

Tab 1	SB 258 by Jones ; (Similar to H 00531) Internship Tax Credit Program
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Tab 2	SB 280 by Baxley (CO-INTRODUCERS) Berman, Bracy, Diaz ; (Compare to H 00157) Cardiopulmonary Resuscitation Training in Public Schools
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Tab 3	SB 538 by Polsky ; (Similar to H 00099) Use of Epinephrine Auto-injectors on Public K-20 Campuses
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Tab 4	SB 760 by Burgess ; (Identical to H 00355) Florida High School Athletic Association (FHSAA)
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Gruters, Chair
Senator Jones, Vice Chair

MEETING DATE: Tuesday, February 16, 2021

TIME: 9:00—11:30 a.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Gruters, Chair; Senator Jones, Vice Chair; Senators Berman, Bradley, Broxson, Diaz, Hutson, Passidomo, Polsky, and Thurston

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A3 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			
		Presentations on the alignment between postsecondary education and labor market demand	Presented
		Adrienne Johnston, Director of the Division of Workforce Services, Department of Economic Opportunity	Presented
		Henry Mack, Chancellor of the Division of Career and Adult Education, Department of Education	Presented
		Marshall Criser, Chancellor of the State University System of Florida	Presented
1	SB 258 Jones (Similar H 531)	<p>Internship Tax Credit Program; Designating the "Florida Internship Tax Credit Program"; providing a corporate income tax credit for qualified businesses employing degree-seeking student interns if certain criteria are met; specifying the amount of the credit a qualified business may claim per student intern, etc.</p> <p>ED 02/16/2021 Favorable FT AP</p>	Favorable Yeas 10 Nays 0
2	SB 280 Baxley (Compare H 157)	<p>Cardiopulmonary Resuscitation Training in Public Schools; Providing that school districts are encouraged to provide basic training in first aid, including cardiopulmonary resuscitation, in specified grades; requiring school districts to provide basic training in first aid, including cardiopulmonary resuscitation, in specified grades; revising requirements for instruction in cardiopulmonary resuscitation, etc.</p> <p>ED 02/16/2021 Favorable AED AP</p>	Favorable Yeas 10 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, February 16, 2021, 9:00—11:30 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 538 Polsky (Similar H 99)	Use of Epinephrine Auto-injectors on Public K-20 Campuses; Providing that state universities and Florida College System institutions are considered authorized entities for specified purposes relating to the emergency use of epinephrine auto-injectors; requiring, rather than authorizing, public schools to purchase or acquire a supply of epinephrine auto-injectors for specified purposes; requiring state universities and Florida College System institutions to purchase or acquire a supply of epinephrine auto-injectors for specified purposes, etc. ED 02/16/2021 Favorable HP AP	Favorable Yeas 10 Nays 0
4	SB 760 Burgess (Identical H 355)	Florida High School Athletic Association (FHSAA); Requiring the FHSAA to allow certain schools and home education cooperatives to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging such school or cooperative from simultaneously maintaining membership in another athletic association; requiring, rather than authorizing, the FHSAA to allow public schools to join other athletic associations, etc. ED 02/16/2021 Favorable CA RC	Favorable Yeas 10 Nays 0
Other Related Meeting Documents			

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/16/21
Meeting Date

Bill Number (if applicable)

Topic Career & Tech Education

Amendment Barcode (if applicable)

Name Henry Mack

Job Title Chancellor

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Speaking: ☐ For ☐ Against ☐ Information

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

Representing Dep. 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)

2/16/2021
Meeting Date

Bill Number (if applicable)

Topic Programs of Strategic Emphasis

Amendment Barcode (if applicable)

Name Marshall Criser

Job Title Chancellor

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

Representing STATE UNIVERSITY SYSTEM / Board of Governors

Appearing at request of Chair: ☒ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

2/16/21

Topic	Presentations on the alignment between postsecondary education and labor market demand
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Name **Adrienne Johnston**

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Speaking: ☐ For ☐ Against ☒ Information

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

Representing Department of Economic Opportunity

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 Committee on Education

BILL: SB 258

INTRODUCER: Senator Jones

SUBJECT: Internship Tax Credit Program

DATE: February 15, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Favorable
2.			FT	
3.			AP	

I. Summary:

SB 258 creates the “Florida Internship Tax Credit Program” to authorize a tax credit of \$2,000 for each degree-seeking student intern employed by a qualified business, up to a maximum of \$10,000 in any taxable year, beginning in taxable years on or after January 1, 2022. The bill also provides a definition of a degree-seeking student intern, responsibilities for postsecondary educational institutions and the Department of Revenue, and an authorization to carry forward any unused portion of a tax credit.

The bill does not have an impact on state revenues in 2021-2022. A revenue estimating conference is required to estimate the recurring fiscal impact of the bill.

The bill takes effect on July 1, 2021.

II. Present Situation:

Internships

The National Association of Colleges and Employers (NACE) defines an internship as “a form of experiential learning that integrates knowledge and theory learned in the classroom with practical application and skill development in a professional setting. Internships give students the opportunity to gain valuable applied experience and make connections in professional fields they are considering for career paths; and give employers the opportunity to guide and evaluate talent.”¹

¹ National Association of Colleges and Employers, *Position Statement: U.S. Internships*, <http://www.nacweb.org/advocacy/position-statements/united-states-internships.aspx> (last visited Feb. 3, 2021).

NACE further defines criteria to determine if an experience is a legitimate internship:²

- The experience must be an extension of the classroom: a learning experience that provides for applying the knowledge gained in the classroom. It must not be simply to advance the operations of the employer or be the work that a regular employee would routinely perform.
- The skills or knowledge learned must be transferable to other employment settings.
- The experience has a defined beginning and end, and a job description with desired qualifications.
- There are clearly defined learning objectives or goals related to the professional goals of the student's academic coursework.
- There is supervision by a professional with expertise and educational or professional background in the field of the experience.
- There is routine feedback by the experienced supervisor.
- There are resources, equipment, and facilities provided by the host employer that support learning objectives/goals.

Internships are typically one-time work or service experiences related to the student's major or career goal. The internship plan generally involves students working in professional settings under the supervision and monitoring of practicing professionals. Internships can be paid³ or unpaid,⁴ and the student may or may not receive academic credit for performing the internship.⁵

Florida's Corporate Income Tax

It is the intent of the Legislature to subject corporations⁶ and other entities to taxation for the privilege of conducting business, deriving income, or existing within this state.⁷

² National Association of Colleges and Employers, *Position Statement: U.S. Internships*, <http://www.nacweb.org/advocacy/position-statements/united-states-internships.aspx> (last visited Feb. 3, 2021).

³ The average hourly wage for interns in 2020 was \$19.54. National Association of Colleges and Employers, *2020 Internship & Co-op Survey Report, Executive Summary* (NACE Survey) (2020), available at <https://www.nacweb.org/uploadedfiles/files/2020/publication/executive-summary/2020-nace-internship-and-co-op-survey-executive-summary.pdf>, at 3.

⁴ The U.S. Department of Labor (USDOL) provides information to help determine whether or not interns and students are considered employees entitled to minimum wages and overtime pay under the Fair Labor Standards Act. That test requires courts to analyze the "economic reality" of the intern's relationship with his or her employer to evaluate whether the internship is primarily for the economic benefit of the employer or primarily for the educational benefit of the intern. USDOL, U.S. Wage and Hour Division, *Fact Sheet #71: Internship Programs Under the Fair Labor Standards Act* (updated Jan. 2018), available at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/whdfs71.pdf>.

⁵ NACE Survey, *supra* note 3, at 2.

⁶ "Corporation" includes all domestic corporations; foreign corporations qualified to do business in this state or actually doing business in this state; specified corporations included in chapters 605, 609, 617, 618, 621, 622, and 623; foreign corporations not for profit carrying on their activities in this state; and all other organizations, associations, legal entities, and artificial persons created by or pursuant to the statutes of this state, the United States, or any other state, territory, possession, or jurisdiction. The term "corporation" does not include proprietorships; partnerships of any type; limited liability companies that are taxable as partnerships for federal income tax purposes; state or public fairs or expositions, under chapter 616; estates of decedents or incompetents; testamentary trusts; or private trusts. Section 220.03(1)(e), F.S.

⁷ Section 220.02(1), F.S.

Certain corporations doing business in Florida must pay a tax of 5.5 percent on income earned in Florida.⁸ The calculation of Florida corporate income tax starts with a corporation's federal taxable income.⁹ Taxable income earned by corporations operating in more than one state is taxed in Florida on an apportioned basis using a formula based 25 percent on property, 25 percent on payroll, and 50 percent on sales.¹⁰ Income that is apportioned to Florida using this formula is then subject to the Florida income tax. The first \$50,000 of net income is exempt, effective with tax years beginning January 1, 2013.¹¹

The Revenue Estimating Conference estimates 2021-2022 fiscal year gross corporate income tax collections of approximately \$2.67 billion.¹²

Corporate Tax Credits

Florida offers tax credits, refunds, and other incentives against the Florida corporate income tax liability to promote business development and job creation within the state.¹³ Such incentives related to employment include:

- The Rural and Urban Job Tax Credit Programs, which provide an incentive for eligible businesses, located within designated rural counties and urban areas, to create new jobs,¹⁴ valued at \$100,000 in 2019-2020¹⁵ and less than \$100,000 in 2020-2021.¹⁶
- Subtraction for Florida Employees Included in Calculation of Federal Employment Credits, which authorizes a deduction for the amount of wages and salaries paid to Florida employees for the taxable year for which no deduction is allowed under the Internal Revenue Code,¹⁷ valued at \$17.9 million in 2020-2021.¹⁸
- Enterprise Zone Jobs Tax Credit, which provides a credit of wages paid to new eligible employees who are residents of a Florida enterprise zone,¹⁹ valued at \$900,000 in 2020-2021.²⁰

⁸ Florida Revenue Estimating Conference, *2020 Florida Tax Handbook*, (Tax Handbook-2020), available at <http://edr.state.fl.us/Content/revenues/reports/tax-handbook/taxhandbook2020.pdf>, at 61. For taxable years beginning January 1, 2019 through December 31, 2021, the rate is 4.458 percent, pursuant to s. 220.1105, F.S. *Id.*

⁹ Section 220.12, F.S.

¹⁰ Tax Handbook-2020, *supra* note 8. *See also* s. 220.15, F.S.

¹¹ *Id.* *See also* s. 220.14, F.S.

¹² Florida Revenue Estimating Conference, *General Revenue Fund, Changes to the Estimate* (December 21, 2020), available at <http://edr.state.fl.us/Content/conferences/generalrevenue/grchng.pdf>.

¹³ Florida Department of Revenue, *Corporate Income Tax Incentives (Incentives Related to Jobs)*, https://floridarevenue.com/taxes/taxesfees/Pages/corp_tax_incent.aspx (last visited Feb. 12, 2021).

¹⁴ Sections 220.1895 and 212.098, F.S., and ss. 220.1895 and 212.097, F.S.

¹⁵ Florida Revenue Estimating Conference, *2019 Florida Tax Handbook*, (Tax Handbook-2019), available at <http://edr.state.fl.us/Content/revenues/reports/tax-handbook/taxhandbook2019.pdf>, at 65.

¹⁶ Tax Handbook 2020, *supra* note 8 at 68.

¹⁷ Section 220.13(1)(b)3., F.S.

¹⁸ Florida Department of Revenue, *supra* note 13.

¹⁹ Section 220.181, F.S.

²⁰ Tax Handbook-2020, *supra* note 16.

Credits against either the corporate income tax or the franchise tax are applied in an order established in law.²¹ There is presently no credit available against corporate income tax for employing degree-seeking student interns.²²

III. Effect of Proposed Changes:

The bill creates s. 220.198, F.S., to establish the “Florida Internship Tax Credit Program,” which authorizes a tax credit of \$2,000 for each degree-seeking student intern employed by a qualified business, up to a maximum of \$10,000 in any taxable year, beginning in taxable years on or after January 1, 2022. The bill also provides a definition of a degree-seeking student intern, responsibilities for postsecondary educational institutions and the Department of Revenue (DOR), and an authorization to carry forward any unused portion of a tax credit.

The bill defines a “degree-seeking student intern” as a person who is a junior or senior at a state university, a Florida College System (FCS) institution, a career center operated by a school district, or a charter technical career center, or any graduate student enrolled at a state university. The bill defines a “qualified business” as a business that is in existence and has been continuously operating for at least three years.

The bill authorizes a qualified business to receive a credit against the corporate income tax established in chapter 200, F.S., in the amount of \$2,000 per degree-seeking student intern employed by the qualified business. Under the bill, a business would qualify to receive the tax credit if:

- The business employed a degree-seeking student in an internship in which the student worked full time, which the bill defines as at least 30 hours per week, for at least nine consecutive weeks;
- The degree-seeking student intern employed by the qualified business had a minimum grade point average of 2.0 at the start of the internship;
- The state university, FCS institution, career center operated by a school district, or charter technical career center provides documentation attesting to the degree-seeking student intern’s enrollment status; and
- The qualified business provides documentation for the current taxable year to show that at least 20 percent of the business’s full-time employees were previously employed by that business as degree-seeking student interns, or the business:
 - For the three prior years on average, employed ten or fewer full-time employees;
 - Previously hired at least one degree-seeking student intern; and
 - For the current taxable year, employs on a full-time basis at least one employee who was previously employed by the business as a degree-seeking student intern.

²¹ Section 220.02(8), F.S. The credits are applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.192, those enumerated in s. 220.193, those enumerated in s. 288.9916, those enumerated in s. 220.1899, those enumerated in s. 220.194, and those enumerated in s. 220.196. *Id.*

²² Department of Revenue, *2020 Agency Legislative Bill Analysis of SB 1412* (Jan. 24, 2020), at 2.

The bill establishes a maximum credit of \$10,000 in any taxable year and authorizes a qualified business to carry forward any unused portion of the tax credit for up to two taxable years.

Finally, the bill authorizes the DOR to adopt rules governing the manner and form of applications for the tax credit and establishing qualification requirements for the tax credit. The rule may need to specify requirements not in the bill, such as timelines for approval of tax credits, and which entity receives the documentation of the student's enrollment status.

The tax credit established in the bill may provide an incentive for qualified businesses to provide internship opportunities for students.

The bill takes effect on July 1, 2021.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Qualified businesses that employ student interns specified in the bill and meet specified requirements may decrease their tax liability up to \$10,000 in any taxable year.

C. Government Sector Impact:

The Revenue Estimating Conference (conference) has not estimated the fiscal impact of the bill, but the additional exemption is expected to have a negative fiscal impact.

In 2020, the conference estimated that the tax credit provisions of Senate Bill 1412 (2020) would have a fiscal impact of \$14.2 million in the first applicable fiscal year, increasing to \$14.8 million in the third fiscal year. The conference based its estimate on 2017 corporate income tax data to identify businesses with a positive tax liability after all other credits.

Also in 2020, the Department of Revenue estimated that implementation of the internship tax credit would require approximately 316 contractor hours and 624 in-house hours to provide modifications to the SUNTAX system. The cost was estimated at \$29,388 for the first fiscal year in effect.

VI. Technical Deficiencies:

The bill uses the term “degree-seeking student intern” in the provision of a tax credit established in the bill. However, career centers operated by school districts and charter technical career centers currently do not offer associate or baccalaureate degrees,²³ and so their students are not considered “degree-seeking.” Additionally, among the postsecondary education institutions included in the bill, only Florida College System institutions and state universities enroll students as juniors or seniors as part of a baccalaureate degree program. The sponsor may consider changing the definition to “student intern” and specify that the student must be enrolled in a degree, career certificate, or diploma program at a specified Florida postsecondary education institution.

