Any provision imposed upon a provider that is inconsistent with, or prohibited by, law is void and unenforceable. Section 1002.82(2)(m), F.S.

²³ Section 1002.88(2), F.S.

²⁴ Section 1002.82(2)(m), F.S. *see also* The Office of Early Learning, *School Readiness Program Health and Safety Standards Handbook*, (Feb. 2017), available at

http://www.floridaearlylearning.com/sites/www/Uploads/files/Statewide%20Initiatives/Health%20and%20Safety/HS%20Handbook%20Facilities_OEL-SR-6202_ADA.pdf, at 51-52 of 53.

²⁵ *Id.* at 50.

health, safety or well-being of a child, although the threat is not imminent.²⁶ Class III violations are less serious than either Class I or Class II violations and pose a low potential for harm to a child.²⁷ A list of Class I, II and III violations are provided in the Office of Early Learning, School Readiness Program, Health and Safety Checklist.²⁸

III. Effect of Proposed Changes:

The bill authorizes an early learning coalition (ELC) to refuse to contract with a school readiness program provider if the provider has been cited for a Class I violation. This authority is consistent with the ELC's authority to terminate a provider's contract if the provider has one or more Class I violations.²⁹ Accordingly, the bill may assist with maintaining a safe environment for children enrolled in school readiness programs.

The bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

²⁶ *Id.*

²⁷ *Id.*

²⁸ The Office of Early Learning, *School Readiness Program, Health and Safety Checklist - Public and Nonpublic schools*, (Feb. 2017) available at [https://www.flrules.org/gateway/readRefFile.asp?refId=7846&filename=Form OEL-SR-6203 \(February 2017\) HS Checklist Public NonPublic Schools.pdf](https://www.flrules.org/gateway/readRefFile.asp?refId=7846&filename=Form OEL-SR-6203 (February 2017) HS Checklist Public NonPublic Schools.pdf).

²⁹ The Office of Early Learning, *School Readiness Program Health and Safety Standards Handbook*, (Feb. 2017), available at <http://www.floridaearlylearning.com/sites/www/Uploads/files/Statewide%20Initiatives/Health%20and%20Safety/HS%20Handbook%20Facilities OEL-SR-6202 ADA.pdf>, at 51-52 of 53.

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1002.88 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Stargel

22-01481-18

20181532__

1 A bill to be entitled
2 An act relating to early learning coalitions; amending
3 s. 1002.88, F.S.; authorizing an early learning
4 coalition to refuse to contract with certain school
5 readiness program providers; providing an effective
6 date.
7
8 Be It Enacted by the Legislature of the State of Florida:
9
10 Section 1. Subsection (2) of section 1002.88, Florida
11 Statutes, is amended to read:
12 1002.88 School readiness program provider standards;
13 eligibility to deliver the school readiness program.-
14 (2) (a) If a school readiness program provider fails or
15 refuses to comply with this part or any contractual obligation
16 of the statewide provider contract under s. 1002.82(2)(m), the
17 coalition may revoke the provider's eligibility to deliver the
18 school readiness program or receive state or federal funds under
19 this chapter for a period of 5 years.
20 (b) Notwithstanding any other provision of law, if a school
21 readiness program provider has been cited for a class I
22 violation, as defined by rule, the coalition may refuse to
23 contract with the provider.
24 Section 2. This act shall take effect July 1, 2018.

THE FLORIDA SENATE
APPEARANCE RECORD

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

1/8/17

SB 1532

Meeting Date

Bill Number (if applicable)

Topic early learning coalitions

Amendment Barcode (if applicable)

Name Rodney Mackinnon

Job Title executive Director

Address 250 marriot Drive
Street

Phone 717 81662

TLH FL 32399
City State Zip

Email _____

Speaking: For Against Information

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

Representing office of early learning

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
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 Pre-K - 12 Education

BILL: PCS/CS/SB 1756 (901030)

INTRODUCER: Appropriations Subcommittee on Pre-K-12 Education; Education Committee and Senator Simmons

SUBJECT: School Accountability

DATE: February 7, 2018 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Olenick	Graf	ED	Fav/CS
2.	Sikes	Elwell	AED	Recommend: Fav/CS
3.			AP	
4.			RC	

Please see Section IX. for Additional Information:
 COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1756 strengthens the accountability provisions for private schools that participate in state school choice scholarship programs and applies such provisions consistently to the participating schools. Specifically, the bill:

- Increases the number of site visits to private schools that the Department of Education (DOE or department) must make and the scope of such visits to require the DOE to:
 - Annually visit at least 5 percent of private schools participating in state scholarship programs, with opportunities for follow-up visits.
 - Visit each private school that notifies the department of the school’s intent to participate in a state scholarship program.
- Modifies the teacher qualification requirements for private schools that participate in state scholarship programs to require:
 - Teachers of students in grade 2 or above to hold a baccalaureate or higher degree from a regionally or nationally accredited college or university.
 - The private schools to report to the DOE and to parents specified information regarding the qualifications of each teacher hired by such schools.
- Requires the Division of State Fire Marshal to provide annually to the DOE a report of fire safety inspections of private schools that participate in a state scholarship program.

- Requires a private school that receives more than \$250,000 in a state fiscal year from any state scholarship program to provide to the DOE a specified financial report from an independent certified public accountant.
- Makes a private school ineligible to participate in a state scholarship program if the owner or operator of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years.

The bill appropriates \$738,694 to the DOE for the 2018-2019 fiscal year to implement the requirements in the bill.

The bill takes effect July 1, 2018.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed in the Effect of Proposed Changes section of this bill analysis.

III. Effect of Proposed Changes:

Present Situation

Florida law has established various scholarship programs to promote school choice and assist parents in the placement of their children in diverse educational settings including private schools.¹

During the 2016-2017 school year, 2,663 private schools² submitted the annual private school database survey form³ to register with the Department of Education (DOE or department). Of the schools that filed the survey, 1,978 schools participated in at least one state scholarship program.⁴ The private schools that participated in a state scholarship program during the 2016-2017 school year served 136,992 students.⁵

Currently, the following three state school choice scholarship programs are available to students to attend private schools in the state:⁶

- The Florida Tax Credit Scholarship Program (FTC scholarship program) was established in 2001.⁷ The purpose of the FTC scholarship program is to encourage taxpayers to make private, voluntary contributions to non-profit scholarship-funding organizations (SFOs),

¹ Sections 1002.385, 1002.39, and 1002.395, F.S.

² Florida Department of Education, *Florida's Private Schools – 2016-17 Annual Report*, available at <http://www.fldoe.org/core/fileparse.php/7562/urlt/Private-School-Report-2016-17.pdf>, at 2.

³ The Annual Database Survey includes a notarized statement ascertaining that the owner of the private school has complied with statutory requirements related to background screening, fingerprinting, and valid Florida teaching certificate. Section 1002.42(2)(b)-(c), F.S.; see also Florida Department of Education, *Florida's Private Schools – 2016-17 Annual Report*, available at <http://www.fldoe.org/core/fileparse.php/7562/urlt/Private-School-Report-2016-17.pdf>, at 1.

⁴ Email, Florida Department of Education (Jan. 12, 2018).

⁵ Step Up for Students, *2016-2017 Step Up For Students Annual Report*, available at https://www.stepupforstudents.org/wp-content/uploads/SU_AR_2017-16_Final_Online.pdf, at 8; see also Florida Department of Education, *Fact Sheet – McKay Scholarship Program* (Sep. 2017), available at http://www.fldoe.org/core/fileparse.php/5606/urlt/McKay_Aug_2017.pdf.

⁶ Sections 1002.385, 1002.39, and 1002.395, F.S.

⁷ Section 1002.395, F.S.; see s. 5, ch. 2001-225, L.O.F.

expand educational opportunities for families that have limited financial resources, and improve the quality of education in this state by expanding the educational opportunities for children and creating incentives for schools to achieve excellence.⁸ During the 2016-2017 school year, 97,900 students attending 1,733 private schools received an FTC scholarship.⁹

- The John M. McKay Scholarship for Students with Disabilities Program (McKay scholarship program) was established in 2002.¹⁰ The McKay scholarship program provides an option to students with disabilities¹¹ who have an individual educational plan or a 504 accommodation plan to attend a public school other than the one that the student is assigned or to receive a scholarship to a private school of choice.¹² The program is administered by the DOE.¹³ During the 2016-2017 school year, 31,499 special needs students attended 1,454 private schools with a McKay scholarship.¹⁴
- The Gardiner Scholarship Program was established in 2014¹⁵ to provide the option for a parent of an eligible child¹⁶ to better meet the individual educational needs of his or her child who has a disability.¹⁷ Funds are distributed to a qualified SFO to establish accounts for eligible students.¹⁸ During the 2016-2017 school year, 7,593 students¹⁹ received the Gardiner scholarship with the average student receiving 10,000 per scholarship award.²⁰

⁸ Section 1002.395(1)(b), F.S.

⁹ Step Up for Students, *2016-2017 Step Up For Students Annual Report*, available at https://www.stepupforstudents.org/wp-content/uploads/SU_AR_2017-16_Final_Online.pdf, at 8.

¹⁰ Section 104, ch. 2002-387, L.O.F.

¹¹ Students with disabilities include K-12 students who are documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder. Section 1002.39(1)(b), F.S.

¹² Section 1002.39(1), F.S.

¹³ Section 1002.39(6), F.S.

¹⁴ Florida Department of Education, *Fact Sheet – McKay Scholarship Program* (Sep. 2017), available at http://www.fldoe.org/core/fileparse.php/5606/urlt/McKay_Aug_2017.pdf.

¹⁵ Section 16, ch. 2014-184, L.O.F.

¹⁶ Section 1002.385(1) and (3), F.S.

¹⁷ Students with disabilities include K-12 students who are documented as having Autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDermid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23)(a); muscular dystrophy; Williams syndrome; rare diseases which affect patient populations of fewer than 200,000 individuals in the United States, as defined by the National Organization for Rare Disorders; anaphylaxis; deaf; visually impaired; traumatic brain injured; hospital or homebound; or identification as dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The term “hospital or homebound” includes a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the state board in rule, and who is confined to the home or hospital for more than 6 months. Section 1002.385(2)(d), F.S.

