

Tab 5	SB 400 by Bracy ; (Similar to CS/H 00229) Guidance Services for Academic and Career Planning				
Tab 6	SB 676 by Cruz ; (Similar to H 01245) Drinking Water in Public Schools				
Tab 7	SB 1054 by Hutson (CO-INTRODUCERS) Pizzo, Berman, Baxley ; (Similar to H 01115) Financial Literacy Instruction in Public Schools				
Tab 8	SB 1060 by Hutson ; (Similar to CS/H 00461) Florida Bright Futures Scholarship Program Student Service Requirements				
802172	A	S	ED, Hutson	Delete L.126 - 192:	02/04 11:40 AM
Tab 9	SB 1160 by Perry ; (Similar to H 01031) Transportation Research				
Tab 10	SB 1516 by Jones ; (Identical to H 00447) Required Instruction in the History of African Americans				
Tab 11	SB 1674 by Ausley (CO-INTRODUCERS) Rodrigues ; (Identical to H 01317) Individual Education Plans				
Tab 12	SB 1834 by Baxley ; (Similar to CS/H 01557) Parental Rights in Education				
Tab 13	SPB 7044 by ED ; Postsecondary Education				

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Gruters, Chair
Senator Jones, Vice Chair

MEETING DATE: Tuesday, February 8, 2022

TIME: 9:00—11:00 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, and Polsky

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.			
Board of Trustees, Florida Atlantic University			
1	Bussani, Piero (Boca Raton)	01/06/2026	
	Stoch, Linda (Palm Beach Gardens)	01/06/2026	
	Davis, Shaun M. (Weston)	01/06/2026	
Board of Trustees, University of Central Florida			
2	Martins, Alexander (Winter Park)	01/06/2026	
Board of Trustees, University of South Florida			
3	Carrere, Michael L. (Tampa)	01/06/2026	
Board of Trustees, University of West Florida			
4	Bear, Lewis, Jr. (Gulf Breeze)	01/06/2025	
	Jones, Robert L. (Westville)	01/06/2025	
	Hsu, Paul S. (Shalimar)	01/06/2026	

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	SB 400 Bracy (Similar CS/H 229)	Guidance Services for Academic and Career Planning; Requiring district school boards to inform students and parents of certain acceleration, academic, and career planning options; requiring certain information to be included in such notification; requiring a personalized academic and career plan be developed in consultation with a certified school counselor for certain students, etc. ED 02/08/2022 CM RC	

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, February 8, 2022, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
6	SB 676 Cruz (Similar H 1245, S 1648)	Drinking Water in Public Schools; Subject to legislative appropriation, requiring district boards to coordinate with district school boards to identify certain schools and to provide funding to those schools by a specified date; requiring school districts, as applicable, to install filters that meet certain specifications on drinking water sources; requiring school districts, as applicable, to post signage on certain water sources and requiring school districts to publish specified information on school district websites, etc. ED 02/08/2022 AED AP	
7	SB 1054 Hutson (Similar H 1115)	Financial Literacy Instruction in Public Schools; Citing this act as the "Dorothy L. Hukill Financial Literacy Act"; revising the requirements regarding financial literacy for the Next Generation Sunshine State Standards; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives, etc. ED 02/08/2022 RC	
8	SB 1060 Hutson (Similar CS/H 461)	Florida Bright Futures Scholarship Program Student Service Requirements; Providing that students may satisfy eligibility requirements for a Florida Academic Scholars, Florida Medallion Scholars, Florida Gold Seal Vocational Scholars, or a Florida Gold Seal CAPE Scholars award, respectively, by performing a specified number of hours of paid work; authorizing, instead of requiring, such students to identify a specified interest or develop a plan for their service requirements under the program, etc. ED 02/08/2022 CM RC	
9	SB 1160 Perry (Similar H 1031)	Transportation Research; Establishing the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) within the University of Florida; specifying the duties of I-STREET; requiring I-STREET to annually provide the Governor and the Legislature with a certain report, etc. TR 01/18/2022 Favorable ED 02/08/2022 RC	