VII. Related Issues:

The bill does not define an “internship” experience, and so it is unclear if any type of work-based educational experience may qualify, such as co-operative education, apprenticeships, practicums, service learning, clinical experience, or virtual internships. The bill does not specify if the internship may be paid or unpaid, or if the student must be receiving academic course credit for the internship experience. In addition, the Department of Revenue identified several issues with similar provisions in Senate Bill 1412 (2020):²⁴

- The bill does not amend s. 220.02(8), F.S., to specify in which order this tax credit is to be claimed against corporate income tax relative to other credits that may be claimed.

²³ Workforce education programs may be conducted by a Florida College System (FCS) institution or a school district, except that college credit in an associate in applied science or an associate in science degree may be awarded only by a FCS institution. Section 1011.80(2), F.S. Career centers offer adult general education, career certificates, applied technology diplomas, continuing workforce education, and apprenticeship and preapprenticeship programs. Section 1011.80(1), F.S. In 2019-2020, Lake Technical College, the state’s only charter technical center, offered only adult general education, applied technology diploma, and career certificate programs. Florida Department of Education, *A Comparison of State of Florida Charter Technical Career Centers to District Non-Charter Career Centers, 2019-2020*, available at [2019/20 Charter Comparison Report.indd \(fldoe.org\)](#), at 10.

²⁴ Department of Revenue, *2020 Agency Legislative Bill Analysis of SB 1412* (Jan. 24, 2020), at 5.

- A tax credit provision in chapter 220, F.S., typically corresponds to an addition to s. 220.13, F.S., to prevent a taxpayer from taking an item or expense as a deduction from federal income and Florida income, and then also taking the same item or expense as a tax credit against Florida corporate income tax. The bill does not provide such corresponding provision.
- It is unclear whether an affiliated group filing a consolidated Florida return may take a tax credit of up to \$10,000 per corporation included in the consolidated filing, or whether the tax credit is limited to \$10,000 per filed return.

VIII. Statutes Affected:

This bill creates section 220.198 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 Jones

35-00585-21

2021258__

A bill to be entitled

An act relating to an internship tax credit program; creating s. 220.198, F.S.; providing a short title; defining terms; providing a corporate income tax credit for qualified businesses employing degree-seeking student interns if certain criteria are met; specifying the amount of the credit a qualified business may claim per student intern; specifying a limit on the credit claimed per taxable year; authorizing the Department of Revenue to adopt certain rules; authorizing a qualified business to carry forward unused credit for a certain time; providing an effective date.

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

Section 1. Section 220.198, Florida Statutes, is created to read:

220.198 Internship tax credit program.—

(1) This section may be cited as the "Florida Internship Tax Credit Program."

(2) As used in this section, the term:

(a) "Degree-seeking student intern" means a person who is a junior or senior at a state university, a Florida College System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center, or any graduate student enrolled at a state university.

(b) "Full time" means at least 30 hours per week.

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

35-00585-21

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(c) "Qualified business" means a business that is in existence and has been continuously operating for at least 3 years.

(3) For taxable years beginning on or after January 1, 2022, a qualified business may receive a tax credit for previously paid corporate income taxes imposed under this chapter in the amount of \$2,000 per student intern if:

(a) The qualified business employed a degree-seeking student in an internship in which the student worked full time for at least 9 consecutive weeks;

(b) The qualified business provides documentation for the current taxable year to show that at least 20 percent of the business's full-time employees were previously employed by that business as degree-seeking student interns;

(c) A degree-seeking student intern working for a qualified business had a minimum grade point average of 2.0 at the start of the internship; and

(d) The state university, Florida College System institution, career center operated by a school district under s. 1001.44, or charter technical career center has provided documentation attesting to the degree-seeking student intern's enrollment status.

(4) Notwithstanding paragraph (3)(b), a qualified business that, for the 3 prior years on average, employed 10 or fewer full-time employees may receive the tax credit if it provides documentation that it previously hired at least one degree-seeking student intern and, for the current taxable year, that it employs on a full-time basis at least one employee who was previously employed by that qualified business as a degree-

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

35-00585-21

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59 seeking student intern.

60 (5) A qualified business may not claim a tax credit of more
61 than \$10,000 for previously paid corporate income taxes in any
62 one taxable year.

63 (6) The department may adopt rules governing the manner and
64 form of applications for the tax credit and establishing
65 qualification requirements for the tax credit.

66 (7) A qualified business awarded a tax credit for
67 previously paid corporate income taxes under this section may
68 carry forward any unused portion of a tax credit for up to 2
69 taxable years.

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2-16-21

Meeting Date

258

Bill Number (if applicable)

Topic Internship Tax Credit

Amendment Barcode (if applicable)

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Speaking: ☒ For ☐ Against ☐ Information

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

Representing UCF Student Government

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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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 Committee on Education

BILL: SB 280

INTRODUCER: Senator Baxley and others

SUBJECT: Cardiopulmonary Resuscitation Training in Public Schools

DATE: February 15, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	Favorable
2.			AED	
3.			AP	

I. Summary:

SB 280 modifies the provision by school districts to provide basic training in first aid, including cardiopulmonary resuscitation (CPR), and the use of an automated external defibrillator during the instruction. Specifically the bill:

- Alters the encouragement for school districts to provide basic training in first aid, including cardiopulmonary resuscitation, for all students beginning in grade 6 and every 2 years thereafter to specify such instruction for students in grade 6 and grade 8.
- Requires school districts to provide basic training in first aid, including CPR, for all students in grade 9 and grade 11.
- Specifies the use of basic, hands-only CPR instruction. This instruction must be based on a one-hour, nationally recognized training program that uses the most current evidence-based emergency cardiovascular care guidelines.
- Removes requirement to use an automated external defibrillator in instructional practice when a school district has the equipment necessary to perform the instruction.

The bill may have an impact on school district costs. See Section V.

The bill takes effect July 1, 2021.

II. Present Situation:

Cardiac Arrest

Heart disease is the leading cause of death in the United States.¹ Sudden cardiac arrest is the leading cause of death for student athletes.²

Cardiac arrest is the abrupt loss of heart function in a person who may or may not have been diagnosed with heart disease. It can come on suddenly or in the wake of other symptoms. Cardiac arrest is often fatal if appropriate steps aren't taken immediately.³

More than 356,000 cardiac arrests occur outside a hospital in the United States each year.⁴ Among those cardiac arrests, 7,037 children experience cardiac arrest outside a hospital.⁵

Though the vast majority of cardiac arrests occur at home, about 19 percent in adults and 13 percent in children happen in public. Bystander cardiopulmonary resuscitation (CPR) can double or triple a person's chances of survival if started immediately.⁶

One major barrier to bystanders providing lifesaving care for cardiac arrest victims is a lack of training, especially in how to perform CPR.⁷

Certain people, including people in low-income, Black, and Hispanic neighborhoods, are less likely to receive CPR from bystanders than people in high-income white neighborhoods.⁸ Research has indicated that older age, lesser education, and lower income were associated with reduced likelihood of CPR training. These findings illustrate important gaps in CPR education in the United States and suggest the need to develop tailored CPR training efforts to address this variability.⁹

¹ Center for Disease Control and Prevention, *Heart Disease*, <https://www.cdc.gov/heartdisease/facts.htm> (last visited Feb. 5, 2021).

² Mayo Clinic, *Sudden death in young people: Heart problems often blamed*, <https://www.mayoclinic.org/diseases-conditions/sudden-cardiac-arrest/in-depth/sudden-death/art-20047571> (last visited Feb. 5, 2021). Section 1006.165(1)(b), F.S. requires a school employee or volunteer with current training in cardiopulmonary resuscitation and use of a defibrillator to be present at each athletic event during and outside of the school year, including athletic contests, practices, workouts, and conditioning sessions. The training must include completion of a course in cardiopulmonary resuscitation or a basic first aid course that includes cardiopulmonary resuscitation training, and demonstrated proficiency in the use of a defibrillator. Each employee or volunteer who is reasonably expected to use a defibrillator must complete this training.

³ American Heart Association, *About Cardiac Arrest*, <https://www.heart.org/en/health-topics/cardiac-arrest/about-cardiac-arrest> (Last visited Feb. 8, 2021).

⁴ *Id.*

⁵ American Academy of Pediatrics, *Advocating for Life Support training of Children, Parents, Caregivers, School Personnel, and the Public*, <https://pediatrics.aappublications.org/content/141/6/e20180705#ref-1> (last visited Feb. 8, 2021).

⁶ American Heart Association, *Why Women fear performing CPR on women – and what to do about it*, <https://www.heart.org/en/news/2020/11/23/why-people-fear-performing-cpr-on-women-and-what-to-do-about-it> (last visited Feb. 8, 2021).

⁷ University of Virginia Health, *Bystanders can Help More Cardiac Arrest Victims Survive*, <https://newsroom.uvahealth.com/2019/12/11/bystanders-save-cardiac-arrest-patients/> (last visited Feb. 8, 2021).

⁸ Centers for Disease Control and Prevention, *Three Things You May Not Know About CPR*, <https://www.cdc.gov/heartdisease/cpr.htm> (last visited Feb. 8, 2021).

⁹ Journal of the American Heart Association, *Cardiopulmonary Resuscitation Training Disparities in the United States*, <https://www.ahajournals.org/doi/10.1161/JAHA.117.006124> (last visited Feb. 12, 2021).

State Required Cardiopulmonary Resuscitation Training

According to the American Heart Association, 38 states and Washington D.C. have passed laws or adopted curriculum requiring hands-on, guidelines-based CPR training for students to graduate high school.¹⁰

Currently Florida school districts are encouraged, but not required, to provide basic training in first aid, including CPR for all students beginning in grade 6 and every two years thereafter. Private and public partnerships for providing training or necessary funding are also encouraged.¹¹

Next Generation Sunshine State Standards

There is currently one benchmark related to CPR within the Next Generation Sunshine State Standards for Physical Education, which requires students to demonstrate basic CPR procedures.¹² There are multiple courses at the high school level that incorporate instruction in basic first aid and CPR procedures, including:¹³

- Health Opportunities through Physical Education (HOPE);
- First Aid and Safety;
- Care and Prevention of Athletic Injuries;
- Water Safety;
- Personal Fitness Trainer;
- Access Health Opportunities Through Physical Education;
- Florida's Preinternational Baccalaureate Personal Fitness; and
- United States Coast Guard Leadership and Operations.

Although not a requirement, districts currently providing instruction offer hands-only CPR through HOPE and other physical education courses.¹⁴ According to the Florida Department of Education, most districts providing this instruction partner with the American Heart Association in their area, for both the instructors and necessary equipment. A program offered by the American Heart Association¹⁵ is an example of a nationally recognized training program using the most current evidence-based¹⁶ emergency cardiovascular care guidelines.

¹⁰ American Heart Association, *CPR training at school now required in 38 states*, <https://www.heart.org/en/news/2018/08/22/cpr-training-at-school-now-required-in-38-states> (last visited Feb. 5, 2021).

¹¹ Section 1003.453(3), F.S.

¹² CPALMS, Standards, *Physical Education, PE.912.M.1.17, Benchmark Information*, <https://www.cpalms.org/Public/PreviewStandard/Preview/8022> (last visited Feb. 12, 2021).

¹³ CPALMS, Standards, *Physical Education, PE.912.M.1.17, Related Courses*, <https://www.cpalms.org/Public/PreviewStandard/Preview/8022> (last visited Feb. 12, 2021). CPALMS, Course, *First Aid and Safety (#0800320)*, <https://www.cpalms.org/Public/PreviewCourse/Preview/4688> (last visited Feb. 12, 2021).

¹⁴ Email, Florida Department of Education, Legislative Affairs (Feb. 9, 2021).

¹⁵ American Heart Association, *CPR in Schools*, <https://cpr.heart.org/en/training-programs/community-programs/cpr-in-schools> (last visited Feb. 9, 2021).

¹⁶ "Evidence-based" implies sufficient clinical trial evidence to document the impact and need for each element of a specific guideline. National Center for Biotechnology Information, *Resuscitation Research and Continuous Quality Improvement* https://www.ncbi.nlm.nih.gov/books/NBK321500/#sec_000159 (last visited Feb. 12, 2021).

III. Effect of Proposed Changes:

SB 280 amends s. 1003.453(3), F.S., to specify that the encouragement for school districts to provide basic training in first aid, including cardiopulmonary resuscitation (CPR) applies to students in grade 6 and grade 8.

The bill requires school districts to provide basic training in first aid, including CPR, for all students in grade 9 and grade 11.

The bill clarifies instruction in CPR as basic, hands-only. The bill retains the requirement that a training program must use the most current evidence-based emergency cardiovascular care guidelines, but specifies that the instruction must be based on a one-hour nationally recognized training program. The bill does not specify a particular training program. Also, it is unclear if such instruction must be limited to one hour.

Hands-only CPR involves chest compressions only and does not require mouth-to-mouth breathing.¹⁷ Being trained in hands-only CPR increases the chances of a bystander taking action in a cardiac emergency.¹⁸ Requiring instruction in first aid and CPR may help a student prevent or mitigate a potentially life threatening situation.

Additionally, the bill removes the requirement to use an automated external defibrillator in instructional practice when a school district has the equipment necessary to perform the instruction.

This bill takes effect July 1, 2021.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

¹⁷ American Heart Association, *Hands-Only CPR*, <https://cpr.heart.org/en/cpr-courses-and-kits/hands-only-cpr> (Last visited Feb. 8, 2021).

¹⁸ American Heart Association, *FAQ: Hands-Only CPR*, available at https://cpr.heart.org/-/media/cpr-files/courses-and-kits/hands-only-cpr/handsonly-cpr-faqs-ucm_494175.pdf?la=en.

E. Other Constitutional Issues:

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 first aid and cardiopulmonary resuscitation 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 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 Baxley

12-00084A-21

2021280__

A bill to be entitled

An act relating to cardiopulmonary resuscitation training in public schools; amending s. 1003.453, F.S.; providing that school districts are encouraged to provide basic training in first aid, including cardiopulmonary resuscitation, in specified grades; requiring school districts to provide basic training in first aid, including cardiopulmonary resuscitation, in specified grades; revising requirements for instruction in cardiopulmonary resuscitation; providing an effective date.

WHEREAS, heart disease is the leading cause of death in the United States and Florida, and

WHEREAS, sudden cardiac arrest is the leading cause of death on school campuses and of student athletes, and

WHEREAS, an estimated 1 in 25 United States schools will have a sudden death on campus every year, and

WHEREAS, in 2019, there were approximately 356,000 sudden cardiac arrests that occurred in the United States, including 7,037 children under the age of 18 who experienced sudden cardiac arrest, and

WHEREAS, 70 out of 100 of sudden cardiac arrests happen at home, and

WHEREAS, 9 out of 10 of all sudden cardiac arrests are fatal, and

WHEREAS, only 1 in 10 victims survive a sudden cardiac arrest, and

WHEREAS, only 8 in 100 victims survive a sudden cardiac

Page 1 of 3

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

12-00084A-21

2021280__

arrest on school campuses in the United States, and

WHEREAS, the American Heart Association estimates that at least 5 in 10 victims could survive if bystanders performed cardiopulmonary resuscitation (CPR) and used automated external defibrillators (AEDs) immediately after a cardiac arrest event, and

WHEREAS, African Americans and Latinos are at least two times more likely to die from sudden cardiac arrest, African-American children are 41 percent less likely to receive CPR, and Floridians in poor areas are more likely to die due to lack of CPR education, and

WHEREAS, a University of Washington study showed that 89 in 100 victims on school campuses would survive a sudden cardiac arrest if a well-executed Cardiac Emergency Response Plan were implemented at the school campus, and

WHEREAS, the chain of survival includes prompt recognition of a sudden cardiac arrest event, notification of emergency services, prompt CPR, AED defibrillation, and advanced cardiac life support, and

WHEREAS, in Florida, there are over 40,000 heart disease deaths every single year, and

WHEREAS, Florida is a leading state for heart disease, drownings, lightning strikes, accidental deaths, and accidental overdoses, all conditions for which the initial life-saving measure is CPR, NOW, THEREFORE,

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

Section 1. Subsection (3) of section 1003.453, Florida

Page 2 of 3

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

12-00084A-21

2021280__

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 ~~grade 8 every 2 years thereafter~~. School districts are required to provide basic training in first aid, including cardiopulmonary resuscitation, for all students in grade 9 and grade 11. Instruction in the use of basic, hands-only cardiopulmonary resuscitation must be based on a one-hour, nationally recognized training program that uses the most current evidence-based emergency cardiovascular care guidelines. The instruction must allow students to practice the psychomotor skills associated with performing cardiopulmonary resuscitation and use an automated external defibrillator when a school district has the equipment necessary to perform the instruction. Private and public partnerships for providing training or necessary funding are encouraged.