¹⁸ Section 1002.385, F.S.

¹⁹ Step Up for Students, *2016-2017 Step Up For Students Annual Report*, available at https://www.stepupforstudents.org/wp-content/uploads/SU_AR_2017-16_Final_Online.pdf, at 8.

²⁰ Florida Department of Education, *Fact Sheet – The Gardiner Scholarship Program* (Dec. 2017), available at http://www.fldoe.org/core/fileparse.php/5606/urlt/Gardiner_Dec_2017.pdf.

Requirements for Private Schools to Participate in State Scholarship Programs

A private school that chooses to participate in a state scholarship program must comply with certain statutory requirements, such as meeting the applicable state and local health, safety, and welfare laws, code, and rules; employing teachers who meet specified requirements; and demonstrating fiscal soundness and accountability.²¹

Accordingly, a private school that chooses to participate in a state scholarship program must submit to the DOE a Scholarship Compliance Form²² and has 60 days to resolve any outstanding compliance issues.²³ To renew the school's eligibility for participation in a state scholarship program, the participating private school must submit the Scholarship Compliance Form, Private School Annual Survey,²⁴ and fiscal soundness documentation.²⁵

Site Visits

Florida law specifies the requirements related to site visits by the DOE to private schools that participate in the FTC scholarship program and the McKay scholarship program. The Gardiner scholarship program requirements do not address site visits.

Number of Visits

Present Situation

Currently, the DOE:

- May not make more than 7 site visits each year to private schools that participate in the FTC scholarship program.²⁶ However, the department may make additional site visits at any time to a school that has received a notice of noncompliance or a notice of proposed action within the previous two years.²⁷
- May not make more than 3 random visits each year and may not make more than 1 random visit each year to the same private school that participates in the McKay Scholarship Program.²⁸

²¹ Section 1002.421, F.S.; *see also* ss. 1002.385, 1002.39, and 1002.395, F.S.

²² The Scholarship Compliance Form delineates private school reporting requirements specified pursuant to Section 1002.42, F.S., and statutory and regulatory requirements related to the areas of school location and contact information; school ownership; affiliation; financial solvency; school administration; school staffing; school program; student health, safety, and welfare; student records; school facility; and submission of the scholarship compliance form. Rule 6A-6.03315(4), F.A.C.

²³ Rule 6A-6.03315(3), F.A.C.

²⁴ The Department of Education must organize, maintain, and annually update a database of educational institutions within the state coming within the provisions of this section. There must be included in the database of each institution the name, address, and telephone number of the institution; the type of institution; the names of administrative officers; the enrollment by grade or special group (e.g., career education and exceptional child education); the number of graduates; the number of instructional and administrative personnel. Section 1002.42(2)(a), F.S.

²⁵ Fiscal soundness is demonstrated by filing with the Department of Education a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter. Section 1002.421(f)(1), F.S.

²⁶ Section 1002.395(9)(n)1., F.S.

²⁷ *Id.*

²⁸ Section 1002.385(6)(f)1., F.S.

Effect of Proposed Change

Section 6 amends s. 1002.421, F.S., to require the DOE to:

- Annually visit up to 5 percent of the schools participating in state scholarship programs and authorizes the department to visit up to 7 percent of such schools, which will include visits to schools participating in the FTC scholarship program, McKay scholarship program, Gardiner scholarship program, or another state scholarship program. As a result, this provision will likely annually impact an estimated 99 to 138 private schools participating in state scholarship programs.²⁹ Additionally, consistent with the requirement for private schools that participate in the FTC scholarship program,³⁰ the bill authorizes the department to make follow-up visits at any time to any school participating in a state scholarship program, which receives a notice of noncompliance or a notice of proposed action within the previous 2 years, or for a cause that affects the health, safety, and welfare of a student.³¹
- Visit each private school that notifies the department of the school's intent to participate in a state scholarship program. Currently, the department is not required to visit such schools.³²

*Scope of Visits**Present Situation*

The purpose of the site visits must be solely to verify the information reported by the schools concerning the enrollment and attendance of students, the credentials of teachers, background screening of teachers, and teachers' fingerprinting results.³³ This purpose currently applies only to the private schools that participate in the FTC scholarship program and the McKay scholarship program.

Effect of Proposed Change

Section 6 adds to the scope of the site visits to require the DOE to verify compliance with health, safety and welfare of students and applies the scope for site visits consistently to private schools that participate in the FTC scholarship program, McKay scholarship program, Gardiner scholarship program, or other state scholarship programs under chapter 1002.

²⁹ Staff analysis based on 1,978 private schools that participated in at least one state scholarship program during 2016-2017 school year. Email, Florida Department of Education (Jan. 12, 2018).

³⁰ Section 1002.395(9)(n)1., F.S.

³¹ Currently, for the Florida Tax Credit (FTC) scholarship program and the McKay scholarship program, the Commissioner of Education (commissioner) must deny, suspend, or revoke a private school's participation in the McKay Scholarship program if it is determined that the private school has failed to comply with the specified requirements. However, if the noncompliance is correctable within a reasonable amount of time and if the health, safety, or welfare of students is not threatened, the commissioner may issue a notice of noncompliance which provides the private school with the timeframe within which to provide evidence of compliance before taking action to suspend or revoke the private school's participation in the scholarship program. Sections 1002.39(7)(a)1., and 1002.395(11)(a)1., F.S.

³² Telephone interview with Florida Department of Education staff (Jan. 19, 2018). A new private school is a private school that did not have scholarship students during the current or previous school year. New schools may submit the Scholarship Compliance Form at any time; however, the department does not allow the school to enroll scholarship students until the school has adequately demonstrated compliance with all program requirements. Florida Department of Education, *2017 Scholarship Programs Accountability Report* (Dec. 2015), available at https://www.stepupforstudents.org/wp-content/uploads/Accountability_Report_Final_2017.pdf, at 7 of 25; see also Rule 6A-6.03315(1)(b) and (3), F.A.C.

³³ Sections 1002.39(6)(f)1., and 1002.395(9)(n)1., F.S.

Specifically, the expansion of the purpose of the site visits to include a verification of health, safety, and welfare of students is consistent with statute specific to the health, safety, and welfare of students.

For instance, statute:

- Requires private schools to meet the state and local health, safety, and welfare laws, codes, and rules, as a condition for participating in a state scholarship program.³⁴
- Authorizes the Commissioner of Education (commissioner) to deny, suspend, or revoke a private school's participation in the McKay scholarship program if the commissioner determines that an owner or operator of the private school is operating or has operated an educational institution in this state or in another state in a manner contrary to the health, safety, or welfare of the public.³⁵ Statute specifies a similar provision for the FTC scholarship program.³⁶

Increasing the number of site visits by the DOE and consistently applying the scope of visit to participating private schools may strengthen accountability for state scholarship programs.

During the 2016-2017 school year, 14 private schools were formally notified of the upcoming site visit via mail and e-mail.³⁷ Each site visit was conducted by three staff members from the Office of Independent Education and Parental Choice with the aid of the Site Visit Procedure Manual,³⁸ developed by the department.³⁹ Of the private schools that the department visited, 13 schools were not able to demonstrate compliance with the statutes related to required program documentation at the time of the site visit, due to:⁴⁰

- Incomplete documentation of teacher qualifications and background screening results,
- Insufficient evidence of required student records, and
- Missing or insufficient compliance documentation for the physical location of the school.

However, all such schools subsequently were able to supply the required documentation and were able to continue uninterrupted participation in the scholarship programs.⁴¹

³⁴ Section 1002.421(2)(g), F.S.

³⁵ Section 1002.39(7)(a)2., F.S.

³⁶ Section 1002.395(11)(a)2., F.S.

³⁷ Florida Department of Education, *2017 Scholarship Programs Accountability Report* (Dec. 2015), available at https://www.stepupforstudents.org/wp-content/uploads/Accountability_Report_Final_2017.pdf, at 12 of 25.

³⁸ The manual identifies procedures to be followed by department staff conducting the site visits. The manual includes statutory references for each private school requirement and background information and copies of supporting compliance documentation submitted by the selected private schools. *Id.*

³⁹ Florida Department of Education, *2017 Scholarship Programs Accountability Report* (Dec. 2015), available at https://www.stepupforstudents.org/wp-content/uploads/Accountability_Report_Final_2017.pdf, at 12 of 25.

⁴⁰ *Id.*

⁴¹ *Id.*

Teacher Qualifications (Section 6)

Present Situation

A private school that participates in a state scholarship program must employ or contract with teachers who:⁴²

- Hold baccalaureate or higher degrees,
- Have at least 3 years of experience in public or private schools, or
- Have special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.

Effect of Proposed Change

Section 6 modifies the teacher qualification requirements for teachers employed by private schools that participate in state scholarship programs to:

- Apply the teacher qualifications specified in law⁴³ to teachers teaching students in grade 1 and below. This section describes special skills to mean skills that are objectively identified.
- Require that the teachers teaching students in grade 2 or above hold a baccalaureate or higher degree from a regionally or nationally accredited college or university in the United States or from a recognized college or university in another country, This requirement applies to full-time teachers hired after July 1, 2018. .
- Require the private schools to report to the DOE, in a format developed by the department, specified information regarding the qualifications of each teacher hired by such schools, including but not limited to, an explanation of the objectively identified special skills or expertise of the applicable teachers. Additionally, this section requires the private schools to provide to information regarding teacher qualifications to the parent of each student receiving a scholarship, by either posting such information on the school's website or by providing the information in a written form.

By clarifying and requiring documentation of credentials, this section may improve the qualifications for teachers employed by private schools that participate in state scholarship programs. The reporting of teacher qualifications to the DOE may assist the department with its review of whether the private schools that participate in state scholarship programs comply with the specified requirements. Additionally, the transmittal of such information to parents may assist the parents in making decisions about the placement of their children in private schools that participate in state scholarship programs.

To be exempt from the background screening requirements under law,⁴⁴ section 6 clarifies that an employee or contracted personnel must not be ineligible for employment based on the conditions specified in law,⁴⁵ in addition to meeting the existing requirements under law

⁴² Section 1002.421(2)(h), F.S.

⁴³ Section 1002.421(2)(h), F.S.

⁴⁴ Section 1002.421(2)(i)4., F.S.