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, February 8, 2022, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
10	SB 1516 Jones (Identical H 447)	Required Instruction in the History of African Americans; Providing that instructional staff of public schools are encouraged to include the history of local African-American cemeteries in the study of the history of African Americans when practicable, etc. ED 02/08/2022 AED AP	
11	SB 1674 Ausley (Identical H 1317)	Individual Education Plans; Requiring individual education plans for certain students to contain information and instruction on the legal rights and responsibilities regarding educational decisions which transfer to students at the age of 18; requiring such information to include ways in which a student may provide informed consent to allow his or her parent to continue to participate in his or her educational decisions, etc. ED 02/08/2022 JU RC	
12	SB 1834 Baxley (Similar CS/H 1557)	Parental Rights in Education; Requiring district school boards to adopt procedures that comport with certain provisions of law for notifying a student's parent of specified information; requiring such procedures to reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children in a specified manner; prohibiting a school district from adopting procedures or student support forms that require school district personnel to withhold from a parent specified information or that encourage or have the effect of encouraging a student to withhold from a parent such information; prohibiting a school district from encouraging classroom discussion about sexual orientation or gender identity in primary grade levels or in a specified manner, etc. ED 02/08/2022 AP RC	

Consideration of proposed bill:

COMMITTEE MEETING EXPANDED AGENDA

Education

Tuesday, February 8, 2022, 9:00—11:00 a.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
13	SPB 7044	Postsecondary Education; Providing requirements for lists of required and recommended textbooks and instructional materials for Florida College System institution and state university courses; revising the maintenance requirements of and information that must be included in the statewide course numbering system; prohibiting public postsecondary education institutions from being accredited by the same agency or association for consecutive accreditation cycles; requiring Florida College System institutions and state universities, respectively, to post specified information relating to tuition and fee rates and proposed changes to such rates on their websites, etc.	

Other Related Meeting Documents



RON DESANTIS
GOVERNOR

RECEIVED

2021 OCT -8 AM 10:28

DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 24, 2021

Secretary Laurel M. Lee
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Piero Bussani
1900 Glades Road
Suite 500
Boca Raton, Florida 33431

as a member of the Florida Atlantic University Board of Trustees, succeeding Mary Beth McDonald, subject to confirmation by the Senate. This appointment is effective September 24, 2021, for a term ending January 6, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/kk

3005

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Piero Bussani

is duly appointed a member of the

**Board of Trustees,
Florida Atlantic University**

for a term beginning on the Twenty-Fourth day of September,
A.D., 2021, until the Sixth day of January, A.D., 2026 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifteenth day of December, A.D., 2021.*

Laurel M. Lee

Secretary of State

OATH OF OFFICE RECEIVED
(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Palm Beach

2021 DEC 14 AM 10:48

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

TRUSTEE, FLORIDA ATLANTIC UNIVERSITY

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me by means of ☒ physical presence or
online notarization, this 13 day of December, 2021.

Signature of Officer Administering Oath or of Notary Public

Lauren Isaacson
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

1900 Glades Road, Suite 500

Street or Post Office Box

Boca Raton, FL 33431

City, State, Zip Code

Piero Bissani
Print Name

Signature



RON DESANTIS
GOVERNOR

RECEIVED

2021 DEC 21 AM 9:33

**DIVISION OF ELECTIONS
TALLAHASSEE, FL**

December 10, 2021

Secretary Laurel M. Lee
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mrs. Linda Stoch
104 Vintagelsle Lane
Palm Beach Gardens, Florida 33418

as a member of the Florida Atlantic University Board of Trustees, succeeding Abdol Moabery, subject to confirmation by the Senate. This appointment is effective December 10, 2021, for a term ending January 6, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/sm

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Linda Stoch

is duly appointed a member of the

**Board of Trustees,
Florida Atlantic University**

for a term beginning on the Tenth day of December, A.D., 2021,
until the Sixth day of January, A.D., 2026 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Eleventh day of January, A.D., 2022.*

Laurel M. Lee

Secretary of State

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

STATE OF FLORIDA

2022 JAN 10 AM 9:39

County of Palm Beach

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Atlantic University Board of Trustees

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Linda Stoch

Sworn to and subscribed before me by means of ☒ physical presence or
online notarization, this 4th day of JAN, 2022

Signature of Officer Administering Oath or of Notary Public

Beverly Sennett

Print, Type, or Stamp Commissioned Name of Notary Public

Beverly Sennett

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____



BEVERLY SENNETT
Commission # GG 969016
Expires April 28, 2024
Bonded thru Budget Notary Services