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

THE FLORIDA SENATE
APPEARANCE RECORD

2/16/2021

Meeting Date

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

SB 280

Bill Number (if applicable)

Topic Cardiopulmonary Resuscitation

Amendment Barcode (if applicable)

Name Dr. Nancy Hawther

Job Title Legislation Committee member

Address 1747 Orlando Central Pkwy

Phone 407 855-7604

Street

Orlando

City

FL

State

32809

Zip

Email legislation@florida
pta.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida PTA

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)

1/16/21
Meeting Date

SB 280
Bill Number (if applicable)

Topic SCA

Amendment Barcode (if applicable)

Name Matthew Cobb

Job Title President

Address 14067 Zephermoor Lane
Street
Winter Garden FL 34787
City State Zip

Phone 407-718-6777

Email Matthewsstory2020

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Matt's Mission

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.

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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)

02/16/20
Meeting Date

SB280
Bill Number (if applicable)

Topic Need for CPR and AED training and heart screenings. Amendment Barcode (if applicable)
Name Bethany Keime

Job Title Founder and CEO of Heart+Charged

Address 19800 SW 87th AVENUE Phone 305 772 - 0114
Street

Cutler Bay FL 33157 Email bethany@get
City State Zip heart+charged.org

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.

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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)

14 Feb 2021

Meeting Date

SB 280

Bill Number (if applicable)

Topic SB 280

Amendment Barcode (if applicable)

Name SHAWN SIMA

Job Title FATHER SCA SURVIVOR, PHYSICIAN ASSISTANT

Address 141 VIA HARVARD

Phone 850 420 5117

Street

MERRITT ISLAND FL

City

State

32153

Zip

Email SHAWN.SIMA@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

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

2/16/20

Meeting Date

SB-280

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Chai Baker

Job Title _____

Address 1169 Ocala Rd

Phone _____

Street

Tallahassee

City

FL

State

32304

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.

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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)

Meeting Date _____

380
Bill Number (if applicable) _____

Topic CPR

Amendment Barcode (if applicable) _____

Name EVAN ERNST

Job Title _____

Address 106 Delia Rd
Street

Phone 321 506 0074

Colon Beach FL
City State Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Nonprofit Who we play for

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.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/2020

Meeting Date

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

280

Bill Number (if applicable)

Topic

SB 280 CPR

Amendment Barcode (if applicable)

Name

Edward Kosiec

Job Title

Broker (Real Estate)

Address

5357 Canal Drive

Phone

561-755-3722

Street

Lake Worth FL

33463

Email

edwardkosiec@gmail.com

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.

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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)

1/16/21
Meeting Date

SB 280
Bill Number (if applicable)

Topic SCA - CPR

Amendment Barcode (if applicable)

Name Joe Cobb

Job Title _____

Address 14067 Zephernear Lane
Street
Winter Garden FL 34787
City State Zip

Phone 407-466-7266

Email Matthewsstory2020@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Matt's Mission

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 Committee on Education

BILL: SB 538

INTRODUCER: Senator Polsky

SUBJECT: Use of Epinephrine Auto-injectors on Public K-20 Campuses

DATE: February 15, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Favorable
2.			HP	
3.			AP	

I. Summary:

SB 538 adds requirements related to the purchase and maintenance of a supply of epinephrine auto-injectors by K-12 public schools, Florida College System (FCS) institutions, and state universities. The bill makes mandatory provisions that are optional under current law related to the purchase and maintenance of a supply of epinephrine auto-injectors in K-12 public schools. Specifically, the bill requires K-12 public schools, FCS institutions, and state universities to:

- Purchase a supply of epinephrine auto-injectors and maintain them in a secure location in each school's or public postsecondary institution's cafeteria.
- Adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors by the school's or public postsecondary institution's personnel.

The bill provides liability protections for FCS institutions and state universities who meet specified conditions and administer epinephrine to an individual in an emergency.

The bill takes effect July 1, 2021.

II. Present Situation:

Epinephrine Use

Anaphylaxis is a severe, whole-body allergic reaction to a chemical that has become an allergen.¹ The human body releases chemicals during anaphylaxis that can cause shock, resulting in a sudden drop in blood pressure and the release of histamines, which may restrict breathing.²

¹ U.S. National Library of Medicine, National Institute of Health, *Anaphylaxis*, <http://www.nlm.nih.gov/medlineplus/ency/article/000844.htm> (last visited Feb. 12, 2021).

² Mayo Foundation for Medical Education and Research, *First Aid: Anaphylaxis*, <http://www.mayoclinic.org/first-aid/first-aid-anaphylaxis/basics/art-20056608> (last visited Feb. 12, 2021).

Symptoms of anaphylaxis include rapid, weak pulse; skin rash; nausea; and vomiting.³ Common causes include certain medications, some foods, insect bites or stings, and exposure to latex.⁴ Food allergies are also the most common cause of anaphylaxis cases in children.⁵

An epinephrine auto-injector is a prescription medication in a specific dose-for-weight device that is packaged for self-delivery in the event of a life-threatening allergic reaction.⁶ An epinephrine injection is used along with emergency medical treatment to treat anaphylaxis. Epinephrine is in a class of medications called alpha- and beta-adrenergic agonists (sympathomimetic agents). It works by relaxing the muscles in the airways and tightening the blood vessels.⁷ Anaphylaxis requires an immediate injection of epinephrine. If anaphylaxis isn't treated right away, it can be fatal.⁸

Regulation

Subject to statutory exceptions, it is illegal for a drug manufacturer⁹ or wholesale distributor¹⁰ in Florida to distribute a prescription drug to a person without a prescription.¹¹ One such statutory exception authorizes a public school to purchase a supply of epinephrine auto-injectors from a wholesale distributor or manufacturer.¹² In addition, a manufacturer or wholesale distributor of epinephrine auto-injectors may sell a prescription drug to:¹³

- A licensed pharmacist or any person under the licensed pharmacist's supervision while acting within the scope of the licensed pharmacist's practice;
- A licensed practitioner authorized by law to prescribe prescription drugs or any person under the licensed practitioner's supervision while acting within the scope of the licensed practitioner's practice;
- A qualified person who uses prescription drugs for lawful research, teaching, or testing, and not for resale;
- A licensed hospital or other institution that procures such drugs for lawful administration or dispensing by practitioners;
- An officer or employee of a federal, state, or local government; or
- A person that holds a valid permit issued by the Department of Business and Professional Regulation, which authorizes that person to possess prescription drugs.

³ Mayo Foundation for Medical Education and Research, *First Aid: Anaphylaxis*, <http://www.mayoclinic.org/first-aid/first-aid-anaphylaxis/basics/art-20056608> (last visited Feb. 12, 2021).

⁴ Mayo Clinic, *Anaphylaxis - Definition*, <http://www.mayoclinic.org/diseases-conditions/anaphylaxis/basics/definition/con-20014324> (last visited: Feb. 12, 2021).

⁵ *Id.*

⁶ Rule 6A-6.0251, F.A.C.

⁷ National Institute of Health, Medline Plus, *Epinephrine Injection*, <https://medlineplus.gov/druginfo/meds/a603002.html> (last visited Feb. 11, 2021).

⁸ Mayo Clinic, *supra* note 4.

⁹ “Manufacturer” is defined in s. 499.003(29), F.S.

¹⁰ “Wholesale distributor” means a person, other than a manufacturer, a manufacturer’s co-licensed partner, a third-party logistics provider, or a repackager, who is engaged in wholesale distribution. Section 499.003(49), F.S.

¹¹ Section 499.005(14), F.S.

¹² Section 1002.20(3)(i), F.S.

¹³ Section 499.03(1), F.S.

Epinephrine in Schools

Federal law provides a financial incentive for schools to maintain a supply of epinephrine auto-injectors and permit trained personnel to administer it.¹⁴ A state receives priority under the federal Children's Asthma Treatment Grants Program¹⁵ if the state attorney general certifies adequate civil liability protections exist for personnel trained to administer epinephrine to a student, and the state requires K-12 public schools to:

- Permit trained personnel of the school to administer epinephrine to any student of the school reasonably believed to be having an anaphylactic reaction;
- Maintain a supply of epinephrine in a secure location that is easily accessible to trained personnel of the school for the purpose of administration to any student of the school reasonably believed to be having an anaphylactic reaction; and
- Have in place a plan for having on the premises of the school during all operating hours of the school one or more individuals who are trained personnel of the school.

Twelve states currently require schools to maintain a supply of epinephrine auto-injectors.¹⁶ K-12 public and private schools in Florida may purchase and maintain a supply of epinephrine auto-injectors in a secure, locked location on school premises for use if a student has an anaphylactic reaction.¹⁷ A participating school district or private school is required to adopt a protocol developed by a licensed physician for administration of the epinephrine by school personnel. The epinephrine auto-injectors may be administered by school personnel or self-administered by the student.¹⁸

A student may carry an epinephrine auto-injector to self-administer epinephrine with written authorization from a physician and parent.¹⁹ For each student authorized to carry an epinephrine auto-injector, the school nurse must develop an annual child-specific action plan for an anticipated health emergency in the school setting.²⁰

K-12 public schools, their employees, and physicians who provide the standing protocol, are exempted from liability for any injury arising from the use of an epinephrine auto-injector so long as the epinephrine auto-injector is administered by trained school personnel who follow the standing protocol and whose professional opinion is that the individual is having an anaphylactic

¹⁴ The School Access to Emergency Epinephrine Act of 2013, Pub. Law 113-48, H.R. 2094, 113th Cong. (Nov. 13, 2013).

¹⁵ 42 U.S.C. s. 280g.

¹⁶ Food Allergy and Anaphylaxis Connection Team, *Government Relations*, <https://www.foodallergyawareness.org/government-relations/school-access-to-emergency-epinephrine-act/>, (last visited Feb. 12, 2021). The states with laws that require schools to maintain a supply of epinephrine are Arizona, California, Connecticut, Delaware, Maryland, Michigan, Nebraska, New Jersey, North Carolina, Nevada, Utah, and Virginia.

¹⁷ Section 1002.20(3)(i), F.S.

¹⁸ *Id.*

¹⁹ Rule 6A-6.0251, F.A.C.

²⁰ *Id.* The annual plan is developed in cooperation with the student, parent, healthcare provider, and school personnel for the student with life threatening allergies and must specify that the emergency number 911 will be called immediately for an anaphylaxis event. It must also describe a plan of action if the student is unable to perform self-administration of the epinephrine auto-injector.

reaction.²¹ The liability protections apply unless the trained school personnel's action is willful and wanton and apply:²²

- Even if the individual to whom the epinephrine is administered has not been provided notice or has not signed a statement acknowledging that the school is not liable; or
- Regardless of whether authorization has been given by the parent or legal guardian of the student.

III. Effect of Proposed Changes:

SB 538 adds requirements related to the purchase and maintenance of a supply of epinephrine auto-injectors by K-12 public schools, Florida College System (FCS) institutions, and state universities. The bill makes mandatory provisions that are optional under current law related to the purchase and maintenance of a supply of epinephrine auto-injectors in K-12 public schools. Specifically, the bill requires K-12 public schools, FCS institutions, and state universities to:

- Purchase a supply of epinephrine auto-injectors and maintain them in a secure location in each school's or public postsecondary institution's cafeteria.
- Adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors by the school's or public postsecondary institution's personnel.

The bill provides liability protections for FCS institutions and state universities who meet specified conditions and administer epinephrine to an individual in an emergency.

The bill adds to s. 381.88, F.S., state universities and FCS institutions to the list of entities specifically authorized to make a stock supply of epinephrine auto-injectors available to individuals who have not been certified to administer the auto-injector, if:²³

- The supply of epinephrine auto-injectors was prescribed by an authorized health care practitioner;
- The epinephrine auto-injectors are stored in a locked, secure container and are made available only upon remote authorization by an authorized health care practitioner;
- Administration of the auto-injector only occurs after consultation with the authorized health care practitioner by audio, televideo, or other similar means of electronic communication; and
- Administration of the auto-injector is limited to when a person is believed in good faith to be experiencing a severe allergic reaction.

The bill modifies s. 1002.20, F.S., to make mandatory, rather than optional, provisions related to epinephrine in K-12 public schools. The bill also creates s. 1004.0963, F.S., to add similar requirements for state universities and FCS institutions to maintain a supply of epinephrine. The bill requires each state university, FCS institution, and K-12 public school to:

- Purchase a supply of epinephrine auto-injectors from a wholesale distributor or enter into an arrangement with a wholesale distributor or manufacturer for the epinephrine auto-injectors at fair market, free, or reduced prices for use in the event a student has an anaphylactic reaction.

²¹ Section 1002.20(3)(i)3., F.S.

²² *Id.*

²³ Section 381.885(4), F.S.

- Maintain auto-injectors in a secure location in each public school's cafeteria or state university or FCS institution cafeterias. Schools retain the authority under current law and state universities and FCS institutions are authorized, to maintain auto-injectors in other secure locations on the public school's, state university's, or FCS institution's premises. The bill defines "cafeteria" as a space to eat or that serves food and that has a capacity of 50 or more persons, including dining halls on a state university or FCS institution campus.

The bill requires each state university or FCS institution to adopt a protocol developed by a licensed physician for the administration by the state university's or FCS institution's personnel who are trained to recognize an anaphylactic reaction and to administer an epinephrine auto-injection.

The bill aligns liability protections for state universities and FCS institutions with existing liability protections for the administration of epinephrine in K-12 public schools. The bill exempts an FCS institution or state university, their employees, agents, and the physician who provides the standing protocol from liability for any injury arising from the use of an epinephrine auto-injector so long as the epinephrine auto-injector is administered by trained school personnel who follow the standing protocol and whose professional opinion is that the individual is having an anaphylactic reaction. The liability protections apply unless the trained school personnel's action is willful and wanton and apply:

- Even if the individual to whom the epinephrine is administered has not been provided notice or has not signed a statement acknowledging that the state university or FCS institution is not liable; or
- Regardless of whether authorization has been given by the individual or the individual's parent or legal guardian if the individual is under the age of 18.

The administration of an epinephrine auto-injector pursuant to this bill may prevent the death of a student who experiences anaphylaxis on a school or public postsecondary institution campus.

The bill does not have an impact on state expenditures or revenues. However, the bill adds requirements for school districts, state universities, and FCS institutions to purchase and maintain a supply of epinephrine auto-injectors.

The bill takes effect July 1, 2021.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the Florida Board of Governors of the State University System, state universities may incur an estimated expense of approximately \$696.52 for the purchase of each two-pack of epinephrine auto-injectors, which require periodic replacement.²⁴ K-12 public schools and Florida College System (FCS) institutions may incur similar expenses. The total expenses will depend on the number of qualifying cafeterias on public school, state university, and FCS institution sites.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 381.88 and 1002.20.