⁴⁵ A person is ineligible for educator certification, and instructional personnel and school administrators are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts state scholarship students under the FTC scholarship program or the McKay scholarship program, if the person, instructional personnel, or school administrator has been convicted of a felony offense, misdemeanor offense, criminal act, or delinquent act specified in law. Section 1012.315, F.S.

regarding holding a valid Florida teaching certificate and undergoing fingerprinting in accordance with the law.⁴⁶

Safety Inspection Reporting Requirements (Section 6)

Present Situation

Florida law specifies the requirements for private schools to participate in state school choice scholarship programs.⁴⁷ The requirements include, but are not limited to, meeting applicable state and local health, safety, and welfare codes, and rules, including fire safety and building safety.⁴⁸

Currently, fire safety inspections of the private schools that participate in state scholarship programs are conducted by local fire departments.⁴⁹ The fire safety inspection reports are submitted by the private schools to the DOE.⁵⁰

Effect of Proposed Change

Section 6 requires the Division of State Fire Marshal to annually provide to the DOE, a fire safety inspection report prepared by local fire departments or by entities with whom they contract to conduct fire safety inspections of private schools, for each private school that participates in a state scholarship program. This modification may strengthen the accountability for private schools who participate in state scholarship programs and ensure that students are being educated in a safe environment.

Financial Reporting Requirements (Section 5 and 6)

Florida law specifies financial reporting requirements for private schools and scholarship funding organizations (SFOs).

Private Schools

Present Situation

A private school that participates in the FTC scholarship program, must provide a report from an independent certified public accountant who performs the agreed-upon procedures developed pursuant to the law if the private school receives more than \$250,000 in funds in a state fiscal year from that scholarship program.⁵¹ Florida law specifies a similar provision for the Gardiner scholarship program.⁵²

The private school must annually submit the report by September 15 to the SFO that provided awards for the majority of the school's scholarship funds.⁵³ The agreed-upon procedures must be

⁴⁶ Sections 1002.421(2)(i)4., and 1012.32, F.S.

⁴⁷ Section 1002.421, F.S.

⁴⁸ Section 1002.421(2)(g), F.S.

⁴⁹ Email, Florida Department of Education (Jan. 11, 2018); *see also* Rule 6A-6.03315(4), F.A.C.

⁵⁰ *Id.*

⁵¹ Section 1002.395(8)(e), F.S.

⁵² Section 1002.385(8)(e), F.S.

⁵³ Sections 1002.385(8)(e), and 1002.395(8)(e), F.S.

conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants.⁵⁴

Effect of Proposed Change

Section 6 requires a private school that receives more than \$250,000 in funds from any state scholarship program in a state fiscal year to provide to the DOE a report of the balance sheet and statement of income expenditures in accordance with generally accepted accounting procedures from an independent certified public accountant who performs the agreed-upon procedures. This may assist with strengthening the financial accountability of private schools that participate in state scholarship programs.

Scholarship Funding Organizations

Present Situation

An eligible nonprofit scholarship-funding organization may be a state university; an independent college or university that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, located and chartered in this state, is not for profit, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or a charitable organization that:⁵⁵

- Is exempt from federal income tax pursuant to section 501(c)(3) of the Internal Revenue Code;
- Is a Florida entity formed under chapter 605, chapter 607, or chapter 617 and whose principal office is located in the state; and
- Complies with SFO obligations and application requirements specified in law.⁵⁶

SFOs administer both the FTC scholarship program and the Gardiner scholarship program.⁵⁷ The DOE has approved Step Up for Students and A.A.A. Scholarship Foundation – FL, LLC to administer the FTC scholarship program and the Gardiner scholarship program.⁵⁸

Currently, under the FTC scholarship program, an SFO must participate in the joint development of agreed-upon procedures to be performed by an independent certified accountant if the SFO provided more than \$250,000 in scholarship funds to an eligible private school under the FTC scholarship program during the 2009-2010 state fiscal year.⁵⁹ Additionally, the SFO must also participate in a joint review of the agreed-upon procedures and guidelines by February 2013 and biennially thereafter, if the SFO provided more than \$250,000 in scholarship funds to an eligible private school under the FTC scholarship program during the state fiscal year preceding the biennial review.⁶⁰

⁵⁴ *Id.*

⁵⁵ Section 1002.395(2)(f), F.S.

⁵⁶ Section 1002.395(2)(f)3., (6), and (16), F.S.

⁵⁷ Sections 1002.385 and 1002.395, F.S.

⁵⁸ Florida Department of Education, *Scholarship Funding Organizations*, available at <http://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/sfo/> (last visited Jan. 19, 2018).

⁵⁹ Section 1002.395(6)(o)1.a., F.S.

⁶⁰ Section 1002.395(6)(o)1.b., F.S.

Effect of Proposed Change

Section 5 amends s. 1002.395, F.S., to modify the financial reporting requirements for the SFOs by applying the specified requirements to SFOs that provide more than \$250,000 in scholarship awards under any state scholarship program under chapter 1002.

Ineligibility of Private Schools to Participate in State Scholarship Programs (Section 6)*Present Situation*

The DOE must suspend the payment of funds under the FTC scholarship program and the McKay scholarship program to a private school that knowingly fails to comply with the law, and must prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.⁶¹ Additionally, Florida law specifies that for both the FTC scholarship program and the Gardiner scholarship program, if a private school is unable to meet the specified requirements or has consecutive years of material exceptions listed in the required report on agreed-upon procedures, the commissioner may determine that private school as ineligible to participate in that scholarship program.⁶² A similar provision exists for the McKay scholarship program.⁶³

Effect of Proposed Change

Section 6 clarifies and strengthens language such that the failure or refusal of a private school to meet the applicable accountability and reporting requirements specified in law must constitute a basis for the ineligibility of that private school to participate in a state scholarship program. This clarification is applied consistently to the FTC scholarship program, McKay scholarship program, Gardiner scholarship program, or other state scholarship program under chapter 1002 of the Florida Statutes.

In addition, section 6 adds an additional criteria that a private school is ineligible to participate in a state scholarship program if the “owner or operator” of the private school was a debtor in a voluntary or involuntary bankruptcy petition within the most recent 5 years. This section defines the term “owner or operator” to include an owner, operator, superintendent, or principal of an eligible private school or a person with equivalent decision-making authority.

Other Provisions (Sections 1, 2, 3, 7, 8, 9, and 10)

Sections 1, 3, 7, 8, and 9 make conforming changes to cross-references in related sections of statute.

Section 2 amends s. 1002.20, F.S., to update the name of the Florida Personal Learning Scholarship Accounts Program to the Gardiner Scholarship Program, consistent with the law.

⁶¹ Section 1002.421(4), F.S.

⁶² Sections 1002.385(8)(e) and 1002.395(8), F.S.

⁶³ Section 1002.39(8), F.S.

Section 10 appropriates \$596,560 in recurring funds and \$142,134 in nonrecurring funds from the General Revenue Fund to the Department of Education for the 2018-2019 fiscal year to implement the requirements of the bill.

This bill takes effect July 1, 2018.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

To be eligible to participate in state scholarship programs, the bill requires a private school to comply with additional accountability provisions and reporting requirements that may increase costs. Also, as a result of clarifying and modifying teacher credentials for employment, the costs of hiring teachers for private schools that participate in scholarship programs may increase.

C. Government Sector Impact:

The bill appropriates \$596,560 in recurring funds and \$142,134 in nonrecurring funds from the General Revenue Fund to the Department of Education for the 2018-2019 fiscal year.

The bill requires the department to conduct site visits to at least 5 percent of participating private schools and to each school that notifies the department of its intent to participate in a scholarship program. For the 2017-18 school year, there are 1,978 participating private schools. Between July 2016 and June 2017, 296 private schools began the process to become newly eligible to participate in the scholarship programs. Using this as a baseline, the department would be required to conduct 395 site visits. The department estimates that three additional FTE positions will be needed to perform the required site visits at a cost of approximately \$250,000. The travel cost associated with these site visits is estimated at \$50,000.

Additionally, the bill requires private schools that receive in excess of \$250,000 in scholarship funding to submit an annual report from an independent certified public accountant who performs the agreed-upon procedures (AUP). Based on 2017-18 data, this would require the DOE to review more than 250 reports to determine if the schools had material exceptions set forth in the report. The bill also requires these schools to annually submit to the department a report of the balance sheet and statement of income expenditures in accordance with generally accepted accounting procedures from an independent certified public accountant. Based on 2016-17 data, over 1,000 schools would be required to submit these financial reports to the department. The department estimates three additional FTE, at a cost of approximately \$250,000, are needed to accept and review the AUP reports and balance sheets, and to conduct any follow-up work that may be required.

Finally, the bill requires each private school to submit to the department the qualifications of each teacher hired by the school, including but not limited to, an explanation of the objectively identified special skills or expertise of such teachers. Currently, there are approximately 22,000 teachers employed in participating private schools. The DOE expects this will require a manual review of each teacher's qualifications. To conduct the initial review of all 22,000 teachers, the department estimates that one additional FTE and two temporary full-time staff positions are needed, at a cost of approximately \$190,000.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.10, 1002.20, 1002.385, 1002.39, 1002.395, 1002.421, 1006.061, 1012.315, and 1012.796.

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS by Appropriations Subcommittee on PreK-12 Education on February 8, 2018:

The committee substitute

- Appropriates \$596,560 in recurring funds and \$142,134 in nonrecurring funds from the General Revenue Fund to the Department of Education for the 2018-2019 fiscal year.
- Defines the term “owner or operator” to include an owner, operator, superintendent, or principal of an eligible private school or a person with equivalent decision-making authority.

- Require that the teachers teaching students in grade 2 or above hold a baccalaureate or higher degree from a regionally or nationally accredited college or university in the United States or from a recognized college or university in another country. This requirement applies to full-time teachers hired after July 1, 2018.

CS by Education on January 22, 2018:

The committee substitute modifies the provision in the bill regarding teacher qualifications for teachers employed by private schools that participate in state scholarship programs with two clarifications to:

- Specify that teachers teaching students in grade 2 or above hold a baccalaureate or higher degree from a regionally or nationally accredited college or university, and applies the teacher qualifications specified in current law to teachers teaching students in grade 1 and below.
- Add a requirement for the private schools to report information regarding teacher qualifications to the parent of each student receiving a scholarship, by either posting such information on the school's website or by providing the information in a written form.