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

104 Vintagelsle Lane

Street or Post Office Box

Palm Beach Gardens FL 33418

City, State, Zip Code

Linda Stoch

Print Name

Linda Stoch

Signature



RECEIVED

2021 SEP -3 AM 10:47

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Florida Board of Governors
State University System of Florida
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax: 850.245.9685
www.flbog.edu

MEMORANDUM

TO: Ms. Inez Williams

FROM: Beth Lowe
University Trustees Coordinator

DATE: September 3, 2021

RE: Appointments to the University Boards of Trustees by the Board of Governors

This is to advise you that the Board of Governors made the following appointments to the University Boards of Trustees, on September 1, 2021.

To the Florida Atlantic University Board of Trustees:

- Mr. Earnie Ellison was appointed for a term that begins September 1, 2021 and ends January 6, 2026, to the seat previously held by Robert Stilley.
- Mr. Shaun Davis was reappointed for a term that begins September 1, 2021 and ends January 6, 2026, to the seat he currently holds.

To the Florida State University Board of Trustees:

- Mr. Drew Weatherford was appointed for a term that begins September 1, 2021 and ends January 6, 2026, to the seat previously held by Ed Burr.

Attached are copies of the appointment letters sent to the new appointees from Chancellor Marshall M. Criser III.

Thank you for your assistance in processing these appointments for their Senate confirmation. Please call me if you need additional information.

Enclosures

5-009/14
3003

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Shaun Davis

is duly appointed a member of the

**Board of Trustees,
Florida Atlantic University**

for a term beginning on the First day of September, A.D., 2021,
until the Sixth day of January, A.D., 2026 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Nineteenth day of October, A.D., 2021.*

Laurel M. Lee

Secretary of State

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Broward

RECEIVED
DEPARTMENT OF STATE
2021 OCT 14 AM 9:09

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Atlantic University Board of Trustees

(Title of Office)

on which I am now about to enter, so help me God.

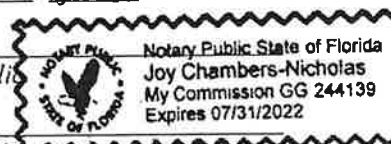
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me by means of X physical presence or
online notarization, this 10 day of September, 2021.

[Signature]

Signature of Officer Administering Oath or of Notary Public



Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

2521 Hollywood Boulevard

Street or Post Office Box

Hollywood, Florida 33020

City, State, Zip Code

Shaun Davis

Print Name

[Signature]
Signature



RON DESANTIS
GOVERNOR

HAND DELIVERED
RECEIVED

2021 MAR 16 AM 11:55

**DIVISION OF ELECTIONS
TALLAHASSEE, FL**

March 12, 2021

Secretary Laurel M. Lee
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250


Dear Secretary Lee:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Alex Martins
2703 Phillips Park Court
Winter Park, Florida 32789

as a member of the University of Central Florida Board of Trustees, succeeding Kenneth Bradley, subject to confirmation by the Senate. This appointment is effective March 12, 2021 for a term ending January 6, 2026.

Sincerely,



Ron DeSantis
Governor

RD/jf

3010

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Alex Martins

is duly appointed a member of the

**Board of Trustees,
University of Central Florida**

for a term beginning on the Twelfth day of March, A.D., 2021,
until the Sixth day of January, A.D., 2026 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifteenth day of December, A.D., 2021.*

Laurel M. Lee

Secretary of State

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE
2021 APR 28 AM 9:45

DEPARTMENT OF STATE
DIVISION OF ELECTIONS

STATE OF FLORIDA

County of Orange

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Trustee - University of Central Florida

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Alex Martins

Signature

Sworn to and subscribed before me by means of ☒ physical presence or
online notarization, this 20th day of APRIL, 2021.

Mary D

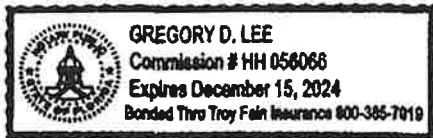
Signature of Officer Administering Oath or of Notary Public

GREGORY D. LEE

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

2703 Phillips Park Court

Street or Post Office Box

Winter Park, FL 32789

City, State, Zip Code

Alex Martins

Print Name

Alex Martins

Signature



RON DESANTIS
GOVERNOR

RECEIVED

2022 JAN 14 AM 10:21

VISION ELECTIONS
TALLAHASSEE, FL

January 13, 2022

Secretary Laurel M. Lee
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Michael Carrere
5415 Lykes Lane
Tampa, Florida 33611

as a member of the University of South Florida Board of Trustees, subject to confirmation by the Senate. This appointment is effective January 13, 2022, for a term ending January 6, 2026.