This bill creates section 1004.0963 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.

²⁴ Board of Governors, *Legislative Bill Analysis for SB 538* (2021), at 2.

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 Polsky

29-00588-21

2021538__

A bill to be entitled

An act relating to the use of epinephrine auto-injectors on public K-20 campuses; amending s. 381.88, F.S.; providing that state universities and Florida College System institutions are considered authorized entities for specified purposes relating to the emergency use of epinephrine auto-injectors; amending s. 1002.20, F.S.; requiring, rather than authorizing, public schools to purchase or acquire a supply of epinephrine auto-injectors for specified purposes; requiring such epinephrine auto-injectors be maintained in a specified location; defining the term "cafeteria"; creating s. 1004.0963, F.S.; requiring state universities and Florida College System institutions to purchase or acquire a supply of epinephrine auto-injectors for specified purposes; providing requirements for such supplies of epinephrine auto-injectors; defining the term "cafeteria"; requiring state universities and Florida College System institutions to develop specified protocols; providing requirements for such protocols; providing liability for the use of such epinephrine auto-injectors; providing an effective date.

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

Section 1. Paragraph (b) of subsection (2) of section 381.88, Florida Statutes, is amended to read:
381.88 Emergency allergy treatment.—

Page 1 of 5

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

29-00588-21

2021538__

(2) As used in this section and s. 381.885, the term:

(b) "Authorized entity" means an entity or organization at or in connection with which allergens capable of causing a severe allergic reaction may be present. The term includes, but is not limited to, restaurants, recreation camps, youth sports leagues, theme parks and resorts, and sports arenas. However, a school as described in s. 1002.20(3)(i) or s. 1002.42(17)(b), or a state university or Florida College System institution as described in s. 1004.0963, is an authorized entity for the purposes of s. 381.885(4) and (5) only.

Section 2. Paragraph (i) of subsection (3) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(3) HEALTH ISSUES.—

(i) *Epinephrine use and supply.*—

1. A student who has experienced or is at risk for life-threatening allergic reactions may carry an epinephrine auto-injector and self-administer epinephrine by auto-injector while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities if the school has been provided with parental and physician authorization. The State Board of Education, in cooperation with the Department of Health, shall adopt rules for such use of epinephrine auto-injectors that shall include provisions to

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

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protect the safety of all students from the misuse or abuse of auto-injectors. A school district, county health department, public-private partner, and their employees and volunteers shall be indemnified by the parent of a student authorized to carry an epinephrine auto-injector for any and all liability with respect to the student's use of an epinephrine auto-injector pursuant to this paragraph.

2. Each A public school ~~must~~ may purchase a supply of epinephrine auto-injectors from a wholesale distributor as defined in s. 499.003 or ~~may~~ enter into an arrangement with a wholesale distributor or manufacturer as defined in s. 499.003 for the epinephrine auto-injectors at fair market ~~fair market~~, free, or reduced prices for use in the event a student has an anaphylactic reaction. The epinephrine auto-injectors must be maintained in a secure location in each school's cafeteria and may be maintained in other secure locations on the public school's premises. For purposes of this subparagraph, the term "cafeteria" means a space to eat or that serves food and that has a capacity of 50 or more persons. The participating school district shall adopt a protocol developed by a licensed physician for the administration by school personnel who are trained to recognize an anaphylactic reaction and to administer an epinephrine auto-injection. The supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector under subparagraph 1. or trained school personnel.

3. The school district and its employees, agents, and the physician who provides the standing protocol for school epinephrine auto-injectors are not liable for any injury arising

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from the use of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction:

a. Unless the trained school personnel's action is willful and wanton;

b. Notwithstanding that the parents or guardians of the student to whom the epinephrine is administered have not been provided notice or have not signed a statement acknowledging that the school district is not liable; and

c. Regardless of whether authorization has been given by the student's parents or guardians or by the student's physician, physician assistant, or advanced practice registered nurse.

Section 3. Section 1004.0963, Florida Statutes, is created to read:

1004.0963 Epinephrine use and supply.—

(1) Each state university or Florida College System institution must purchase a supply of epinephrine auto-injectors from a wholesale distributor as defined in s. 499.003 or enter into an arrangement with a wholesale distributor or manufacturer as defined in s. 499.003 for the epinephrine auto-injectors at fair market, free, or reduced prices for use in the event an individual has an anaphylactic reaction. The epinephrine auto-injectors must be maintained in a secure location in each of the state university's or Florida College System institution's cafeterias and may be maintained in other secure locations on each campus. For purposes of this section, the term "cafeteria" means a space to eat or that serves food and that has a capacity

29-00588-21

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117 of 50 or more persons, including dining halls. The state
118 university or Florida College System institution shall adopt a
119 protocol developed by a licensed physician for the
120 administration by the state university's or Florida College
121 System institution's personnel who are trained to recognize an
122 anaphylactic reaction and to administer an epinephrine auto-
123 injection.

124 (2) The state university or Florida College System
125 institution and its employees, agents, and the physician who
126 provides the standing protocol for epinephrine auto-injectors
127 are not liable for any injury arising from the use of an
128 epinephrine auto-injector administered by trained state
129 university or Florida College System institution personnel who
130 follow the adopted protocol and whose professional opinion is
131 that the individual is having an anaphylactic reaction:

132 (a) Unless the trained state university or Florida College
133 System institution personnel's action is willful and wanton;

134 (b) Notwithstanding that the individual to whom the
135 epinephrine is administered has not been provided notice or has
136 not signed a statement acknowledging that the state university
137 or Florida College System institution is not liable; and

138 (c) Regardless of whether authorization has been given by
139 the individual or the individual's parent or legal guardian if
140 the individual is under the age of 18.

141 Section 4. This act shall take effect July 1, 2021.

THE FLORIDA SENATE
APPEARANCE RECORD

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

02/16/21

Meeting Date

SP-538

Bill Number (if applicable)

Topic Epinephrine Auto injectors.

Amendment Barcode (if applicable)

Name Ewing Rodriguez

Job Title Attorney General at SG

Address 14525 Stonewall Way

Phone 407-797-5241

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Orlando

City

FL

State

Zip

Email esg9-99@uct.edu

Speaking: ☒ For ☐ Against ☐ Information

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

Representing University of Central 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 Committee on Education

BILL: SB 760

INTRODUCER: Senator Burgess

SUBJECT: Florida High School Athletic Association (FHSAA)

DATE: February 15, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Westmark	Bouck	ED	Favorable
2. _____	_____	CA	_____
3. _____	_____	RC	_____

I. Summary:

SB 760 enables public schools, virtual schools, and home education cooperatives to choose to maintain sport-selected membership, not only full membership, in the Florida High School Athletic Association (FHSAA) without penalty from the FHSAA.

The bill takes effect July 1, 2021.

II. Present Situation:

The Florida High School Athletic Association

The Florida High School Athletic Association (FHSAA) is designated by law as the governing nonprofit organization of athletics in Florida public schools.¹ The FHSAA is not a state agency, but performs similar functions.² The FHSAA is required to adopt bylaws regulating student eligibility, student residency and transfer, recruiting, health and safety, and investigations and sanctions.³ The bylaws of the FHSAA govern high school athletic programs in its member schools, unless otherwise specifically provided by statute.⁴

If the FHSAA fails to meet requirements specified in law, the Commissioner of Education must designate a nonprofit organization to govern athletics with the approval of the State Board of Education.⁵

¹ Section 1006.20(1), F.S.

² *Id.*

³ Section 1006.20(2)(a), F.S.

⁴ Section 1006.20(1), F.S.

⁵ *Id.*

FHSAA Membership

Any high school⁶ in the state, including charter schools, virtual schools, and home education cooperatives,⁷ may become a member of the Florida High School Athletic Association (FHSAA) and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school.⁸ The FHSAA must allow a private school the option of maintaining full membership in the association or joining by sport, and may not discourage a private school from simultaneously maintaining membership in another athletic association.⁹ The FHSAA may allow a public school the option to apply for consideration to join another athletic association.¹⁰

Qualifications for membership in the FHSAA for a Florida secondary school that is accredited and registered with the Florida Department of Education, as well as a home education cooperative, include, but are not limited to:¹¹

- Approval by its governing body of the FHSAA bylaws as the rules governing its interscholastic athletic program;
- Payment of all dues and fees required of member schools;
- Maintenance of insurance coverage required of member schools; and
- Successful completion of the application and provisional period.

Among other responsibilities, the FHSAA Board of Directors approves schools or cooperatives for initial and continuing membership, adopts and amends administrative regulations to govern FHSAA programs, and serves as its highest appellate authority.¹²

The FHSAA defines full member schools as those enjoying all privileges of membership, including the privilege to:¹³

⁶ A senior high school is defined as “any traditional public school, charter school, virtual school, private school or university laboratory school that provides instruction to students at one or more grade levels from 9 through 12.” A combination school is defined as “any traditional public school, charter school, virtual school, private school or university laboratory school that provides instruction to students in both middle/junior high school grades and/or senior high school grades (i.e. K-12, K-8, 6-12, 7-12, etc.) under the direction of a single principal as defined in Bylaw 1.4.25 and located on the same campus, except for 9-12 high schools which have 9th grade centers at a separate location, with participation and enrollment based on a single campus site.” Middle/junior high schools may also join the FHSAA, such schools are defined as “any traditional public school, charter school, virtual school, private school or university laboratory school that provides instruction to students in middle school configurations (terminal grade of 6, 7 or 8) or junior high school configurations (terminal grade of 9).” Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association, Inc.* (2020-21 Ed.), available at https://fhsaa.com/documents/2020/10/1/2021_handbook_website_1001.pdf?id=292, at 9.

⁷ Defined as “a parent-directed group of individual home education students that provides opportunities for interscholastic athletic competition to those students and may include students in grades 6-12.” *Id.*

⁸ Section 1006.20(1), F.S.

⁹ *Id.*

¹⁰ *Id.*

¹¹ Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association, Inc.* (2020-21 Ed.), available at https://fhsaa.com/documents/2020/10/1/2021_handbook_website_1001.pdf?id=292, at 9.

¹² *Id.*, at 9, 12, and 14. The FHSAA is composed of 16 individuals: four elected public school representatives, four elected private school representatives, two elected district school superintendents, two elected district school board members, three representatives appointed by the Commissioner of Education, and the Commissioner of Education or his/her designated representative. Florida High School Athletic Association, *Board of Directors*, https://fhsaa.com/sports/2020/3/11/Board_of_Directors.aspx (last visited Feb. 11, 2021).

¹³ Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association, Inc.* (2020-21 Ed.), available at https://fhsaa.com/documents/2020/10/1/2021_handbook_website_1001.pdf?id=292, at 8 and 12. Other

- Compete in FHSAA championships;
- Vote in FHSAA elections;
- Seek election to positions in the FHSAA governance structure and substructures; and
- Make applications for and serve as host of multi-school events that require FHSAA office approval.

FHSAA bylaws state that the privilege to participate in the Florida High School State Championship Series is limited only to those senior high schools and combination schools duly elected to full membership in the FHSAA.¹⁴

A school may exercise the option of independent status.¹⁵ However, the FHSAA prohibits member schools from declaring independence in a sport and organizing a conference or league to conduct a playoff or championship without approval of the FHSAA Board of Directors.¹⁶

Athletic Associations

Other athletic associations within the state include the Florida Independent Christian Athletic Association and the Sunshine State Athletic Conference. Outside of Florida, at least a dozen states host multiple state-based athletic associations.¹⁷

III. Effect of Proposed Changes:

SB 760 requires the Florida High School Athletic Association (FHSAA) to allow a public school, a charter school, a virtual school, and a home education cooperative the option of maintaining full membership in the FHSAA or joining by sport. The bill specifies that the FHSAA may not discourage such school or cooperative from simultaneously maintaining membership in another athletic association.

The bill requires the FHSAA to allow a public school to join another athletic association, rather than providing the public school the option to apply for consideration to join.

The bill prohibits the FHSAA from taking any retributory or discriminatory action against any of its member schools that join another athletic association, not only against those who participate in interscholastic competition with non-FHSAA member Florida schools. The bill also prohibits the FHSAA from punishing, discouraging, intimidating, or penalizing any private school; public school, including a charter school; virtual school; and home education cooperative from choosing not to participate in the FHSAA for any sport.

categories of membership defined by the FHSAA include restricted member, applying member, provisional member, and membership by sport.

¹⁴ Florida High School Athletic Association, *Bylaws of the Florida High School Athletic Association, Inc.* (2020-21 Ed.), available at https://fhsaa.com/documents/2020/10/1//2021_handbook_website_1001.pdf?id=292, at 8.

¹⁵ *Id.*, at 58. Reasons for independence include a newly opening school; a school that has consistently been unable to compete in the classification to which it is assigned; a school that is geographically isolated and chooses not to participate for financial reasons; a school whose educational philosophies prohibit such extended athletic participation; or a school that does not or cannot compete for religious reasons. *Id.*

¹⁶ *Id.*

¹⁷ See National Federation of State High School Associations, *State High School Associations Come in All Shapes and Sizes*, <https://www.nfhs.org/articles/state-high-school-associations-come-in-all-shapes-and-sizes/> (last visited Feb. 12, 2021).

The bill may offer a school that is a member of the FHSAA the flexibility to choose the athletic association appropriate for each of its offered sports, while ensuring the school can maintain privileges under the FHSAA.

The bill takes effect July 1, 2021.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.20 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 Burgess

20-00571A-21

2021760__

A bill to be entitled

An act relating to the Florida High School Athletic Association (FHSAA); amending s. 1006.20, F.S.; requiring the FHSAA to allow certain schools and home education cooperatives to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging such school or cooperative from simultaneously maintaining membership in another athletic association; requiring, rather than authorizing, the FHSAA to allow public schools to join other athletic associations; prohibiting the FHSAA from taking retributory or discriminatory actions against member schools that join other athletic associations; prohibiting the FHSAA from taking certain actions against specified entities that choose not to participate in the association for any sport; providing an effective date.

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

Section 1. Subsection (1) of section 1006.20, Florida Statutes, is amended to read:

1006.20 Athletics in public K-12 schools.—

(1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High School Athletic Association (FHSAA) is designated as the governing nonprofit organization of athletics in Florida public schools. If the FHSAA fails to meet the provisions of this section, the commissioner shall designate a nonprofit organization to govern athletics with the approval of the State

Page 1 of 3

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20-00571A-21

2021760__

Board of Education. The FHSAA is not a state agency as defined in s. 120.52. The FHSAA shall be subject to the provisions of s. 1006.19. A private school that wishes to engage in high school athletic competition with a public high school may become a member of the FHSAA. Any high school in the state, including charter schools, virtual schools, and home education cooperatives, may become a member of the FHSAA and participate in the activities of the FHSAA. However, membership in the FHSAA is not mandatory for any school. The FHSAA must allow a private school or a public school, including a charter school, a virtual school, and a home education cooperative, the option of maintaining full membership in the association or joining by sport and may not discourage such school or cooperative ~~a private school~~ from simultaneously maintaining membership in another athletic association. The FHSAA must ~~may~~ allow a public school ~~the option to apply for consideration~~ to join another athletic association. The FHSAA may not deny or discourage interscholastic competition between its member schools and non-FHSAA member Florida schools, including members of another athletic governing organization, and may not take any retributory or discriminatory action against any of its member schools that join another athletic association or that participate in interscholastic competition with non-FHSAA member Florida schools. The FHSAA may not punish, discourage, intimidate, or penalize any private school or public school, including a charter school, a virtual school, and a home education cooperative, from choosing not to participate in the association for any sport. The FHSAA may not unreasonably withhold its approval of an application to become an affiliate

Page 2 of 3

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20-00571A-21

2021760__

59 member of the National Federation of State High School
60 Associations submitted by any other organization that governs
61 interscholastic athletic competition in this state. The bylaws
62 of the FHSAA are the rules by which high school athletic
63 programs in its member schools, and the students who participate
64 in them, are governed, unless otherwise specifically provided by
65 statute. For the purposes of this section, "high school"
66 includes grades 6 through 12.