B. Amendments:

None.



277036

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Simmons)
recommended the following:

Senate Amendment (with title amendment)

Between lines 753 and 754
insert:

Section 10. For the 2018-2019 fiscal year, \$596,560 in
recurring funds from the General Revenue Fund and \$142,134 in
nonrecurring funds from the General Revenue Fund are
appropriated to the Department of Education to implement the
provisions of this act.



277036

11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 Delete line 60

14 and insert:

15 allegations against the school's employees; providing

16 appropriations; providing an



354860

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/09/2018	.	
	.	
	.	
	.	

Appropriations Subcommittee on Pre-K - 12 Education (Simmons)
recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 402 - 414

and insert:

(1) (a) A Florida private school participating in the Florida Tax Credit Scholarship Program established pursuant to s. 1002.395 or an educational scholarship program established pursuant to this chapter must comply with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within



354860

11 respective scholarship program laws, and other provisions of
12 Florida law that apply to private schools.

13 (b) For purposes of this section, the term "owner or
14 operator" includes an owner, operator, superintendent, or
15 principal of an eligible private school or a person with
16 equivalent decisionmaking authority over an eligible private
17 school.

18 (2) A private school participating in a scholarship program
19 must be a Florida private school as defined in s. 1002.01(2),
20 must be registered in accordance with s. 1002.42, and must:

21 (h) Employ or contract with teachers who:

22 1. Unless otherwise specified under this paragraph, hold
23 baccalaureate or higher degrees, have at least 3 years of
24 teaching experience in public or private schools, or have
25 objectively identified special skills, knowledge, or expertise
26 that qualifies them to provide instruction in subjects taught.

27 2. Hold baccalaureate or higher degrees from a regionally
28 or nationally accredited college or university in the United
29 States or from a recognized college or university in another
30 country. This subparagraph applies to full-time teachers hired
31 after July 1, 2018, who are teaching students in grade 2 or
32 above.

33
34 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

35 And the directory clause is amended as follows:

36 Delete lines 397 - 398

37 and insert:

38 are added to that section, and subsection (1), paragraphs (h)
39 and (i) of subsection (2), and subsections (4) and (5) of that



354860

40 section are

41

42 ===== T I T L E A M E N D M E N T =====

43 And the title is amended as follows:

44 Delete line 34

45 and insert:

46 amending s. 1002.421, F.S.; defining the term "owner
47 or operator"; requiring a private school

By the Committee on Education; and Senator Simmons

581-02344-18

20181756c1

1 A bill to be entitled
 2 An act relating to school accountability; amending s.
 3 1001.10, F.S.; revising the private schools to which
 4 the Department of Education is required to provide
 5 technical assistance and authorized staff; amending s.
 6 1002.20, F.S.; updating terminology; amending s.
 7 1002.385, F.S.; revising requirements for private
 8 schools that participate in the Gardiner Scholarship
 9 Program; specifying that the failure or refusal,
 10 rather than the inability of, a private school to meet
 11 certain requirements constitutes a basis for program
 12 ineligibility; amending s. 1002.39, F.S.; revising the
 13 purpose of department site visits at private schools
 14 participating in the John M. McKay Scholarships for
 15 Students with Disabilities Program; authorizing the
 16 department to make followup site visits at any time to
 17 certain private schools; requiring participating
 18 private schools to provide a specified report from an
 19 independent certified public accountant under certain
 20 circumstances; specifying that the failure or refusal,
 21 rather than the inability of, a private school to meet
 22 certain requirements constitutes a basis for program
 23 ineligibility; amending s. 1002.395, F.S.; revising
 24 obligations of eligible nonprofit scholarship-funding
 25 organizations participating in the Florida Tax Credit
 26 Scholarship Program; specifying that the failure or
 27 refusal, rather than the inability of, a private
 28 school to meet certain requirements constitutes a
 29 basis for program ineligibility; revising the purpose

Page 1 of 27

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

581-02344-18

20181756c1

30 of department site visits at private schools
 31 participating in the Florida Tax Credit Scholarship
 32 Program; authorizing the department to make followup
 33 site visits at any time to certain private schools;
 34 amending s. 1002.421, F.S.; requiring a private school
 35 to employ or contract with teachers who meet certain
 36 qualifications and provide information about such
 37 qualifications to the department and parents; revising
 38 the conditions under which a private school employee
 39 may be exempted from background screening
 40 requirements; specifying that a private school is
 41 ineligible to participate in certain scholarship
 42 programs under certain circumstances; requiring the
 43 department to annually visit certain private schools;
 44 authorizing the department to make certain follow-up
 45 site visits at any time; requiring the Division of
 46 State Fire Marshal to annually provide the department
 47 with fire safety inspection reports for certain
 48 private schools; requiring that certain private
 49 schools provide the department with a report from an
 50 independent certified public accountant under certain
 51 circumstances; amending s. 1006.061, F.S.; revising
 52 the applicability of certain child abuse, abandonment,
 53 and neglect provisions; amending s. 1012.315, F.S.;
 54 revising the applicability of certain provisions
 55 related to disqualification from employment for the
 56 conviction of specified offenses; amending s.
 57 1012.796, F.S.; revising the applicability of a
 58 requirement that certain private schools file

Page 2 of 27

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

581-02344-18 20181756c1

59 specified reports with the department for certain
60 allegations against its employees; providing an
61 effective date.

62
63 Be It Enacted by the Legislature of the State of Florida:

64
65 Section 1. Subsections (4) and (5) of section 1001.10,
66 Florida Statutes, are amended to read:

67 1001.10 Commissioner of Education; general powers and
68 duties.—

69 (4) The Department of Education shall provide technical
70 assistance to school districts, charter schools, the Florida
71 School for the Deaf and the Blind, and private schools that
72 accept scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.
73 1002.395, or another state scholarship program under chapter
74 1002 in the development of policies, procedures, and training
75 related to employment practices and standards of ethical conduct
76 for instructional personnel and school administrators, as
77 defined in s. 1012.01.

78 (5) The Department of Education shall provide authorized
79 staff of school districts, charter schools, the Florida School
80 for the Deaf and the Blind, and private schools that accept
81 scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.
82 1002.395, or another state scholarship program under chapter
83 1002 with access to electronic verification of information from
84 the following employment screening tools:

- 85 (a) The Professional Practices' Database of Disciplinary
86 Actions Against Educators; and
87 (b) The Department of Education's Teacher Certification

Page 3 of 27

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

581-02344-18 20181756c1

88 Database.

89
90 This subsection does not require the department to provide these
91 staff with unlimited access to the databases. However, the
92 department shall provide the staff with access to the data
93 necessary for performing employment history checks of the
94 instructional personnel and school administrators included in
95 the databases.

96 Section 2. Paragraph (b) of subsection (6) of section
97 1002.20, Florida Statutes, is amended to read:

98 1002.20 K-12 student and parent rights.—Parents of public
99 school students must receive accurate and timely information
100 regarding their child's academic progress and must be informed
101 of ways they can help their child to succeed in school. K-12
102 students and their parents are afforded numerous statutory
103 rights including, but not limited to, the following:

104 (6) EDUCATIONAL CHOICE.—

105 (b) *Private educational choices.*—Parents of public school
106 students may seek private educational choice options under
107 certain programs.

108 1. Under the McKay Scholarships for Students with
109 Disabilities Program, the parent of a public school student with
110 a disability may request and receive a McKay Scholarship for the
111 student to attend a private school in accordance with s.
112 1002.39.

113 2. Under the Florida Tax Credit Scholarship Program, the
114 parent of a student who qualifies for free or reduced-price
115 school lunch or who is currently placed, or during the previous
116 state fiscal year was placed, in foster care as defined in s.

Page 4 of 27

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

581-02344-18 20181756c1

117 39.01 may seek a scholarship from an eligible nonprofit
118 scholarship-funding organization in accordance with s. 1002.395.

119 3. Under the Gardiner Scholarship Program ~~Florida Personal~~
120 ~~Learning Scholarship Accounts Program~~, the parent of a student
121 with a qualifying disability may apply for a Gardiner personal
122 ~~learning~~ scholarship to be used for individual educational needs
123 in accordance with s. 1002.385.

124 Section 3. Subsection (8) of section 1002.385, Florida
125 Statutes, is amended to read:

126 1002.385 The Gardiner Scholarship.—

127 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
128 private school may be sectarian or nonsectarian and shall:

129 (a) Comply with all requirements for private schools
130 participating in state school choice scholarship programs
131 pursuant to s. 1002.421.

132 (b) Provide to the organization, upon request, all
133 documentation required for the student's participation,
134 including the private school's and student's fee schedules.

135 (c) Be academically accountable to the parent for meeting
136 the educational needs of the student by:

137 1. At a minimum, annually providing to the parent a written
138 explanation of the student's progress.

139 2. Annually administering or making provision for students
140 participating in the program in grades 3 through 10 to take one
141 of the nationally norm-referenced tests identified by the
142 Department of Education or the statewide assessments pursuant to
143 s. 1008.22. Students with disabilities for whom standardized
144 testing is not appropriate are exempt from this requirement. A
145 participating private school shall report a student's scores to

581-02344-18 20181756c1

146 the parent.

147 3. Cooperating with the scholarship student whose parent
148 chooses to have the student participate in the statewide
149 assessments pursuant to s. 1008.22 or, if a private school
150 chooses to offer the statewide assessments, administering the
151 assessments at the school.

152 a. A participating private school may choose to offer and
153 administer the statewide assessments to all students who attend
154 the private school in grades 3 through 10.

155 b. A participating private school shall submit a request in
156 writing to the Department of Education by March 1 of each year
157 in order to administer the statewide assessments in the
158 subsequent school year.

159 (d) Employ or contract with teachers who have regular and
160 direct contact with each student receiving a scholarship under
161 this section at the school's physical location.

162 (e) Provide a report from an independent certified public
163 accountant who performs the agreed-upon procedures developed
164 under s. 1002.395(6)(o) if the private school receives more than
165 \$250,000 in funds from scholarships awarded under this chapter
166 ~~section~~ in a state fiscal year. A private school subject to this
167 paragraph must annually submit the report by September 15 to the
168 organization that awarded the majority of the school's
169 scholarship funds. The agreed-upon procedures must be conducted
170 in accordance with attestation standards established by the
171 American Institute of Certified Public Accountants.