Sincerely,

A handwritten signature in black ink, appearing to be "Ron DeSantis".

Ron DeSantis
Governor

RD/kk

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Michael L. Carrere

is duly appointed a member of the

**Board of Trustees,
University of South Florida**

for a term beginning on the Thirteenth day of January, A.D.,
2022, until the Sixth day of January, A.D., 2026 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-First day of January, A.D., 2022.*

Laurel M. Lee

Secretary of State

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

STATE OF FLORIDA

County of

Hillsborough

2022 JAN 18 PM 3:03

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Trustee Board of Trustees USF
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]



Signature

Sworn to and subscribed before me by means of physical presence or
online notarization, this 17 day of January, 2022

Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR

Produced Identification ☒

Type of Identification Produced

FL DL
C 660-552-49-364-0

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

115 W. Bay St.

Street or Post Office Box

Tampa, FL 336

City, State, Zip Code

Michael L. Carrere
Print Name

Signature



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2021 MAR -4 AM 9:23
THIS IS NOT ELECTIONS

March 1, 2021

Secretary Laurel M. Lee
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Lewis Bear
72 Highpoint Drive
Gulf Breeze, Florida 32561

as a member of the University of West Florida Board of Trustees, subject to confirmation by the Senate. This appointment is effective March 1, 2021, for a term ending January 6, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis", written over a horizontal line.

Ron DeSantis
Governor

RD/kk

3050

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Lewis Bear, Jr.

is duly appointed a member of the

**Board of Trustees,
University of West Florida**

for a term beginning on the First day of March, A.D., 2021,
until the Sixth day of January, A.D., 2025 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Eleventh day of January, A.D., 2022.*



Laurel M. Lee

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

HAND DELIVERED

2022 JAN 10 PM 1:10

STATE OF FLORIDA

County of Escambia

VISION TELEVISIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

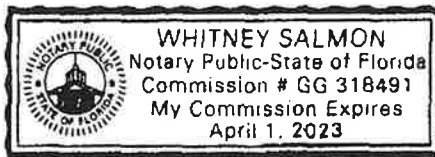
BOARD OF TRUSTEES, UNIVERSITY OF WEST FLORIDA
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Lewis Bear Jr
Signature

Sworn to and subscribed before me by means of ☒ physical presence or
online notarization, this 3 day of January, 2022.



Whitney Salmon

Signature of Officer Administering Oath or of Notary Public

Whitney Salmon

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

72 Highpoint Drive
Street or Post Office Box

GULF BREEZE, FLA. 32561
City, State, Zip Code

Lewis Bear Jr
Print Name

Lewis Bear Jr
Signature



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2021 MAR -4 AM 9:23
THIS DOCUMENT CONTAINS
NO RECOMMENDATIONS
FROM THE DEPT OF STATE

March 1, 2021

Secretary Laurel M. Lee
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Robert Jones
1829 Confederate Way
Westville, Florida 32464

as a member of the University of West Florida Board of Trustees, subject to confirmation by the Senate. This appointment is effective March 1, 2021, for a term ending January 6, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis", written over a horizontal line.

Ron DeSantis
Governor

RD/kk

3050

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Robert L. Jones

is duly appointed a member of the

**Board of Trustees,
University of West Florida**

for a term beginning on the First day of March, A.D., 2021,
until the Sixth day of January, A.D., 2025 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Seventh day of January, A.D., 2022.*



Laurel M. Lee

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

OATH OF OFFICE
(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE
2022 JAN -3 AM 10:02
DIVISION OF ELECTIONS
TALLAHASSEE FL

STATE OF FLORIDA

County of Holmes

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Board of Trustees, University of West Florida

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]



Signature

Sworn to and subscribed before me by means of ☒ physical presence or
online notarization, this 28 day of December, 2021.

Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☐ OR

Produced Identification ☒

Type of Identification Produced

Florida License

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☒ Home ☐ Office

1829 Confederate Way

Street or Post Office Box

Westville, Florida 32464

City, State, Zip Code

Robert L. Jones

Print Name

Signature



RON DESANTIS

GOVERNOR

RECEIVED

DEPARTMENT OF STATE

2021 JUN 22 AM 10:37

ADVISED BY ELECTIONS

June 14, 2021

Secretary Laurel M. Lee
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Lee:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Dr. Paul Hsu
70 Ready Avenue
Fort Walton Beach, Florida 32548

as a member of the University of West Florida Board of Trustees, subject to confirmation by the Senate. This appointment is effective June 14, 2021, for a term ending January 6, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/kk

3050

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Laurel M. Lee, Secretary of State,
do hereby certify that

Paul S. Hsu

is duly appointed a member of the

**Board of Trustees,
University of West Florida**

for a term beginning on the Fourteenth day of June, A.D., 2021,
until the Sixth day of January, A.D., 2026 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Third day of September, A.D., 2021.*

Laurel M. Lee

Secretary of State

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE

2021 SEP -3 AM 9:22

DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Okaloosa

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

University of West Florida Board of Trustees

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me by means of physical presence or
online notarization, this 28th day of August, 2021

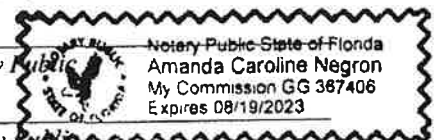
Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known ☒ OR

Produced Identification ☐

Type of Identification Produced _____



ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: ☐ Home ☒ Office

70 Ready Avenue

Street or Post Office Box

Fort Walton Beach, FL 32548

City, State, Zip Code

Paul S. Hsu, Ph.D.

Print Name

Signature

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 400

INTRODUCER: Senator Bracy

SUBJECT: Guidance Services for Academic and Career Planning

DATE: February 7, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Pre-meeting
2.			CM	
3.			RC	

I. Summary:

SB 400 adds requirements to notify parents and students of career and academic planning options and work-based learning opportunities and pathways. The bill:

- Requires a middle grade student's personalized academic and career plan to be developed in consultation with a certified school counselor, and include information on the career and technical education graduation pathway option and work-based learning opportunities.
- Expands the required annual school district parental notification on high school acceleration options to include information on career and academic planning options.

The bill takes effect July 1, 2022.

II. Present Situation:

Middle Grades Career Planning

Students are required to complete a career and education planning course during grades 6, 7, or 8.¹ The required course may be implemented as a stand-alone course or integrated into another course or courses and must:²

- Be internet-based.
- Emphasize the importance of entrepreneurship and employability skills.
- Include information from the DEO's economic security report and other state career planning resources.
- Result in a personalized academic and career plan for the student that may be revised as the student progresses. The plan is required to inform students of:
 - High school graduation requirements.

¹ Section 1003.4156(1)(e), F.S.

² *Id.*

- Requirements for each scholarship in the Florida Bright Futures Scholarship Program.
- State college and university admission requirements.
- Available opportunities to earn college credit in high school.³

The DOE outlines the eight course standards of the career and education planning course which requires a student to:⁴

- Describe the influences that societal, economic, and technological changes have on employment trends and future training.
- Develop skills to locate, evaluate, and interpret career information.
- Identify and demonstrate processes for making short- and long-term goals.
- Demonstrate employability skills such as working in a group, problem-solving and organizational skills, and the importance of entrepreneurship.
- Understand the relationship between educational achievement and career choices/postsecondary options.
- Identify a career cluster and related pathways through an interest assessment that match career and education goals.
- Develop a career and education plan that includes short and long-term goals, high school program of study, and postsecondary/career goals.
- Demonstrate knowledge of technology and its application in career fields/clusters.

For the 2021-2022 school year, the DOE identified 79 approved middle grades courses for career and education planning.⁵ In addition, the DOE publishes a Career Cruiser document, providing resources such as classroom activities, guided worksheets, and additional resources to assist teachers in career and education course planning.⁶

Notification of Student Acceleration Options

At the beginning of each school year, a district school board is required to notify parents of students entering high school or already enrolled in high school of the opportunity and benefits of courses in:⁷

- Advanced Placement (AP).
- International Baccalaureate (IB).
- Advanced International Certificate of Education (AICE).
- Dual enrollment.
- The Florida Virtual School.