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

YOU MUST PRINT **AND DELIVER** THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Stuart Weiss

Job Title President

Address P.O. Box 1881

Phone 850-933-5994

Street

Valrico

FL

33595

Email edward@rsaconsultingllc.com

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Sunshine State Athletic Conference

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)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/2021

Meeting Date

760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Ron Book

Job Title Ronald L. Book, P.A.

Address 104 W Jefferson Street

Phone 850.224.3427

Street

Tallahassee

FL

32301

Email Ron@rlbookpa.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida High School Athletic 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.

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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 16th 2021
Meeting Date

SB 760
Bill Number (if applicable)

Topic FHSAA Requirement

Amendment Barcode (if applicable)

Name David Sender

Job Title STATES MAN Retired H.S. Athlete

Address 166 Winterson
Street Phone 352 805 6597

City Fruitland Park FL 34731 State Zip Email golferdave55@gmail.com

Speaking: ☐ For ☐ Against ☒ Information

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

Representing Self & wife

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)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Mark J. Marsala

Job Title Director of Athletics

Address 7100 Davis Blvd

Phone 239-777-6660

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Naples

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34104

Email mmarsala@seacrest.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing SEACREST COUNTRY DAY

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.

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S-001 (10/14/14)

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Duplicate

THE FLORIDA SENATE
APPEARANCE RECORD

2/16/21

Meeting Date

~~855~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Steve Bishop

Job Title Executive Director/President

Address 15010 US Highway 441

Phone 352-742-0080

Street

Eustis

FL

32726

Email steve@floridavolleyball.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Region of USA Volleyball

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.

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S-001 (10/14/14)

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

Duplicate

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

255 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name James Coffey

Job Title Athletic Director Lakeside Christian School

Address 1897 Sunset Point Road

Phone 727-575-0425

Street

Clearwater

FL

33765

City

State

Zip

Email jcoffey@lakesidechristianschool.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing LAKESIDE CHRISTIAN

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.

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Duplicate

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Stephen Boyer

Job Title Athletic Director

Address 1105 58th ave

Phone 772-321-1725

Street

Vero beach

FI

32966

City

State

Zip

Email S.boyer@mastersvb.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Masters Academy of Vero Beach

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Lisa Kleinmann

Job Title Head of School

Address 3750 Colonial Blvd.

Street

Phone 2399368865

Ft. Myers

FL

33966

City

State

Zip

Email lisa.kleinmann@sfcakings.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing SOUTHWEST FLORIDA CHRISTIAN SCHOOL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Don Birdsall

Job Title Athletic Director

Address 1533 Normandy Way

Phone 352-787-7762

Street

Leesburg

FL

34748

Email dbirdsall@faleesburg.com

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing First Academy - Leesburg

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.

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name GregGage

Job Title AthleticDirector

Address 140MagnoliaAvenue

Phone 321453-2710

Street

MerrittIsland

FL

32926

City

State

Zip

Email GGage@MICSCougars.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing MerrittIslandChristianSchool

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.

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

~~355~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Michelle Metzler

Job Title Athletic Director

Address 8350 Okeechobee Blvd.

Phone 561 7980-9300

Street

West Palm Beach

FL

33411

Email michelle_metzler@gobcsbulldogs.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Berean Christian School

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.

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S-001 (10/14/14)

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THE FLORIDA SENATE
APPEARANCE RECORD

2/16/21

Meeting Date

~~355~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Gary Dreyer

Job Title Athletic Director

Address 8228 N. Josh Way

Phone 352-422-7622

Street

Citrus Springs

FL

34433

Email gdreyer@sevenrivers.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Seven Rivers Christian School

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.

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Melissa King

Job Title Principal

Address 701 S Parrott Ave

Phone 863-763-3072

Street

Okeechobee

FL

34974

City

State

Zip

Email melissa.king@okeechobeechristianacademy.org

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Okeechobee Christian Academy

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.

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S-001 (10/14/14)

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THE FLORIDA SENATE
APPEARANCE RECORD

2/16/21

Meeting Date

~~355~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Shane Marcey

Job Title Athletic Director

Address 2585 Glades Circle

Phone 954 389 2454

Street

Weston

FL

33327

City

State

Zip

Email smarcey@sagemont.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing The Sagemont School

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

~~355~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Greg Frescoln

Job Title Principal

Address 219 N. 13th St.

Street

Leesburg

City

FL

State

34748

Zip

Phone (352)787-7762

Email gfrescoln@faleesburg.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing First Academy-Leesburg

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.

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YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

855 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Elizabeth Hardage

Job Title Head of School

Address 5001 State Road 540 W.

Phone 863-293-5980

Street

Winter Haven FL 33880

City

State

Zip

Email ehardage@allSaintsAcademy.com ext. 3336

Speaking: ☒ For ☐ Against ☐ Information

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

Representing All Saints Academy

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.

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S-001 (10/14/14)

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

2/16/21

Meeting Date

THE FLORIDA SENATE

APPEARANCE RECORD

~~355~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name R.J. Fuhr

Job Title Head Football Coach/Oak Hall School

Address _____

Street

Phone 352-266-5912

City

State

Zip

Email rfuhr@oakhall.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing OAK HALL SCHOOL

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 (10/11/11)

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

855 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Mike Marciano

Job Title Athletic Director

Address 3750 Colonial Blvd

Phone 2399368865

Street

Ft. Myers

FL

33966

Email mike.marciano@sfcakings.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing SOUTH WEST FLORIDA CHRISTIAN SCHOOL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

~~355~~ 760
Bill Number (if applicable)

Topic Florida High School Athletic Association

Name Monty Vann

Amendment Barcode (if applicable)

Job Title Head Football/Track Coach; teacher

Address 1707 N. Crooked Branch

Street

Lecanto

City

FL

State

34461

Zip

Phone 321-295-9145

Email mvann@sevenrivers.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing SSAC (Sunshine State Athletic Conference) and Seven Rivers Christian School

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.

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Chad Bishop

Job Title Athletic Director

Address 2400 Pine Tree Drive

Phone 3055326421 x112

Street

Miami Beach

FL

33021

Email cbishop@rasg.org

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

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

Representing ~~XXXXXXXXXX~~ (RASG) HEBREW ACADEMY

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.

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355-760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Jimmy Smith

Job Title Owner

Address 1951 Lake Seward Dr

Phone 863-698-3211

Street

Lakeland

FL

33813

City

State

Zip

Email

Speaking: ☐ 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 ☒ 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.

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

~~355~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Judy Stinson

Job Title Banker

Address 5220 Charles Ln

Street

Phone 863-370-7785

Lakeland

FL

33811

City

State

Zip

Email

Speaking: ☐ 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 ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Butch Jackson

Job Title Retired

Address 1974 Belmont Wood Dr

Phone 863-559-4992

Street

Mulberry

FL

33860

City

State

Zip

Email

Speaking: ☐ 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 ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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Duplicate

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Patricia Jackson

Job Title City Manager

Address 1974 Belmont Wood Dr

Phone 863-559-2409

Street

Mulberry

FL

33860

City

State

Zip

Email

Speaking: ☐ 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 ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Rick Lester

Job Title Office Manager

Address 2304 Leonard Dr

Phone 813-599-5613

Street

Seffner

FL

33584

City

State

Zip

Email

Speaking: ☐ 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 ☒ 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.

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

~~855~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Marjorie Smith

Job Title Homemaker

Address 1951 Lake Seward Dr

Phone 863-698-3209

Street

Lakeland

FL

33813

City

State

Zip

Email

Speaking: ☐ 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 ☒ 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.

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S-001 (10/14/14)

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Duplicate

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355

760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Rebekah Smith

Job Title Business Development Manager District Manager

Address 1916 Griffins Green Dr

Phone 863-333-8488

Street

Bartow

FL

33830

City

State

Zip

Email

Speaking: ☐ 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 ☒ 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.

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Steve Smith

Job Title Sales

Address 1916 Griffins Green Dr

Phone 863-581-6171

Street

Bartow

FL

33830

City

State

Zip

Email

Speaking: ☐ 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 ☒ 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.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Tyler Sheffield

Job Title Student

Address 5220 Charles Ln

Phone 863-430-9860

Street

Lakeland

FL

33811

City

State

Zip

Email

Speaking: ☐ 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 ☒ 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.

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

855 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Debra Fetzner

Job Title Business Development Manager

Address 5609 Hometown Ln

Phone 813-944-9228

Street

Lithia

FL

33547

City

State

Zip

Email

Speaking: ☐ 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 ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Brandon Prince

Job Title Truck Driver

Address 5220 Charles Ln

Phone 813-951-2013

Street

Lakeland

FL

33811

Email

City

State

Zip

Speaking: ☐ 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 ☒ 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.

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S-001 (10/14/14)

2/16/21

Meeting Date

THE FLORIDA SENATE
APPEARANCE RECORD

~~355~~ 740
Bill Number (if applicable)

Topic Florida High School Athletic Association

Name Chris Fetzner

Amendment Barcode (if applicable)

Job Title District Sales Manager

Address 5609 Hometown Ln

Street

Lithia

City

FL

State

33547

Zip

Phone 813-944-9228

Email _____

Speaking: ☐ 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 ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

YOU MUST PRINT AND DELIVER THIS FORM TO THE ASSIGNED TESTIMONY ROOM

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Betty Jackson

Job Title Office Manager

Address 5220 Charles Ln

Phone 863-701-3326

Street

Lakeland

FL

33811

City

State

Zip

Email

Speaking: ☐ 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 ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Dr. Dana G. Dionne

Job Title Associate Head of School

Address 1500 Lukas Lane

Phone 407-971-2221

Street

Oviedo

FL

32765

City

State

Zip

Email danadionne@mastersacademy.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing The Master's Academy of Central Florida, Inc.

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.

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Duplicate

THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

~~255~~ 760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name James Stomps

Job Title Head Football Coach / Teacher

Address 10850 Old St Augustine Rd

Phone 904-325-1947

Street

Jacksonville

FL

32257

Email jstomps@ccajax.org

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Christ's Church Academy

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355-760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name SHELDON B. WALKER

Job Title HEAD COACH / TEACHER

Address 8200 CR 209

Phone 352-430-8977

Street

WILLOWOOD

City

FL

State

34785

Zip

Email NARROWGATE@EMBARQMAIL.COM

Speaking: ☒ For ☐ Against ☐ Information

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

Representing First Academy Leesburg HS

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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THE FLORIDA SENATE

APPEARANCE RECORD

2/16/21

Meeting Date

355

760

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Wayne Stofsky

Job Title Director of Athletics

Address 5810 South Pine Island Rd.

Phone 954-583-6100 Ext - 466

Street

Davie

FL

33328

Email wstofsky@posnackschool.org

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

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

Representing POSNACK SCHOOL

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

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THE FLORIDA SENATE
APPEARANCE RECORD

2/16/21

Meeting Date

355 **760**

Bill Number (if applicable)

Topic Florida High School Athletic Association

Amendment Barcode (if applicable)

Name Greg Zugrave

Job Title Teacher/Coach

Address 1895 Saint Edward's Dr

Phone 9105209549

Street

Vero Beach FL 32963

Email gzugrave@steds.org

City

State

Zip

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Saint Edward's School

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

Florida Department of Economic Opportunity

Workforce Services Division Director
Adrienne Johnston



February 16, 2021

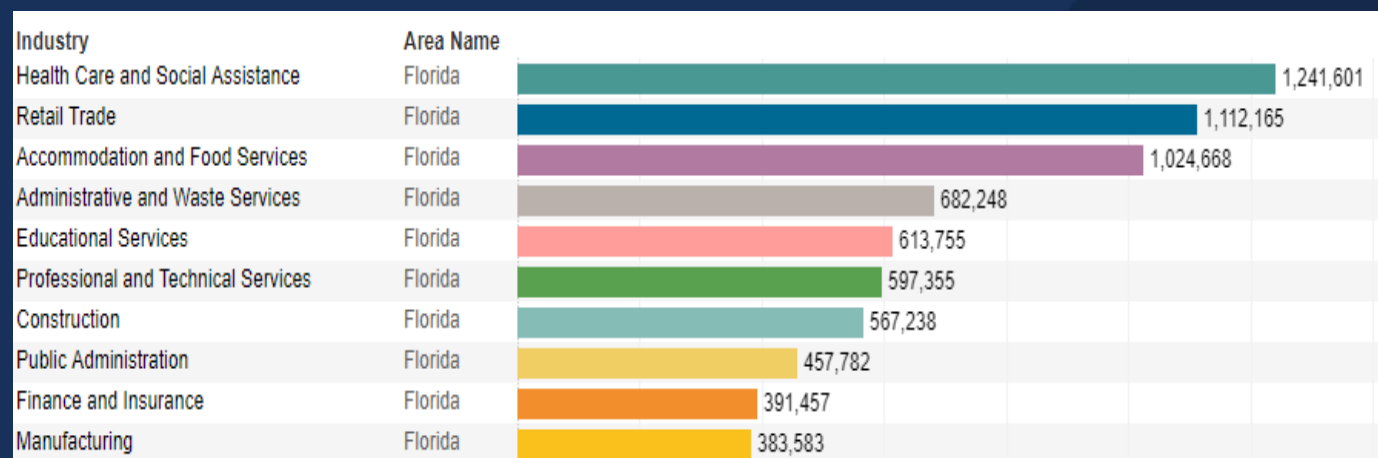
Bureau of Workforce Statistics and Economic Research

**Our mission is to produce, analyze and deliver labor statistics
to improve economic decision-making**

- Employment data are the state's most important economic indicators.
- Data collected under Federal/State Cooperative Statistical Programs.
- Comparable nationwide for all states, counties and metro areas.
- Collected through a combination of employer surveys, modeling and administrative records.