172
173 If a private school fails or refuses ~~is unable~~ to meet the
174 requirements of this subsection or has consecutive years of

581-02344-18

20181756c1

175 material exceptions listed in the report required under
 176 paragraph (e), the commissioner may determine that the private
 177 school is ineligible to participate in the program.

178 Section 4. Paragraph (f) of subsection (6) and subsection
 179 (8) of section 1002.39, Florida Statutes, are amended to read:

180 1002.39 The John M. McKay Scholarships for Students with
 181 Disabilities Program.—There is established a program that is
 182 separate and distinct from the Opportunity Scholarship Program
 183 and is named the John M. McKay Scholarships for Students with
 184 Disabilities Program.

185 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
 186 shall:

187 (f)1. Conduct ~~random~~ site visits to private schools
 188 participating in the John M. McKay Scholarships for Students
 189 with Disabilities Program as authorized under s. 1002.421(7).
 190 The purposes purpose of the site visits are is solely to verify
 191 compliance with the provisions of subsection (7) aimed at
 192 protecting the health, safety, and welfare of students and to
 193 verify the information reported by the schools concerning the
 194 enrollment and attendance of students, the credentials of
 195 teachers, background screening of teachers, and teachers'
 196 fingerprinting results, which information is required by rules
 197 of the State Board of Education, subsection (8), and s.
 198 1002.421. The Department of Education may ~~not~~ make followup more
 199 ~~than three random~~ site visits at any time to any school that has
 200 received a notice of noncompliance or a notice of proposed
 201 action within the previous 2 years pursuant to subsection (7)
 202 each year and may not make more than one random site visit each
 203 year to the same private school.

Page 7 of 27

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

581-02344-18

20181756c1

204 2. Annually, by December 15, report to the Governor, the
 205 President of the Senate, and the Speaker of the House of
 206 Representatives the Department of Education's actions with
 207 respect to implementing accountability in the scholarship
 208 program under this section and s. 1002.421, any substantiated
 209 allegations or violations of law or rule by an eligible private
 210 school under this program concerning the enrollment and
 211 attendance of students, the credentials of teachers, background
 212 screening of teachers, and teachers' fingerprinting results and
 213 the corrective action taken by the Department of Education.

214 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be
 215 eligible to participate in the John M. McKay Scholarships for
 216 Students with Disabilities Program, a private school may be
 217 sectarian or nonsectarian and must:

218 (a) Comply with all requirements for private schools
 219 participating in state school choice scholarship programs
 220 pursuant to s. 1002.421.

221 (b) Provide to the department all documentation required
 222 for a student's participation, including the private school's
 223 and student's fee schedules, at least 30 days before any
 224 quarterly scholarship payment is made for the student pursuant
 225 to paragraph (11)(e). A student is not eligible to receive a
 226 quarterly scholarship payment if the private school fails to
 227 meet this deadline.

228 (c) Be academically accountable to the parent for meeting
 229 the educational needs of the student by:

- 230 1. At a minimum, annually providing to the parent a written
- 231 explanation of the student's progress.
- 232 2. Cooperating with the scholarship student whose parent

Page 8 of 27

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

581-02344-18 20181756c1

233 chooses to participate in the statewide assessments pursuant to
 234 s. 1008.22.

235 (d) Maintain in this state a physical location where a
 236 scholarship student regularly attends classes.

237 (e) If the private school that participates in a state
 238 scholarship program under this chapter receives more than
 239 \$250,000 in funds from scholarships awarded under chapter 1002
 240 in a state fiscal year, provide an annual report from an
 241 independent certified public accountant who performs the agreed-
 242 upon procedures developed under s. 1002.395(6)(o). Such a
 243 private school must annually submit the required report by
 244 September 15 to the organization that awarded the majority of
 245 the school's scholarship funds. The agreed-upon procedures must
 246 be conducted in accordance with attestation standards
 247 established by the American Institute of Certified Public
 248 Accountants.

249

250 The failure or refusal ~~inability~~ of a private school to meet the
 251 requirements of this subsection shall constitute a basis for the
 252 ineligibility of the private school to participate in the
 253 scholarship program as determined by the department.

254 Section 5. Paragraph (o) of subsection (6), subsection (8),
 255 and paragraph (n) of subsection (9) of section 1002.395, Florida
 256 Statutes, are amended to read:

257 1002.395 Florida Tax Credit Scholarship Program.—
 258 (6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING
 259 ORGANIZATIONS.—An eligible nonprofit scholarship-funding
 260 organization:
 261 (o)1.a. Must participate in the joint development of

581-02344-18 20181756c1

262 agreed-upon procedures to be performed by an independent
 263 certified public accountant as required under paragraph (8)(e)
 264 if the scholarship-funding organization provided more than
 265 \$250,000 in scholarship funds to an eligible private school
 266 under this ~~chapter section~~ during the ~~2009-2010~~ state fiscal
 267 year. The agreed-upon procedures must uniformly apply to all
 268 private schools and must determine, at a minimum, whether the
 269 private school has been verified as eligible by the Department
 270 of Education under paragraph (9)(c); has an adequate accounting
 271 system, system of financial controls, and process for deposit
 272 and classification of scholarship funds; and has properly
 273 expended scholarship funds for education-related expenses.
 274 During the development of the procedures, the participating
 275 scholarship-funding organizations shall specify guidelines
 276 governing the materiality of exceptions that may be found during
 277 the accountant's performance of the procedures. The procedures
 278 and guidelines shall be provided to private schools and the
 279 Commissioner of Education by March 15, 2011.

280 b. Must participate in a joint review of the agreed-upon
 281 procedures and guidelines developed under sub-subparagraph a.,
 282 by February 2013 and biennially thereafter, if the scholarship-
 283 funding organization provided more than \$250,000 in scholarship
 284 funds to an eligible private school under this ~~chapter section~~
 285 during the state fiscal year preceding the biennial review. If
 286 the procedures and guidelines are revised, the revisions must be
 287 provided to private schools and the Commissioner of Education by
 288 March 15, 2013, and biennially thereafter.

289 c. Must monitor the compliance of a private school with
 290 paragraph (8)(e) if the scholarship-funding organization

581-02344-18 20181756c1

291 provided the majority of the scholarship funding to the school.
 292 For each private school subject to paragraph (8) (e), the
 293 appropriate scholarship-funding organization shall notify the
 294 Commissioner of Education by October 30, 2011, and annually
 295 thereafter of:

296 (I) A private school's failure to submit a report required
 297 under paragraph (8) (e); or

298 (II) Any material exceptions set forth in the report
 299 required under paragraph (8) (e).

300 2. Must seek input from the accrediting associations that
 301 are members of the Florida Association of Academic Nonpublic
 302 Schools when jointly developing the agreed-upon procedures and
 303 guidelines under sub-subparagraph 1.a. and conducting a review
 304 of those procedures and guidelines under sub-subparagraph 1.b.

305
 306 Information and documentation provided to the Department of
 307 Education and the Auditor General relating to the identity of a
 308 taxpayer that provides an eligible contribution under this
 309 section shall remain confidential at all times in accordance
 310 with s. 213.053.

311 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
 312 private school may be sectarian or nonsectarian and must:

313 (a) Comply with all requirements for private schools
 314 participating in state school choice scholarship programs
 315 pursuant to s. 1002.421.

316 (b) Provide to the eligible nonprofit scholarship-funding
 317 organization, upon request, all documentation required for the
 318 student's participation, including the private school's and
 319 student's fee schedules.

581-02344-18 20181756c1

320 (c) Be academically accountable to the parent for meeting
 321 the educational needs of the student by:

322 1. At a minimum, annually providing to the parent a written
 323 explanation of the student's progress.

324 2. Annually administering or making provision for students
 325 participating in the scholarship program in grades 3 through 10
 326 to take one of the nationally norm-referenced tests identified
 327 by the Department of Education or the statewide assessments
 328 pursuant to s. 1008.22. Students with disabilities for whom
 329 standardized testing is not appropriate are exempt from this
 330 requirement. A participating private school must report a
 331 student's scores to the parent. A participating private school
 332 must annually report by August 15 the scores of all
 333 participating students to the Learning System Institute
 334 described in paragraph (9) (j).

335 3. Cooperating with the scholarship student whose parent
 336 chooses to have the student participate in the statewide
 337 assessments pursuant to s. 1008.22 or, if a private school
 338 chooses to offer the statewide assessments, administering the
 339 assessments at the school.

340 a. A participating private school may choose to offer and
 341 administer the statewide assessments to all students who attend
 342 the private school in grades 3 through 10.

343 b. A participating private school must submit a request in
 344 writing to the Department of Education by March 1 of each year
 345 in order to administer the statewide assessments in the
 346 subsequent school year.

347 (d) Employ or contract with teachers who have regular and
 348 direct contact with each student receiving a scholarship under

581-02344-18

20181756c1

349 this section at the school's physical location.

350 (e) Provide a report from an independent certified public
351 accountant who performs the agreed-upon procedures developed
352 under paragraph (6) (o) if the private school receives more than
353 \$250,000 in funds from scholarships awarded under this chapter
354 ~~section~~ in a state fiscal year. A private school subject to this
355 paragraph must annually submit the report by September 15 to the
356 scholarship-funding organization that awarded the majority of
357 the school's scholarship funds. The agreed-upon procedures must
358 be conducted in accordance with attestation standards
359 established by the American Institute of Certified Public
360 Accountants.

361
362 If a private school fails or refuses ~~is unable~~ to meet the
363 requirements of this subsection or has consecutive years of
364 material exceptions listed in the report required under
365 paragraph (e), the commissioner may determine that the private
366 school is ineligible to participate in the scholarship program
367 as determined by the Department of Education.

368 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
369 Education shall:

370 (n)1. Conduct site visits to private schools participating
371 in the Florida Tax Credit Scholarship Program as authorized
372 under s. 1002.421(7). The purposes ~~purpose~~ of the site visits
373 are is solely to verify compliance with the provisions of
374 subsection (11) aimed at protecting the health, safety, and
375 welfare of students and to verify the information reported by
376 the schools concerning the enrollment and attendance of
377 students, the credentials of teachers, background screening of

Page 13 of 27

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

581-02344-18

20181756c1

378 teachers, and teachers' fingerprinting results. ~~The Department~~
379 ~~of Education may not make more than seven site visits each year;~~
380 ~~however,~~ The department may make followup additional site visits
381 at any time to any school that, pursuant to subsection (11), has
382 received a notice of noncompliance or a notice of proposed
383 action within the previous 2 years.

384 2. Annually, by December 15, report to the Governor, the
385 President of the Senate, and the Speaker of the House of
386 Representatives the Department of Education's actions with
387 respect to implementing accountability in the scholarship
388 program under this section and s. 1002.421, any substantiated
389 allegations or violations of law or rule by an eligible private
390 school under this program concerning the enrollment and
391 attendance of students, the credentials of teachers, background
392 screening of teachers, and teachers' fingerprinting results and
393 the corrective action taken by the Department of Education.

394 Section 6. Present subsection (7) of section 1002.421,
395 Florida Statutes, is amended and redesignated as subsection
396 (11), a new subsection (7) and subsections (8), (9), and (10)
397 are added to that section, and paragraphs (h) and (i) of
398 subsection (2) and subsections (4) and (5) of that section are
399 amended, to read:

400 1002.421 Accountability of private schools participating in
401 state school choice scholarship programs.—

402 (2) A private school participating in a scholarship program
403 must be a Florida private school as defined in s. 1002.01(2),
404 must be registered in accordance with s. 1002.42, and must:

405 (h) Employ or contract with teachers who:

406 1. Unless otherwise specified under this paragraph, hold

Page 14 of 27

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

581-02344-18 20181756c1

407 baccalaureate or higher degrees, have at least 3 years of
 408 teaching experience in public or private schools, or have
 409 objectively identified special skills, knowledge, or expertise
 410 that qualifies them to provide instruction in subjects taught.

411 2. For teachers teaching students in grade 2 or above, hold
 412 baccalaureate or higher degrees from a university or college
 413 that is accredited by a regional or national accrediting agency
 414 recognized by the United States Department of Education.

415
 416 The private school must report to the department, in a format
 417 developed by the department, the qualifications of each teacher
 418 hired by the school, including, but not limited to, an
 419 explanation of the objectively identified special skills or
 420 expertise of such teachers, as applicable. Additionally, the
 421 private school must provide to the parent of each scholarship
 422 student, on the school's website or on a written form provided
 423 by the school, the qualifications of each classroom teacher.

424 (i) Require each employee and contracted personnel with
 425 direct student contact, upon employment or engagement to provide
 426 services, to undergo a state and national background screening,
 427 pursuant to s. 943.0542, by electronically filing with the
 428 Department of Law Enforcement a complete set of fingerprints
 429 taken by an authorized law enforcement agency or an employee of
 430 the private school, a school district, or a private company who
 431 is trained to take fingerprints and deny employment to or
 432 terminate an employee if he or she fails to meet the screening
 433 standards under s. 435.04. Results of the screening shall be
 434 provided to the participating private school. For purposes of
 435 this paragraph:

Page 15 of 27

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

581-02344-18 20181756c1

436 1. An "employee or contracted personnel with direct student
 437 contact" means any employee or contracted personnel who has
 438 unsupervised access to a scholarship student for whom the
 439 private school is responsible.

440 2. The costs of fingerprinting and the background check
 441 shall not be borne by the state.

442 3. Continued employment of an employee or contracted
 443 personnel after notification that he or she has failed the
 444 background screening under this paragraph shall cause a private
 445 school to be ineligible for participation in a scholarship
 446 program.

447 4. An employee or contracted personnel holding a valid
 448 Florida teaching certificate who has been fingerprinted pursuant
 449 to s. 1012.32 and who is not ineligible for employment pursuant
 450 to s. 1012.315 is not required to comply with the provisions of
 451 this paragraph.

452 (4) A private school that accepts scholarship students
 453 under this chapter ~~s. 1002.39~~ ~~or s. 1002.395~~ must:

454 (a) Disqualify instructional personnel and school
 455 administrators, as defined in s. 1012.01, from employment in any
 456 position that requires direct contact with students if the
 457 personnel or administrators are ineligible for such employment
 458 under s. 1012.315.

459 (b) Adopt and faithfully implement policies establishing
 460 standards of ethical conduct for instructional personnel and
 461 school administrators. The policies must require all
 462 instructional personnel and school administrators, as defined in
 463 s. 1012.01, to complete training on the standards; establish the
 464 duty of instructional personnel and school administrators to

Page 16 of 27

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

581-02344-18

20181756c1

465 report, and procedures for reporting, alleged misconduct by
 466 other instructional personnel and school administrators which
 467 affects the health, safety, or welfare of a student; and include
 468 an explanation of the liability protections provided under ss.
 469 39.203 and 768.095. A private school, or any of its employees,
 470 may not enter into a confidentiality agreement regarding
 471 terminated or dismissed instructional personnel or school
 472 administrators, or personnel or administrators who resign in
 473 lieu of termination, based in whole or in part on misconduct
 474 that affects the health, safety, or welfare of a student, and
 475 may not provide the instructional personnel or school
 476 administrators with employment references or discuss the
 477 personnel's or administrators' performance with prospective
 478 employers in another educational setting, without disclosing the
 479 personnel's or administrators' misconduct. Any part of an
 480 agreement or contract that has the purpose or effect of
 481 concealing misconduct by instructional personnel or school
 482 administrators which affects the health, safety, or welfare of a
 483 student is void, is contrary to public policy, and may not be
 484 enforced.

485 (c) Before employing instructional personnel or school
 486 administrators in any position that requires direct contact with
 487 students, conduct employment history checks of each of the
 488 personnel's or administrators' previous employers, screen the
 489 personnel or administrators through use of the educator
 490 screening tools described in s. 1001.10(5), and document the
 491 findings. If unable to contact a previous employer, the private
 492 school must document efforts to contact the employer.
 493

Page 17 of 27

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

581-02344-18

20181756c1

494 The department shall suspend the payment of funds under this
 495 chapter ss. 1002.39 and 1002.395 to a private school that
 496 ~~knowingly~~ fails or refuses to comply with this subsection, and
 497 shall prohibit the school from enrolling new scholarship
 498 students, for 1 fiscal year and until the school complies.

499 (5) The ~~failure or refusal inability~~ of a private school to
 500 meet the requirements of this section shall constitute a basis
 501 for the ineligibility of the private school to participate in a
 502 scholarship program as determined by the department.

503 Additionally, a private school is ineligible to participate in a
 504 state scholarship program under this chapter if the owner or
 505 operator of the private school was a debtor in a voluntary or
 506 involuntary bankruptcy petition within the most recent 5 years.

507 (7) (a) The department must annually visit at least 5
 508 percent, and may annually visit up to 7 percent, of the private
 509 schools that participate in the state scholarship programs under
 510 this chapter. Site visits required under subsection (8) are not
 511 included in the annual site visits authorized under this
 512 paragraph.

513 (b) The purposes of the site visits are to verify
 514 compliance with the provisions of this section aimed at
 515 protecting the health, safety, and welfare of students and to
 516 verify the information reported by the schools concerning the
 517 enrollment and attendance of students, the credentials of
 518 teachers, background screening of teachers, and teachers'
 519 fingerprinting results, as required by rules of the State Board
 520 of Education and this section.

521 (c) The department may make followup site visits at any
 522 time to any school that has received a notice of noncompliance

Page 18 of 27

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

581-02344-18

20181756c1

523 or a notice of proposed action within the previous 2 years, or
 524 for a cause that affects the health, safety, and welfare of a
 525 student.

526 (8) (a) The department shall visit each private school that
 527 notifies the department of the school's intent to participate in
 528 a state scholarship program under this chapter.

529 (b) The purpose of the site visit is to determine that the
 530 school meets the applicable state and local health, safety, and
 531 welfare codes and rules pursuant to this section.

532 (9) The Division of State Fire Marshal shall annually
 533 provide to the department a fire safety inspection report,
 534 prepared by the local fire departments or by entities with whom
 535 they contract to perform fire safety inspections of private
 536 schools, for each private school that participates in a state
 537 scholarship program under this chapter.

538 (10) If a private school that participates in a state
 539 scholarship program under this chapter receives more than
 540 \$250,000 in funds from the scholarships awarded under chapter
 541 1002 in a state fiscal year, the school must provide to the
 542 department a report of the balance sheet and statement of income
 543 expenditures in accordance with generally accepted accounting
 544 procedures from an independent certified public accountant who
 545 performs the agreed-upon procedures.

546 (11) (7) The State Board of Education shall adopt rules
 547 pursuant to ss. 120.536(1) and 120.54 to administer and enforce
 548 this section.

549 Section 7. Section 1006.061, Florida Statutes, is amended
 550 to read:

551 1006.061 Child abuse, abandonment, and neglect policy.—Each

581-02344-18

20181756c1

552 district school board, charter school, and private school that
 553 accepts scholarship students under s. 1002.385, s. 1002.39, ~~or~~
 554 s. 1002.395, or another state scholarship program under chapter
 555 1002 shall:

556 (1) Post in a prominent place in each school a notice that,
 557 pursuant to chapter 39, all employees and agents of the district
 558 school board, charter school, or private school have an
 559 affirmative duty to report all actual or suspected cases of
 560 child abuse, abandonment, or neglect; have immunity from
 561 liability if they report such cases in good faith; and have a
 562 duty to comply with child protective investigations and all
 563 other provisions of law relating to child abuse, abandonment,
 564 and neglect. The notice shall also include the statewide toll-
 565 free telephone number of the central abuse hotline.

566 (2) Post in a prominent place at each school site and on
 567 each school's Internet website, if available, the policies and
 568 procedures for reporting alleged misconduct by instructional
 569 personnel or school administrators which affects the health,
 570 safety, or welfare of a student; the contact person to whom the
 571 report is made; and the penalties imposed on instructional
 572 personnel or school administrators who fail to report suspected
 573 or actual child abuse or alleged misconduct by other
 574 instructional personnel or school administrators.