**Thanks to Florida employers, without them we would not be able to
provide data.**

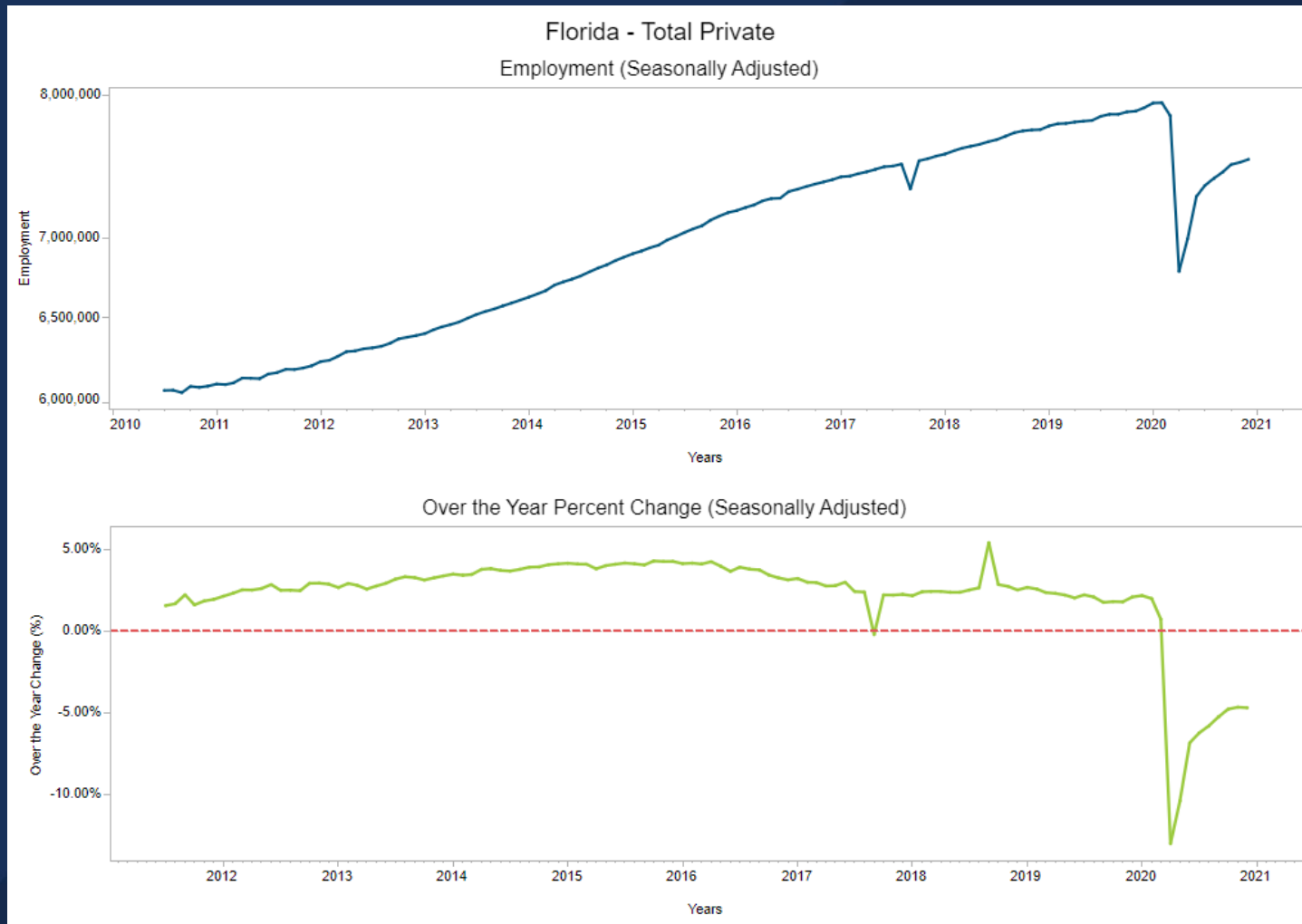
Quarterly Census of Employment and Wages (QCEW)



Did you know...
In 2009 Health Care and Social Assistance passed Retail Trade as the largest industry in Florida by employment?

- Employment and wages by industry, size and local area.
- Available statewide, metropolitan statistical areas (MSAs), counties and workforce regions.
- Serves as the foundation for most labor market and economic data.

Current Employment Statistics (CES)



- Monthly nonagricultural employment and earnings by industry and metro area.
- One of the most timely leading indicators of current economic conditions.

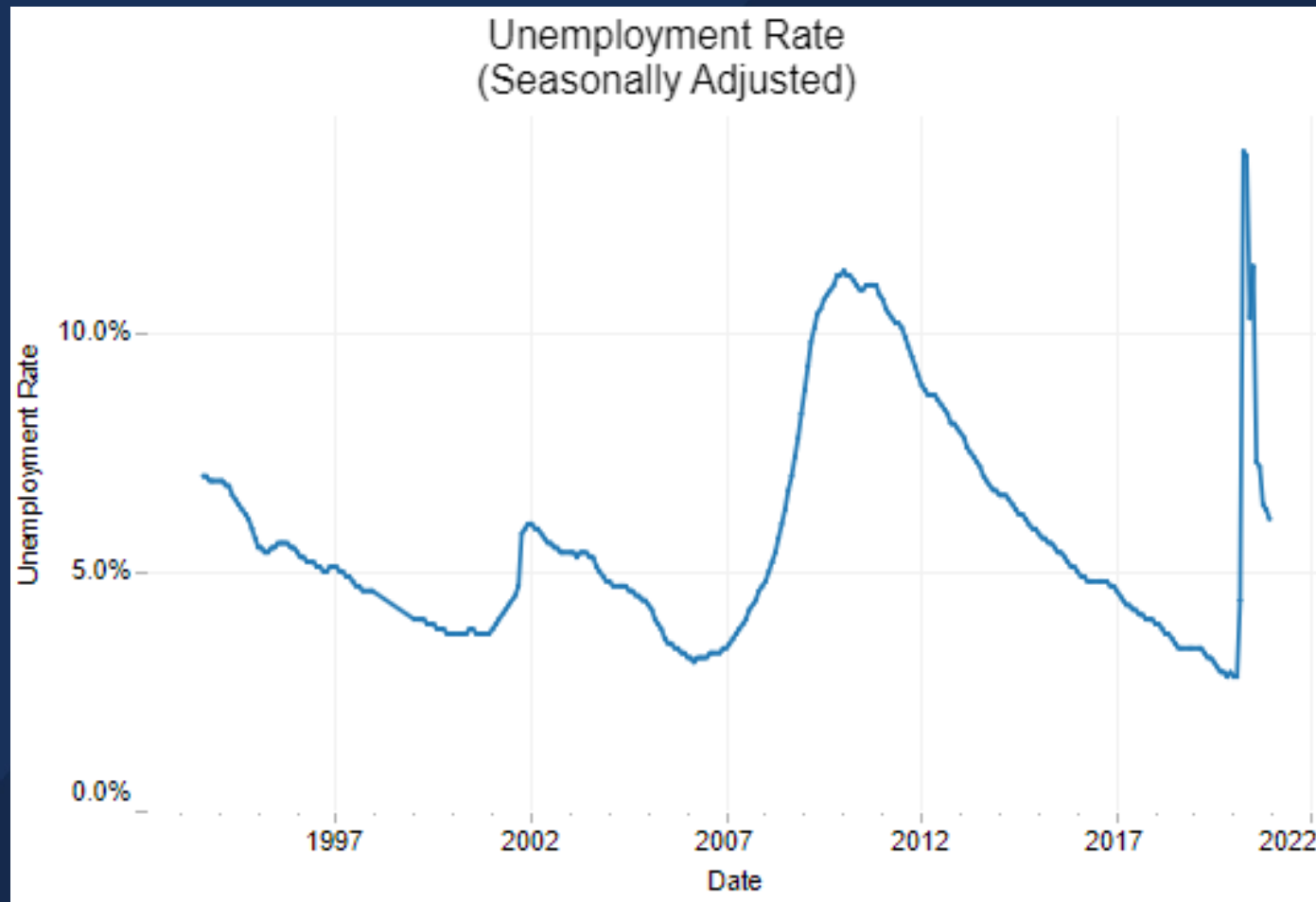
Did you know...

Florida has added over 700,000 jobs since April 2020.

Local Area Unemployment Statistics (LAUS)

Did you know...

Florida's unemployment rate was 6.1 percent in December 2020.



This program answers the questions:

- Who is in the labor force?
- How many people in each area are unemployed?
- What is the labor force participation rate?

Occupational Employment Statistics (OES)

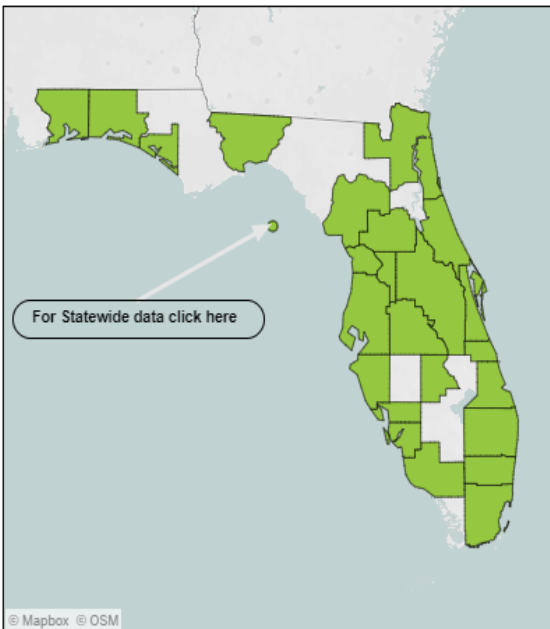
Did you know...
Registered Nurses is one of the top 10 largest occupations in Florida and has an average entry wage of over \$24/hour?

Select Wage Rate Type
Hourly

Select Occupational Group
(All)

Select Industry
10 - Total, All Industries

Select Region



© Mapbox © OSM

Select a region on the map to update the table to the left.
Hovering over the table data will highlight the area selected.

Note
- "Top 10" is based on the value the table is sorted by.
- The table is sorted by median wage by default.
- Sectors without data either do not have data based on applied filters or are suppressed due to confidentiality.

Top 10 Occupations in Florida Group: All Industry: 10 - Total, All Industries

OccTitle	Emplm.	Median Wage	Entry Wage	Mean Wage	Experienced Wage
Retail Salespersons	325,640	\$11.40	\$9.48	\$13.34	\$15.28
Customer Service Representatives	267,430	\$15.56	\$11.62	\$16.64	\$19.15
Fast Food and Counter Workers	242,300	\$9.63	\$9.06	\$10.40	\$11.07
Cashiers	229,830	\$10.58	\$9.24	\$11.08	\$12.00
Waiters and Waitresses	208,360	\$9.56	\$9.05	\$12.66	\$14.47
Office Clerks, General	191,650	\$15.23	\$10.77	\$16.51	\$19.38
Registered Nurses	181,670	\$31.65	\$24.57	\$32.50	\$36.47
Laborers and Freight, Stock, and Material Movers, Hand	156,120	\$13.07	\$10.35	\$14.59	\$16.72
Secretaries & Administrative Assistants, Except Legal, Medical, & Executive	129,470	\$16.61	\$11.87	\$17.34	\$20.07
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	116,830	\$11.47	\$9.68	\$12.77	\$14.32

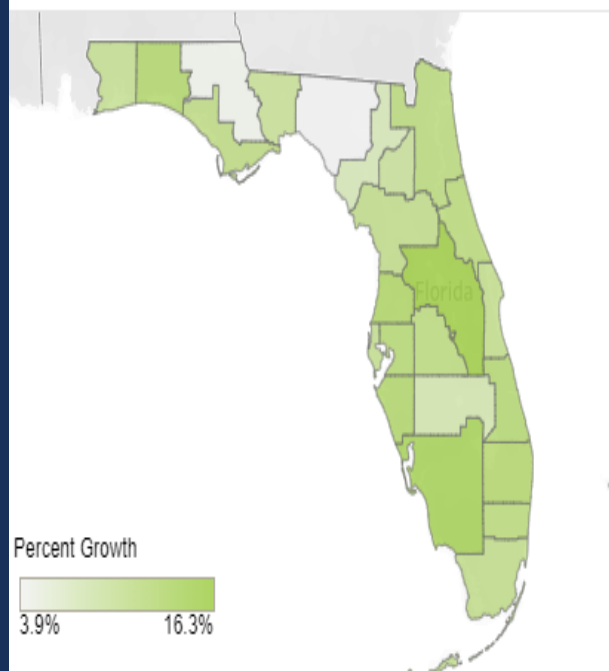
Source
Florida Department of Economic Opportunity, Bureau of Workforce Statistics and Economic Research, Occupational Employment Statistics and Wages Program, 2019.

Measures of Occupational Demand

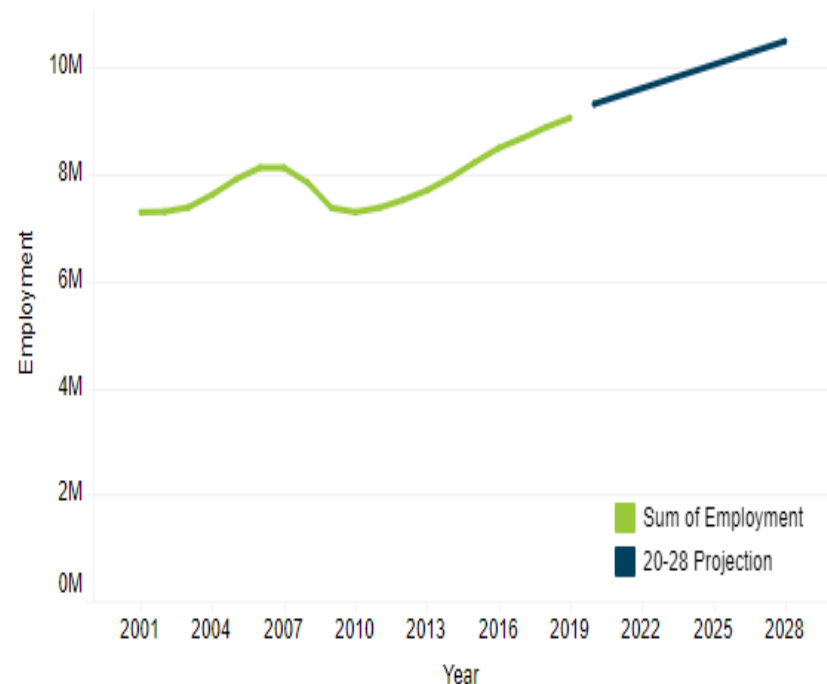
- Employment Projections
 - Long-Term Projections:
 - Eight Years, for career planning
 - Short-Term Projections:
 - Two Years, to forecast demand after a PSAV/Associate program
 - Mid-Term Projections:
 - Between Two Years and Eight Years
 - Job Openings and Labor Turnover Survey (JOLTS)
 - Online Job Advertisements
-

Employment Projections

Projected Employment Growth by Workforce Region



Employment History for 000000-Total, All Industries in Florida



Did you know...
Florida has a Projected Growth of 12.6 percent for All Industries.