575 (3) Require the principal of the charter school or private
 576 school, or the district school superintendent, or the
 577 superintendent's designee, at the request of the Department of
 578 Children and Families, to act as a liaison to the Department of
 579 Children and Families and the child protection team, as defined
 580 in s. 39.01, when in a case of suspected child abuse,

581-02344-18 20181756c1

581 abandonment, or neglect or an unlawful sexual offense involving
 582 a child the case is referred to such a team; except that this
 583 does not relieve or restrict the Department of Children and
 584 Families from discharging its duty and responsibility under the
 585 law to investigate and report every suspected or actual case of
 586 child abuse, abandonment, or neglect or unlawful sexual offense
 587 involving a child.

588 (4) (a) Post in a prominent place in a clearly visible
 589 location and public area of the school which is readily
 590 accessible to and widely used by students a sign in English and
 591 Spanish that contains:

592 1. The statewide toll-free telephone number of the central
 593 abuse hotline as provided in chapter 39;

594 2. Instructions to call 911 for emergencies; and

595 3. Directions for accessing the Department of Children and
 596 Families Internet website for more information on reporting
 597 abuse, neglect, and exploitation.

598 (b) The information in paragraph (a) must be put on at
 599 least one poster in each school, on a sheet that measures at
 600 least 11 inches by 17 inches, produced in large print, and
 601 placed at student eye level for easy viewing.

602
 603 The Department of Education shall develop, and publish on the
 604 department's Internet website, sample notices suitable for
 605 posting in accordance with subsections (1), (2), and (4).

606 Section 8. Section 1012.315, Florida Statutes, is amended
 607 to read:

608 1012.315 Disqualification from employment.—A person is
 609 ineligible for educator certification, and instructional

581-02344-18 20181756c1

610 personnel and school administrators, as defined in s. 1012.01,
 611 are ineligible for employment in any position that requires
 612 direct contact with students in a district school system,
 613 charter school, or private school that accepts scholarship
 614 students under s. 1002.385, s. 1002.39, ~~or~~ s. 1002.395, or
 615 another state scholarship program under chapter 1002, if the
 616 person, instructional personnel, or school administrator has
 617 been convicted of:

618 (1) Any felony offense prohibited under any of the
 619 following statutes:

620 (a) Section 393.135, relating to sexual misconduct with
 621 certain developmentally disabled clients and reporting of such
 622 sexual misconduct.

623 (b) Section 394.4593, relating to sexual misconduct with
 624 certain mental health patients and reporting of such sexual
 625 misconduct.

626 (c) Section 415.111, relating to adult abuse, neglect, or
 627 exploitation of aged persons or disabled adults.

628 (d) Section 782.04, relating to murder.

629 (e) Section 782.07, relating to manslaughter, aggravated
 630 manslaughter of an elderly person or disabled adult, aggravated
 631 manslaughter of a child, or aggravated manslaughter of an
 632 officer, a firefighter, an emergency medical technician, or a
 633 paramedic.

634 (f) Section 784.021, relating to aggravated assault.

635 (g) Section 784.045, relating to aggravated battery.

636 (h) Section 784.075, relating to battery on a detention or
 637 commitment facility staff member or a juvenile probation
 638 officer.

581-02344-18

20181756c1

639 (i) Section 787.01, relating to kidnapping.
 640 (j) Section 787.02, relating to false imprisonment.
 641 (k) Section 787.025, relating to luring or enticing a
 642 child.
 643 (l) Section 787.04(2), relating to leading, taking,
 644 enticing, or removing a minor beyond the state limits, or
 645 concealing the location of a minor, with criminal intent pending
 646 custody proceedings.
 647 (m) Section 787.04(3), relating to leading, taking,
 648 enticing, or removing a minor beyond the state limits, or
 649 concealing the location of a minor, with criminal intent pending
 650 dependency proceedings or proceedings concerning alleged abuse
 651 or neglect of a minor.
 652 (n) Section 790.115(1), relating to exhibiting firearms or
 653 weapons at a school-sponsored event, on school property, or
 654 within 1,000 feet of a school.
 655 (o) Section 790.115(2)(b), relating to possessing an
 656 electric weapon or device, destructive device, or other weapon
 657 at a school-sponsored event or on school property.
 658 (p) Section 794.011, relating to sexual battery.
 659 (q) Former s. 794.041, relating to sexual activity with or
 660 solicitation of a child by a person in familial or custodial
 661 authority.
 662 (r) Section 794.05, relating to unlawful sexual activity
 663 with certain minors.
 664 (s) Section 794.08, relating to female genital mutilation.
 665 (t) Chapter 796, relating to prostitution.
 666 (u) Chapter 800, relating to lewdness and indecent
 667 exposure.

Page 23 of 27

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

581-02344-18

20181756c1

668 (v) Section 806.01, relating to arson.
 669 (w) Section 810.14, relating to voyeurism.
 670 (x) Section 810.145, relating to video voyeurism.
 671 (y) Section 812.014(6), relating to coordinating the
 672 commission of theft in excess of \$3,000.
 673 (z) Section 812.0145, relating to theft from persons 65
 674 years of age or older.
 675 (aa) Section 812.019, relating to dealing in stolen
 676 property.
 677 (bb) Section 812.13, relating to robbery.
 678 (cc) Section 812.131, relating to robbery by sudden
 679 snatching.
 680 (dd) Section 812.133, relating to carjacking.
 681 (ee) Section 812.135, relating to home-invasion robbery.
 682 (ff) Section 817.563, relating to fraudulent sale of
 683 controlled substances.
 684 (gg) Section 825.102, relating to abuse, aggravated abuse,
 685 or neglect of an elderly person or disabled adult.
 686 (hh) Section 825.103, relating to exploitation of an
 687 elderly person or disabled adult.
 688 (ii) Section 825.1025, relating to lewd or lascivious
 689 offenses committed upon or in the presence of an elderly person
 690 or disabled person.
 691 (jj) Section 826.04, relating to incest.
 692 (kk) Section 827.03, relating to child abuse, aggravated
 693 child abuse, or neglect of a child.
 694 (ll) Section 827.04, relating to contributing to the
 695 delinquency or dependency of a child.
 696 (mm) Section 827.071, relating to sexual performance by a

Page 24 of 27

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

581-02344-18 20181756c1

697 child.

698 (nn) Section 843.01, relating to resisting arrest with

699 violence.

700 (oo) Chapter 847, relating to obscenity.

701 (pp) Section 874.05, relating to causing, encouraging,

702 soliciting, or recruiting another to join a criminal street

703 gang.

704 (qq) Chapter 893, relating to drug abuse prevention and

705 control, if the offense was a felony of the second degree or

706 greater severity.

707 (rr) Section 916.1075, relating to sexual misconduct with

708 certain forensic clients and reporting of such sexual

709 misconduct.

710 (ss) Section 944.47, relating to introduction, removal, or

711 possession of contraband at a correctional facility.

712 (tt) Section 985.701, relating to sexual misconduct in

713 juvenile justice programs.

714 (uu) Section 985.711, relating to introduction, removal, or

715 possession of contraband at a juvenile detention facility or

716 commitment program.

717 (2) Any misdemeanor offense prohibited under any of the

718 following statutes:

719 (a) Section 784.03, relating to battery, if the victim of

720 the offense was a minor.

721 (b) Section 787.025, relating to luring or enticing a

722 child.

723 (3) Any criminal act committed in another state or under

724 federal law which, if committed in this state, constitutes an

725 offense prohibited under any statute listed in subsection (1) or

581-02344-18 20181756c1

726 subsection (2).

727 (4) Any delinquent act committed in this state or any

728 delinquent or criminal act committed in another state or under

729 federal law which, if committed in this state, qualifies an

730 individual for inclusion on the Registered Juvenile Sex Offender

731 List under s. 943.0435(1)(h)1.d.

732 Section 9. Paragraph (e) of subsection (1) of section

733 1012.796, Florida Statutes, is amended to read:

734 1012.796 Complaints against teachers and administrators;

735 procedure; penalties.—

736 (1)

737 (e) If allegations arise against an employee who is

738 certified under s. 1012.56 and employed in an educator-

739 certificated position in any public school, charter school or

740 governing board thereof, or private school that accepts

741 scholarship students under s. 1002.385, s. 1002.39, ~~or~~ s.

742 1002.395, or another state scholarship program under chapter

743 1002, the school shall file in writing with the department a

744 legally sufficient complaint within 30 days after the date on

745 which the subject matter of the complaint came to the attention

746 of the school. A complaint is legally sufficient if it contains

747 ultimate facts that show a violation has occurred as provided in

748 s. 1012.795 and defined by rule of the State Board of Education.

749 The school shall include all known information relating to the

750 complaint with the filing of the complaint. This paragraph does

751 not limit or restrict the power and duty of the department to

752 investigate complaints, regardless of the school's untimely

753 filing, or failure to file, complaints and followup reports.

754 Section 10. This act shall take effect July 1, 2018.

581-02344-18

20181756c1

755

THE FLORIDA SENATE

APPEARANCE RECORD

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

2-8-18

Meeting Date

1756

Bill Number (if applicable)

Topic School Accountability

Amendment Barcode (if applicable)

Name Robyn Rennick

Volunteer Legislative Chair

Job Title Administrator - The Coalition of McKay Scholarship Schools

Address 5246 Centerville Rd

Street

Phone 850 893 2216

Tallahassee FL 32309

City

State

Zip

Email drills@talstar.com

Speaking: For Against Information

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Dyslexia Research Institute

Representing The Coalition of McKay Scholarship Schools

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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-8-18

Meeting Date

SB 1756

Bill Number (if applicable)

Topic School Accountability

Amendment Barcode (if applicable)

Name Stephanie Kunkel

Job Title _____

Address 213 S. Adams St.

Phone 850-320-4208

Street

Tallahassee FL 32301

Email Stephanie.Kunkel@

City

State

Zip

floridaea.org

Speaking: For Against Information

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

Representing Florida Education Association

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
APPEARANCE RECORD

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

2-8-18

Meeting Date

5B 1756

Bill Number (if applicable)

Topic School ACCOUNTABILITY

Amendment Barcode (if applicable)

Name BRENDA DICKINSON

Job Title CONSULTANT/LOBBYIST

Address P.O. Box 12563

Phone 856-264-2184

Street

TALLAHASSEE

FL

32317

Email CONSULTINGBRENDA@gmail.com

City

State

Zip

Speaking: For Against Information

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

Representing FLORIDA COUNCIL OF INDEPENDENT SCHOOLS

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

APPEARANCE RECORD

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

2/8/18

Meeting Date

SB 1756

Bill Number (if applicable)

Topic School Accountability

Amendment Barcode (if applicable)

Name Shirley Brown

Job Title Sarasota County School Board Member

Address 1353 Cottonwood

Phone 941 724-1895

Street Sarasota FL 34232

Email Shirley.Brown@sarasotacounty-schools.com

City State Zip

Speaking: [X] For [] Against [] Information

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

Representing Sarasota County Schools

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [] Yes [X] 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.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Commerce and Tourism, *Chair*
Communications, Energy, and Public Utilities,
Vice Chair
Appropriations
Appropriations Subcommittee on Pre-K - 12
Education
Health Policy
Rules

SENATOR BILL MONTFORD

3rd District

February 7, 2018

Senator Kathleen Passidomo, Chair
Senate Pre-K-12 Education Appropriations
201 The Capitol
Tallahassee, Florida 32399-1100

Dear Senator Passidomo,

I respectfully request to be excused from the Senate Pre-K-12 Education Subcommittee on Appropriations meeting scheduled for February 8, 2018.

Your consideration is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Bill Montford".

William "Bill Montford
State Senator, District 3

WM/md

Cc: Tim Elwell, Staff Director

REPLY TO:

- 410 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5003
- 20 East Washington Street, Suite D, Quincy, Florida 32351 (850) 627-9100
- 105 North Jefferson Street, Perry, Florida 32347 (850) 223-0902

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

CourtSmart Tag Report

Room: KN 412

Case No.:

Type:

Caption: Senate Appropriations Subcommittee on Pre-K-12 Education

Judge:

Started: 2/8/2018 10:06:54 AM

Ends: 2/8/2018 11:25:37 AM

Length: 01:18:44

10:07:04 AM Roll Call
10:07:15 AM Sen. Young (Chair)
10:07:55 AM S 654
10:07:57 AM Sen. Perry
10:10:27 AM Am. 911910
10:10:35 AM Sen. Perry
10:11:09 AM Sen. Rouson
10:12:08 AM Sen. Broxson
10:12:39 AM Sen. Perry
10:13:46 AM Roll Call (Favorable)
10:13:52 AM S 1306
10:13:58 AM Sen. Perry
10:14:26 AM Phillip Poekert, Assistant Director, University of Florida Lastinger Center (Waives in Support)
10:14:35 AM Debbie Mortham, Legislative Director, Foundation for Florida's Future (Waives in Support)
10:14:50 AM Roll Call (Favorable)
10:15:26 AM Sen. Passidomo
10:15:36 AM S 996
10:15:42 AM Sen. Mayfield
10:16:57 AM Sen. Broxson
10:17:12 AM Sen. Mayfield
10:17:40 AM Mark Landreth, Senior Director, American Heart Association (Waives in Support)
10:17:48 AM Dr. Fely Curva, Partner, Society of Health and Physical Educators Florida (SHAPE) (Waives in Support)
10:18:06 AM Sen. Mayfield
10:18:38 AM Roll Call (Favorable)
10:18:48 AM S 1286
10:18:51 AM Sen. Simmons
10:19:50 AM Debbie Mortham, Legislative Director, Foundation for Florida's Future (Waives in Support)
10:19:58 AM Sen. Farmer
10:20:40 AM Sen. Simmons
10:21:14 AM Roll Call (Favorable)
10:21:26 AM S 1756
10:21:30 AM Sen. Simmons
10:25:37 AM Am. 277036
10:25:39 AM Sen. Simmons
10:26:14 AM Am. 354860
10:26:19 AM Sen. Simmons
10:31:23 AM Sen. Rouson
10:32:02 AM Sen. Simmons
10:34:25 AM Sen. Passidomo
10:35:09 AM Robyn Rennick, Administrator, The Coalition of McKay Scholarship Schools
10:39:01 AM Stephanie Kunkel, Florida Education Association (Waives in Support)
10:39:20 AM Brenda Dickinson, Consultant, Florida Council of Independent Schools
10:40:18 AM Shirley Brown, School Board Member, Sarasota County Schools
10:42:04 AM Roll Call (Favorable)
10:42:17 AM S 1172
10:42:21 AM Sen. Galvano
10:43:55 AM Am. 400462
10:44:02 AM Sen. Galvano
10:44:20 AM Am. 747612
10:44:24 AM Sen. Galvano
10:44:50 AM Am. 963454
10:44:53 AM Sen. Galvano

10:45:20 AM Am. 666962
10:45:26 AM Sen. Galvano
10:45:51 AM Am. 962870
10:45:57 AM Sen. Galvano
10:46:22 AM S 1172 (cont.)
10:46:28 AM Sen. Broxson
10:47:00 AM Sen. Galvano
10:47:49 AM Sen. Rouson
10:48:17 AM Sen. Galvano
10:49:21 AM Sen. Farmer
10:49:42 AM Sen. Galvano
10:51:10 AM Sen. Farmer
10:51:24 AM Sen. Galvano
10:51:30 AM Sen. Farmer
10:51:55 AM Sen. Galvano
10:52:08 AM Sen. Lee
10:52:53 AM Sen. Galvano
10:52:54 AM Sen. Lee
10:53:53 AM Sen. Galvano
10:54:24 AM Bill Bunkley, President, Florida Ethics and Religious Liberty Commission (Waive in Support)
10:54:33 AM Amber Kelley, Florida Family Action (Waives in Support)
10:55:18 AM Scott D. McCoy, Senior Policy Counsel, Southern Poverty Law Center
10:56:55 AM Debbie Mortham, Legislative Director, Foundation for Florida's Future (Waives in Support)
10:57:03 AM David Gates (Waives in Opposition)
10:57:13 AM Shawn McDonnell (Waives in Opposition)
10:57:20 AM Andy Starling (Waives in Opposition)
10:57:28 AM Jeremy Zain (Waives in Opposition)
10:57:33 AM Kevin L. Gibbs (Waives in Opposition)
10:58:07 AM Sara Clemonts, Director of External Affairs, Step Up for Students (Waives in Support)
10:58:13 AM Chikara Parks
10:59:49 AM Nadia Duncan
11:01:36 AM Sen. Broxson
11:01:48 AM N. Duncan
11:02:04 AM Stephanie Kunkel, Legislative Specialist, Florida Education Association
11:03:54 AM Glenda Abicht, Services Technician (Waives in Opposition)
11:04:17 AM Marie-Claire Leman, Common Ground
11:06:24 AM Lynn Gray, School Board Member, Hillsborough City Public Schools
11:07:55 AM Rocco Diaz, Student (Waives in Opposition)
11:08:15 AM Sen. Galvano
11:09:36 AM Sen. Passidomo
11:09:47 AM Sen. Farmer
11:10:52 AM Roll Call (Favorable)
11:11:10 AM S 732
11:11:17 AM Sen. Baxley
11:12:04 AM Am. 394202
11:12:10 AM Sen. Baxley
11:12:59 AM Amber Kelley, Florida Family Action (Waives in Support)
11:13:04 AM Bill Bunkley, President, Florida Ethics and Religious Liberty Commission (Waives in Support)
11:13:10 AM Debbie Mortham, Legislative Director, Foundation for Florida's Future (Waives in Support)
11:13:25 AM Brenda Dickinson, Lobbyist/President, The Home Education Foundation (Waives in Support)
11:13:36 AM Roll Call (Favorable)
11:14:00 AM S 1532
11:14:08 AM Sen. Stargel
11:14:29 AM Rodney MacKinnon, Executive Director, Office of Early Learning (Waives in Support)
11:14:57 AM Roll Call (Favorable)
11:15:12 AM S 856
11:15:15 AM Sen. Broxson
11:16:11 AM Evelyn Nazaro (Waives in Support)
11:16:15 AM Luis Surillo (Waives in Support)
11:16:21 AM Jayne Walker (Waives in Support)
11:16:25 AM David Gates (Waives in Support)
11:16:29 AM Shawn McDonnell (Waives in Support)

11:16:34 AM Jeremy Zain (Waives in Support)
11:16:37 AM Kevin L. Gibbs (Waives in Support)
11:16:42 AM Adam Campbell (Waives in Support)
11:16:46 AM Cathy Boehme, Legislative Specialist, Florida Education Association (Waives in Support)
11:16:52 AM Glenda Abicht, Services Technician (Waives in Support)
11:16:56 AM Andy Starling, Electrician (Waives in Support)
11:17:17 AM Theresa King, President, FL Building and Construction Trades Council
11:18:08 AM Sen. Broxson
11:18:34 AM Roll Call (Favorable)
11:18:39 AM S 1090
11:18:48 AM Sen. Young
11:19:25 AM Holly Sagues, Executive Director of Government Affairs, Florida Virtual School (Waives in Support)
11:19:52 AM Roll Call (Favorable)
11:20:03 AM S 1056
11:20:12 AM Sen. Passidomo
11:20:57 AM Am. 442734
11:21:02 AM Sen. Passidomo
11:21:50 AM James Taylor, Executive Director, The Florida Technology Council (Waives in Support)
11:21:59 AM Sheela Vanttoose, Director of State Government Affairs, Code.org
11:23:17 AM Debbie Mortham, Legislative Director, Foundation for Florida's Future (Waives in Support)
11:23:21 AM Slater Bayliss, TechNet (Waives in Support)
11:23:25 AM Erin Choy, Past Chair, Junior Leagues of Florida (Waives in Support)
11:23:28 AM Brittney Hunt, Policy Director, Florida Chamber of Commerce (Waives in Support)
11:23:34 AM Tanya Cooper, Director of Government Relations, Department of Education (Waives in Support)
11:23:38 AM Holly Sagues, Executive Director of Government Affairs, Florida Virtual School (Waives in Support)
11:23:41 AM Tara Reid, Strategies Group, Project Lead the Way (Waives in Support)
11:23:58 AM Sen. Passidomo
11:25:03 AM Roll Call (Favorable)
11:25:10 AM Sen. Passidomo
11:25:13 AM Sen. Lee
11:25:30 AM Meeting Adjourned