- Industry Employment Projections:
 - National industry projections are a key input
- Occupational Employment Projections:
 - Change factors account for changing staffing needs for each industry
- Separations estimates account for openings due to retirements and career changes

Online Job Advertisements



FLORIDA ONLINE JOB DEMAND TOOL

Statewide Overview of Occupations and Employers

Select Category

☒ All Occupations

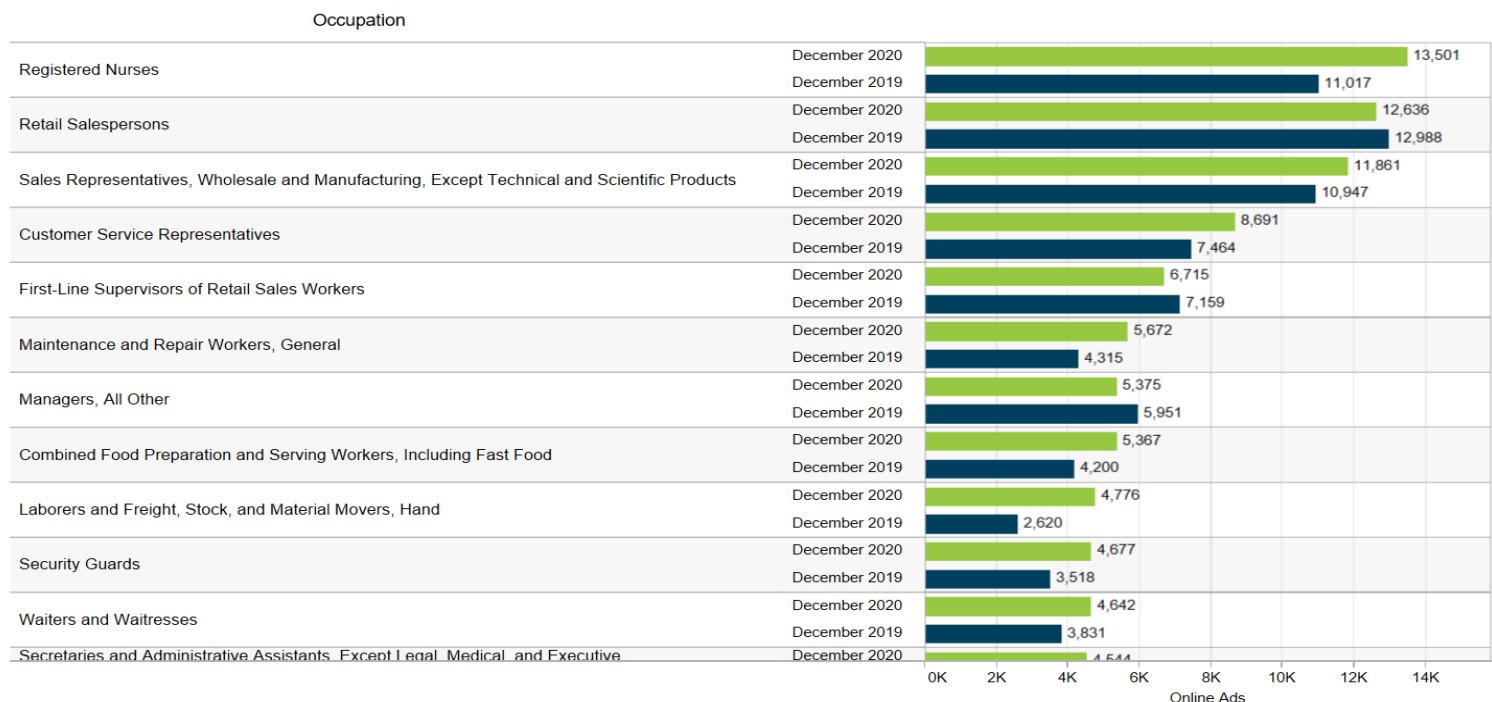
☐ STEM

Next page >>

TOTAL ONLINE ADS

December 2020	November 2020	December 2019	Over the Month Change	Over the Month Percent Change	Over the Year Change	Over the Year Percent Change
370,983	359,184	339,616	11,799	3.3%	31,367	9.2%

TOP 20 ADVERTISED OCCUPATIONS



Statewide Demand Occupation List

2020-21 Florida Statewide Demand Occupations

Post-Secondary Adult Vocational Certificate or College

Credit Certificate/Associate Degree

Sorted by Occupational Title

			Annual				FLDOE	In EFI		
			Percent	Annual	2018 Hourly Wage		Training	Targeted	STEM	New
SOC Code†	HSHW††	Occupational Title†	Growth	Openings	Mean	Entry	Code	Industry?	Occupation?	to List?
15-1122	HSHW	Information Security Analysts	3.36	578	44.21	27.96	3	Yes	Yes	
15-1132	HSHW	Software Developers, Applications	3.32	4,091	45.97	29.67	4	Yes	Yes	
31-9092		Medical Assistants	3.19	8,491	15.80	12.58	3	Yes	No	Yes
31-2021	HSHW	Physical Therapist Assistants	2.97	917	29.64	22.61	4	Yes	No	
29-2032	HSHW	Diagnostic Medical Sonographers	2.70	501	31.65	24.44	3	Yes	No	Yes
29-1126	HSHW	Respiratory Therapists	2.65	755	27.86	22.76	4	Yes	Yes	
31-9097		Phlebotomists	2.32	1,151	15.52	12.45	3	Yes	No	Yes
43-6013		Medical Secretaries	2.22	3,199	16.11	12.54	3	Yes	No	
23-2011	HSHW	Paralegals and Legal Assistants	2.16	3,335	24.10	15.87	3	Yes	No	
29-2021	HSHW	Dental Hygienists	2.14	1,028	30.80	22.22	4	Yes	Yes	

Potential Labor Supply Gaps

Preliminary Workforce Potential Supply Gap Analysis Florida Statewide - January 2021

SOC Title	2020 Employment	2028 Employment	Percent Growth	Employment Growth	2020-2028 Openings	Annual Opening	Unique Annual Job Postings	Educational Completers	Education Level	Potential Supply Gap Category
Child Care Workers	43,878	51,034	16.3	7,156	63,796	7,975	7,838	624	Postsecondary Non-degree Award	High
Industrial Machinery Mechanics	14,197	16,525	16.4	2,328	13,588	1,699	1,244	229	Postsecondary Non-degree Award	High
Automotive Service Technicians and Mechanics	53,198	56,011	5.3	2,813	45,348	5,669	14,063	1,015	Postsecondary Non-degree Award	High
Licensed Practical and Licensed Vocational Nurses	49,549	56,043	13.1	6,494	38,674	4,834	12,686	1,239	Postsecondary Non-degree Award	Moderate
Paralegals and Legal Assistants	32,185	36,013	11.9	3,828	32,684	4,086	6,426	1,102	Postsecondary Non-degree Award	Moderate
Elementary School Teachers	70,984	79,450	11.9	8,466	52,850	6,606	4,107	2,293	Bachelor's Degree	Moderate
Medical Assistants	59,834	72,851	21.8	13,017	71,483	8,935	14,988	3,253	Postsecondary Non-degree Award	Moderate
Accountants and Auditors	81,044	90,487	11.7	9,443	73,390	9,174	10,402	4,535	Bachelor's Degree	Moderate
Preschool Teachers	30,654	35,331	15.3	4,677	31,172	3,897	7,516	2,292	Associate Degree	Moderate
Aircraft Mechanics and Service Technicians	14,165	16,059	13.4	1,894	11,790	1,474	794	907	Postsecondary Non-degree Award	Low
Physical Therapist Assistants	6,827	8,849	29.6	2,022	9,794	1,224	1,413	755	Associate Degree	Low

Next Steps – Workforce Alignment

- New Methodology to Align Workforce Supply & Demand
 - Supply Consists of:
 - Existing Workers
 - Workers that stay in same occupation
 - Workers that transfer to/from related or unrelated occupations
 - Workers that leave the workforce
 - Potential Workers
 - Job Seekers
 - High School Graduates
 - Adult Education Graduates
 - Associate Degree Graduates
 - Bachelor's & Higher Degree Graduates
 - Demand Consists of:
 - Projected Annual Job Openings by Occupation
-

Career and Technical Education Programs and Labor Market Needs

Senate Presentation
January 26, 2021



Presented by -

**Henry Mack, Chancellor
Division of Career and Adult Education**

**Kathy Hebda, Chancellor
Division of Florida Colleges**



Definitions & Credentialing Award Types

Career and Technical Credential Types -Issued by Institutions

Definitions

Career Certificate – signifies a student has successfully completed a (clock hour) postsecondary career education program and is ready for employment in a field that requires non-college credit postsecondary training.

Applied Technology Diploma – signifies a student has successfully completed a (clock hour or college credit) postsecondary career education program and is ready for employment in a field; the program has embedded statewide articulation leading to the award of an AS degree.

Associate in Science/Associate in Applied Science Degree – prepares students for occupations that require a two-year technical degree.

College Credit Certificate – prepares students for entry into employment in a field that requires some college credit but less than a degree and signifies a student has successfully completed part of an A.S. degree.

Baccalaureate degree (workforce baccalaureate) – prepares students for occupations that require a four-year degree.

Examples

Florida Law Enforcement Academy, Automotive Service Technology

Dental Assisting Technology and Management—ATD

Nursing R.N. (A.S.), Automotive Service Management Technology (A.A.S.)

Paramedic, Business Entrepreneurship

Accounting, Business Administration

Career and Technical Credential Types -Issued by Florida Department of Education

Definitions

Apprenticeship Certificate of Completion – signifies a registered apprentice has successfully completed the technical and academic standards of a registered apprenticeship program.

Pre-Apprenticeship Certificate of Completion – signifies a registered pre-apprentice has successfully completed the technical and academic standards of a registered pre-apprenticeship program.

Examples*

Florida Electric Apprenticeship & Training GNJ Certificate of Completion
Piper Aircraft Apprenticeship Program, ING Certificate of Completion

Tampa Ironworkers Preapprenticeship JATC Certificate of Completion
Brevard Adult Education Preapprenticeship Program

*Certificate is signed by Chancellor of Career and Adult Education, State Apprenticeship director, and the program sponsor

Career and Technical Credential Types

- Issued by 3rd Party Entity

Definitions

Industry Certification – a time-limited credential issued by an independent, 3rd party certifying entity

Licensure – credential issued for a purpose of qualification for practice in a certain occupation

Examples

AWS Certified Welder – SMAW Plate (AWELD012)
CompTIA A+ (COMPT001)
HVAC Excellence Employment Ready – Electrical (HVACE001)

Law Enforcement Officer (FLDLE004)
Firefighter II (FLSFM006)
Certified Nursing Assistant (FDMQA002)

Program Approval Process

Multilayered Approach to Program Approval



Certificate and Associate

- FDOE develops and maintains career & technical education (CTE) programs that align with 17 career clusters
- Programs are detailed in curriculum frameworks developed with education, business and industry, and trade associations
- Once State Board of Education (SBOE) approves a program, it may be offered by any institution in Florida



Apprenticeship

- Program sponsor submits apprenticeship agreement which outlines the terms and conditions for the training program to the department.
- Office of Apprenticeship conducts statutory and regulatory compliance review of the agreement.
- Office of Apprenticeship registers the program in federal apprenticeship database and notifies program of its approval to operate.



Baccalaureate

- State colleges may seek approval from SBOE to offer baccalaureate degrees in limited, high-demand workforce areas
- The process established in section 1007.33, Florida Statutes, requires colleges to partner with business/ industry to show demand and demonstrate unmet need through data
- The first annual CTE audit of the baccalaureate programs revealed that all programs are meeting market demand

Other Key Definitions

- **Middle to High Wage:** *Middle Wage* occupations at the state-level are those with a Mean Wage of \$15.13/hour and an Entry Wage of \$12.31/hour. Entry and average hourly wage thresholds for the Statewide Demand Occupation List (developed by DEO) are often used in establishing performance and/or alignment.
- **High Wage:** For state purposes, DEO identifies *High Wage* occupations at the state-level (via the Statewide Demand Occupation List) as those with a Mean Wage of \$23.72/hour and Entry Wage of \$15.13/hour.
- **High Demand:** Not defined in statute; DEO identifies high demand occupations on the Statewide Demand Occupation List as those with:
 - 500 annual openings and average growth rate of 1.26%; or,
 - 1,200 annual openings with any positive growth

**These criteria are also used on the CTE Audit to identify High Demand occupations. Further, DEO modifies these thresholds by region to identify regional High Demand occupations (found on the Regional Demand Occupation Lists).
- **Stackable Credentials:** The U.S. Department of Labor defines stackable credentials as part of a sequence of credentials that can be accumulated over time to build up an individual's qualifications and help them move along a career pathway or up a career ladder to different and potentially higher-paying jobs.

Lists, Resources, and Supply and Demand

Identification of Industry Recognized Credentials & Credentials of Value

CAPE Industry Certification Funding List (K-12)

- s. 1008.44(1), F.S.
- s. 1003.492, F.S.
- Used for Florida Education Finance Program (FEFP) supplemental FTE for industry certification attainment as well as school grades calculation (acceleration component)
- Joint development with CareerSource and Florida Department of Economic Opportunity
- List adopted annually by the State of Education

CAPE Postsecondary Industry Certification Funding List

- s. 1008.44(1), F.S.
- ss. 1011.80, 1011.81, F.S
- Used for performance funding for school districts and Florida College System institutions for occupational areas identified in the General Appropriations Act (GAA)
- List adopted annual in rule by the State Board of Education

Perkins V Industry Recognized Credentials (IRCs)

- Federal – Strengthening Career and Technical Education for the 21st Century Act (aka Perkins V)
- Included as a type of recognized postsecondary credentials for accountability measures for the Perkins V law
- Initial list is still under development but informed by prior Perkins IV work as well as the current CAPE Industry Certification Funding List
- Only list where certifications will be linked to programs (for postsecondary only)

Identification of other Valued Credentials or Programs (Continued)

Career and Technical Education Audit List

- s. 1003.491(5), F.S.
- Provides authority to Commissioner of Education to audit all workforce programs to ensure for alignment to market demand.
- Joint development with CareerSource and Florida Department of Economic Opportunity & other stakeholders.
- Lists to be annually reviewed and synced with curriculum framework review process/cycle to ensure for quality.

Rapid Credentialing Grant (GEER) Lists

- Two lists of short term CTE programs that met statewide benchmarks, aligned to a mid-to-high wage occupation
- Crosswalked list to EF's targeted industry sectors and CareerSource sector strategy;
- Developed NAICS to CIP Code crosswalk, matched against targeted industries
- Consists of short-term clock hour and credit and industry certification preparation courses.

CTE Audit: Year 1 Findings

1. Created direct links between CTE, Florida's talent pipeline and the resulting metrics of Florida's economic success.
2. Forensically identified high quality secondary and postsecondary CTE programs.
3. Aligned those high quality CTE programs with in-demand professions.
4. Districts, technical colleges and state colleges dropped hundreds of low-wage, low-demand CTE programs.
5. Increased accountability leading local programs' to create their own improvement plans.
6. Designed a regularly recurring process to ensure perpetual alignment between courses, programs and in-demand careers.

Credentials of Value

- Recently launched year-long initiative funded by BMGF grant (125k)
- With help of Education Strategy Group, convene statewide workgroup with cross-sector/agency representation:
 1. Evaluate statewide funding streams for CTE programs;
 2. Develop agreed definition for what makes a secondary and postsecondary degree/certificate/certification "valuable" in Florida;
 3. Develop and implement framework/methodology for measuring "value" to **create a statewide & regional lists.**

CTE Data Analytics Tool

- Invitation to Negotiate (ITN) is currently open for bids
- Multiple Functionalities
 - Collect and analyze Department student attainment & performance data of all credentialing award types, including non-degree credentials offered by Florida school districts, Florida technical colleges, Florida College System (FCS) institutions & WIOA providers/partners;
 - visualize credentialing program quality indicators as determined by the office of career and technical education (CTE) program quality;
 - develop a program inventory or registry of credentials to describe, on the one hand, local level credentialing programs available, and competencies/skills obtained, through an open data format that supports full transparency and interoperability
 - Automate the Perkins V Comprehensive Local Needs Assessment and the State and Local Performance Reviews of the annual CTE audit.

Classification of Instructional Programs (CIP)



Taxonomy for common reporting of academic and technical programs of study



Developed by the National Center for Education Statistics (NCES)



For the 2021-22 year, FDOE is working on updating based upon the 2020 CIP structure



Standard Occupational Classification (SOC) System



Federal standard classifying workers into occupational categories



All workers are classified into one of 867 detailed occupations

Multiple linkages between CIPs and SOC codes exist

Network and System Administration/Administrator (CIP 11.1001)

Computer and Information Systems Managers (SOC 11-3021)

Network and Computer Systems Administrators (SOC 15-1142)

Information Security Analysts (SOC 15-1122)

Computer Network Support Specialists (SOC 11-1152)

Other Tools and Resources on Supply and Demand

Resources: Data Infrastructure

- **Statewide Longitudinal Data Systems:** Florida is unmatched in its infrastructure and capacity to collect and report timely, high-quality data on students across Florida's K-20 education system. Through the PK-20 Education Data Warehouse, the Florida Department of Education (department) provides stakeholders in public education with the capability of receiving timely, efficient, consistent responses to inquiries into Florida's kindergarten through university education.
- **Data Sharing Partnerships:** The Florida Education and Training Placement Information Program (FETPIP) is used to track employment, earnings and continuing education outcomes. The Department of Education and FETPIP have a longstanding positive relationship working closely with the state workforce agency. Through interagency data agreements, FETPIP has direct access to unit record student, graduate and leavers UI wage data to promote program improvement.

Resources: Tools for Identifying Unmet Need for FCS Institutions

- For the baccalaureate program approval process, the department has guidelines to assist colleges in determining the unmet need for their instructional programs, where:

$$\text{Demand} - \text{Supply} = \text{Unmet need}$$

- Demand is determined by analyzing the annual number of job openings in the region through the [State College Projections Portal](#).
- Supply is determined by calculating the annual number of postsecondary completers from nonpublic and public postsecondary institutions in the region. These data are available through the National Center for Education Statistics, [Integrated Postsecondary Education Data System](#).
- Unmet need is the difference between the total job openings and annual supply of completers.

Resources: State College Projections Portal

State Colleges Projections Portal

Home > Workforce Statistics > Products and Services > State Colleges Projections Portal

Workforce Statistics Data Releases

About Workforce Statistics

Data Center

Products and Services

Economic Impact Analysis

GIS Resources

Dashboards

Regional Labor Supply Dashboard

Online Job Demand Tool

State Colleges Projections Portal

Labor Market Information Training

Publications and Reports


Related Resources

A-Z Index

Allocated Projections for Florida Colleges

At the request of the [Division of Florida Colleges](#), the Department of Economic Opportunity, Bureau of Labor Market Statistics produced special editions of industry and occupational projections for use in planning Florida College programs.

Projections Video



people leaving that occupation and the labor force.

2019 - 2027 College Projections Dashboard

Custom Tables for Florida Colleges:

Employment Projections User Guide

Contact Us

Bureau of Workforce Statistics and Economic Research


(850) 245-7205
wser.info@deo.myflorida.com

Florida Department of Economic Opportunity
MSC G-020
Tallahassee, FL
32399-4111

Workforce Statistics Customer Survey

<https://floridajobs.org/workforce-statistics/products-and-services/state-colleges-projections-portal>

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FLORIDA DEPARTMENT OF
EDUCATION
fldoe.org

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Incentive Funds – Florida College System and School District Postsecondary

Florida College System

- \$14 million through specific appropriation 130 for FCS institutions to earn bonus funding for each student who earns an industry certification in select occupational areas such as public safety, health sciences, cybersecurity, welding, etc., as listed in the GAA
- \$10 million through the Work Florida Student Success Incentive Fund ("performance funding") to recognize FCS institutions for student completion and placement into high-demand jobs or high skill/high wage jobs.

School Districts

- \$6.5 million through Specific Appropriation 124 for school districts to earn bonus funding for each student who earns an industry certification in select occupational areas such as select health careers, advanced manufacturing, cybersecurity, welding, etc., as listed in the GAA.



State University System Workforce Initiatives

Marshall M. Criser III
Chancellor

February 16, 2021
www.flbog.edu

State University System Overview

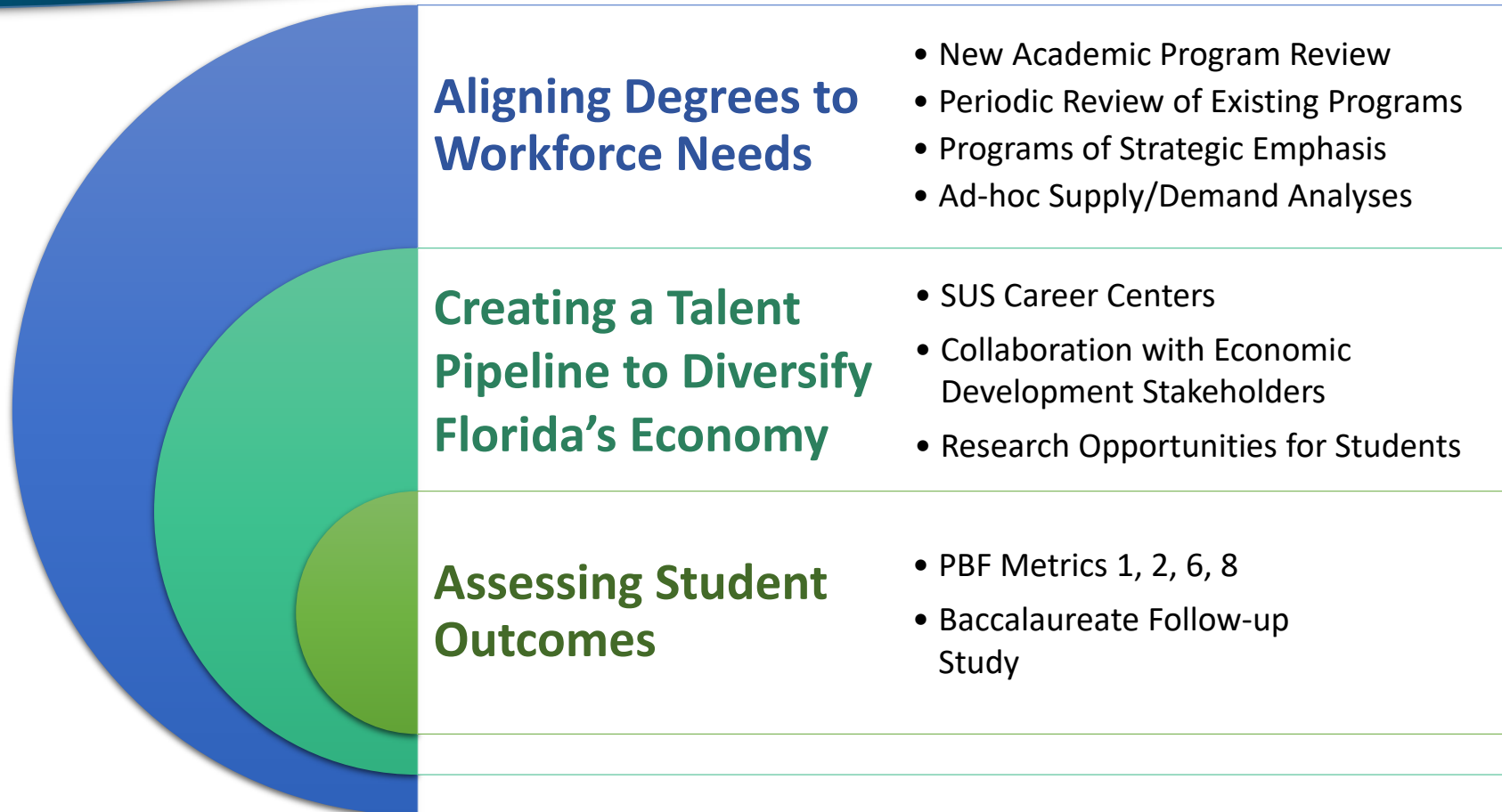


12 public institutions
+420,000 students

+97,000 degrees awarded

2nd lowest tuition in the country

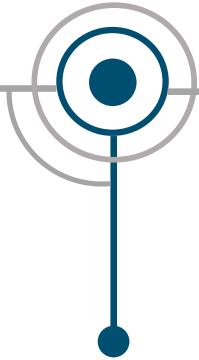
#1 state in the nation for higher education 2017, 2018, 2019



Aligning Degrees to Florida's Needs

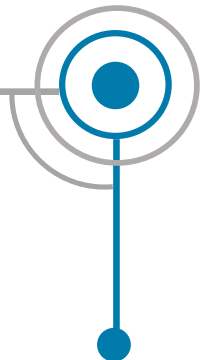


New Academic Programs



Board office reviews all new academic programs to ensure workforce demand

Existing Academic Programs



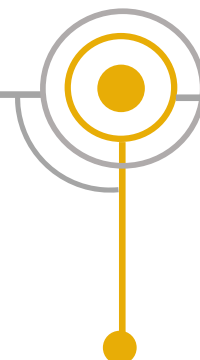
Board office periodically reviews existing academic programs to ensure efficient use of resources

Programs of Strategic Emphasis



Updated 2019 & 2020 to identify state workforce needs & emerging fields; used in PBF

Gap Analyses



Review of labor market data including workforce demand projections & related graduate production

Programs of Strategic Emphasis

used to align SUS degrees with Florida's economic & workforce needs



Education



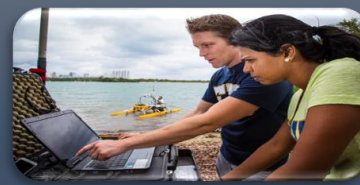
Healthcare



Global



STEM



Gap Analysis

Gap Analysis – Overview



Based primarily on labor market supply/demand analysis

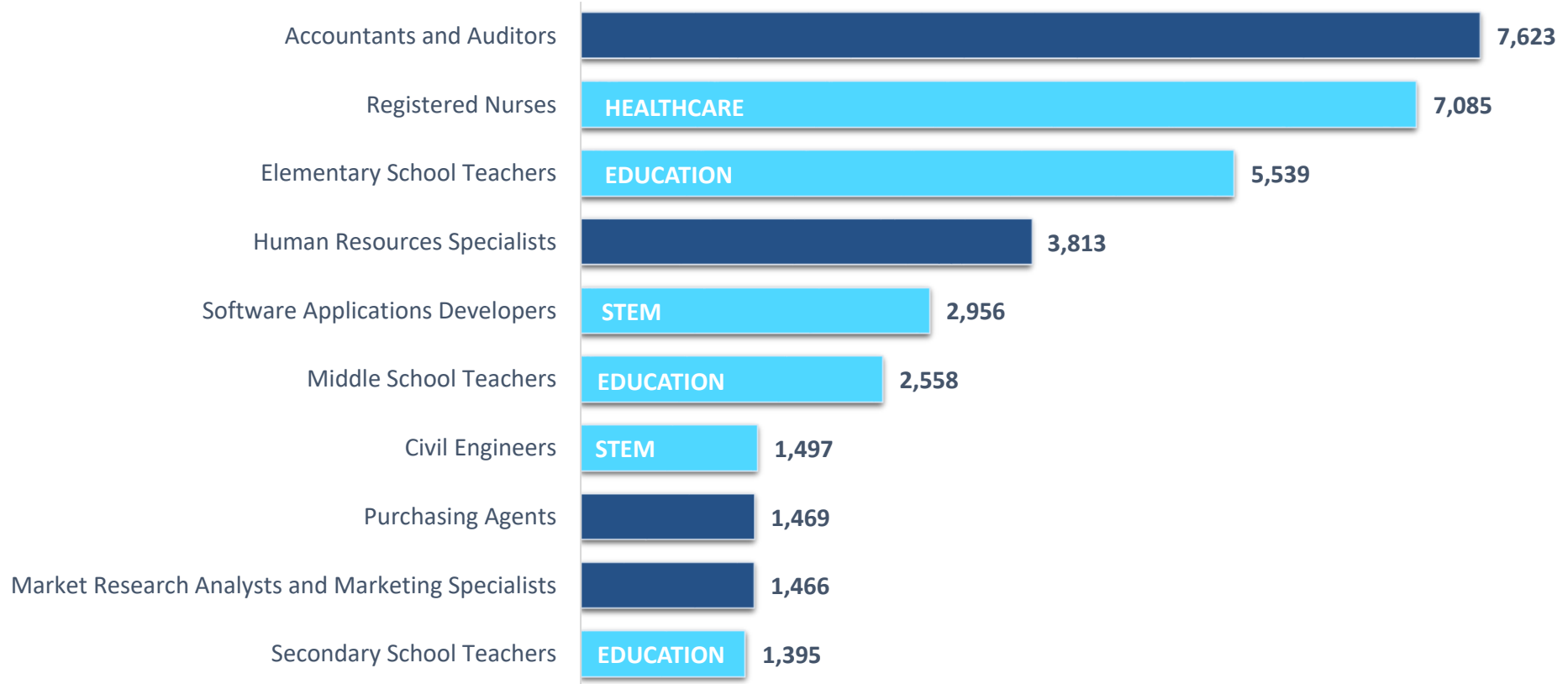
- Occupation requires a bachelor's degree minimum for entry level per BLS
- Supply data was adjusted to acknowledge graduate occupational choices
- Calculated gap of at least 100 openings
- Growth rate of at least 10.1%
- Median Florida wage of at least \$45,000 per year



Gap Analysis – Top Ten Occupations



CALCULATED GAP

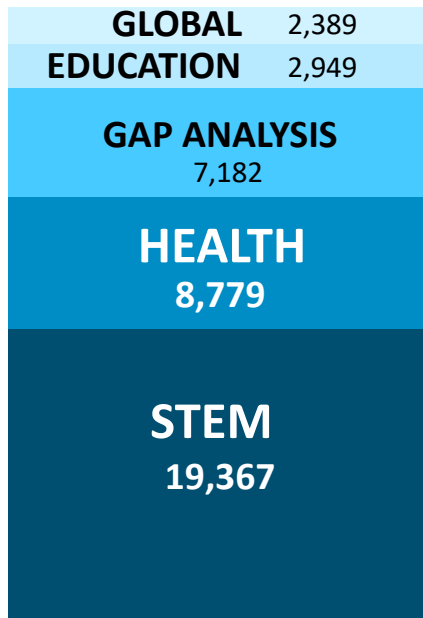


Source: Board of Governors Gap Analysis utilizing data from the Florida Department of Economic Opportunity, the National Center for Education Statistics' Integrated Postsecondary Data System (IPEDS), and the United States Department of Labor Bureau of Labor Statistics.

Programs of Strategic Emphasis Degrees Awarded

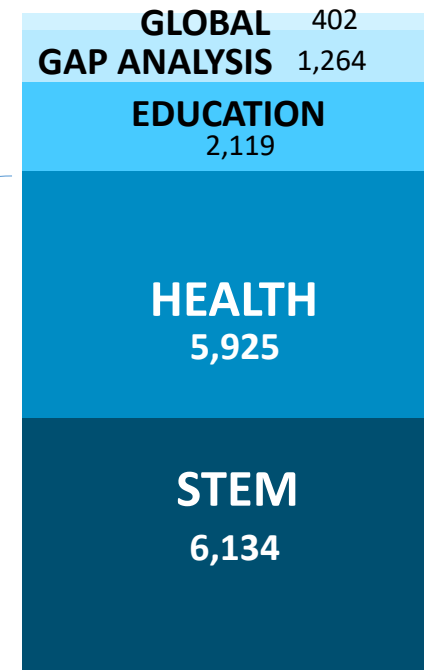


54%
of all Bachelor's Degrees



Most Degrees in
Programs of
Strategic Emphasis
are awarded in
STEM & Health

63%
of all Graduate Degrees



Source: Florida Board of Governors Office of Data Analytics, 1/19/21. Based on preliminary completer data for the 2019-20 academic year.

Strong Talent Pipeline to Diversify Florida's Economy



SUS Career Centers work to connect students with employers & prepare them for employment

Collaboration with economic development stakeholders to recruit & retain businesses



SUS research opportunities allow students to gain experience for future jobs

Post Graduation Outcomes

System 5-yr Trend

Metric 1

% of Bachelor's Grads Enrolled or Employed (\$25,000+)

↑ 4%

Metric 2

Median Wages of Bachelor's Graduates (Employed Full-Time)

↑ \$3,500

Impact:

More graduates are securing employment after graduation & earning higher wages



Programs of Strategic Emphasis

System 5-yr Trend

Metric 6

% of Bachelors Degrees Awarded within
Programs of Strategic Emphasis

↑ 3%

Metric 8

% of Graduate Degrees Awarded within
Programs of Strategic Emphasis

↑ 4%

Impact:

Universities are awarding **more bachelor's & graduate degrees** in **areas critical to Florida**



Baccalaureate Follow-up Study

Outcomes 1, 5 & 10 years after graduation

**Most graduates were
employed & worked full-time**

**More than 1/3 of graduates
go on to receive another
credential**

**Wages increase 57%
by year 10**

<https://www.flbog.edu/resources/baccalaureate-follow-up-study/>

Baccalaureate Follow-up Study Outcomes 1, 5 & 10 years after graduation



<https://www.flbog.edu/resources/baccalaureate-follow-up-study/>



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