³ Section 1003.4156(1)(e), F.S. To include Advanced Placement courses, the International Baccalaureate Program, the Advanced International Certificate of Education Program, dual enrollment, including career dual enrollment and career education courses, including career-themed courses, preapprenticeship and apprenticeship programs, and course sequences that lead to industry certifications.

⁴ Florida Department of Education, *Career & Education Planning Course Standards*, available at <http://www.fldoe.org/core/fileparse.php/3/urlt/ceplanningcoursecompetencies.pdf>.

⁵ Florida Department of Education, *Approved Middle School Courses for Career & Education Planning 2021-2022 School Year* (June 01, 2021), available at <https://www.fldoe.org/core/fileparse.php/7746/urlt/careerplanappcourses2021-22.pdf>.

⁶ Florida Department of Education, *Career Exploration Resources: Career Cruiser*, available at <https://www.fldoe.org/core/fileparse.php/7534/urlt/cruiser.pdf>.

⁷ Section 1003.02(1)(i), F.S.

Additionally, each high school is required to advise each student of courses through which the student could earn college credit, including AP, IB, AICE, dual enrollment, early admission, and career academy courses and courses that lead to industry certification, as well as the availability of course offerings through virtual instruction.⁸ Students and their parents must also be advised of early graduation options.⁹

III. Effect of Proposed Changes:

SB 400 adds requirements to notify parents and students of career and academic planning options and work-based learning opportunities and pathways.

Middle Grades Career Planning

The bill requires a middle grade student's personalized academic and career plan to include information on the career and technical education graduation pathway option¹⁰ and work-based learning opportunities, including internships and preapprenticeship and apprenticeship programs. Additionally, the bill requires the student's plan to be developed in consultation with a certified school counselor.

Notification of Student Acceleration Options

The bill expands the required annual school district parental notification on high school acceleration options to include notification to students, and requires such notification to be in a language that is understandable to students and parents. The bill adds to the information required to be included in the notification to include information on:

- Career and professional academies.
- Career-themed courses.
- The career and technical education pathway option to earn a standard high school diploma.
- Work-based learning opportunities, including internships and apprenticeship and preapprenticeship programs.
- The contact information of a certified school counselor who can advise the student on the acceleration, academic, and career planning options.

The additional notifications required in the bill may promote student and parental awareness of career and academic planning options and work-based learning opportunities and pathways.

The bill takes effect July 1, 2022.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

⁸ Section 1003.4295(1), F.S.

⁹ *Id.*

¹⁰ Section 1003.4282(10), F.S.

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 sections 1003.02 and 1003.4156 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.

S00400

GENERAL BILL by Bracy; (Similar CS/H 00229)

Guidance Services for Academic and Career Planning. EFFECTIVE DATE: 07/01/2022.

10/13/21 S Referred to Education; Commerce and Tourism; Rules -SJ 23

01/11/22 S Introduced -SJ 23

02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Bracy

11-00551-22

2022400__

A bill to be entitled

An act relating to guidance services for academic and career planning; amending s. 1003.02, F.S.; requiring district school boards to inform students and parents of certain acceleration, academic, and career planning options; requiring certain information to be included in such notification; amending s. 1003.4156, F.S.; requiring a personalized academic and career plan be developed in consultation with a certified school counselor for certain students; requiring certain information to be included in such plans; providing an effective date.

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

Section 1. Paragraph (i) of subsection (1) of section 1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of public K-12 education within the school district.—As provided in part II of chapter 1001, district school boards are constitutionally and statutorily charged with the operation and control of public K-12 education within their school districts. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school

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

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boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following areas:

(i) ~~Parental~~ Notification of acceleration, academic, and career planning options.—At the beginning of each school year, notify ~~parents of~~ students in or entering high school and the students' parents, in a language that is understandable to the students and parents, of the opportunity and benefits of advanced placement courses, International Baccalaureate courses, Advanced International Certificate of Education courses, dual enrollment courses, career and professional academies, career-themed courses, the career and technical education pathway to earn a standard high school diploma under s. 1003.4282(10), work-based learning opportunities, including internships and apprenticeship and preapprenticeship programs, and Florida Virtual School courses; and options for early graduation under s. 1003.4281; and contact information of a certified school counselor who can advise students on these options.

Section 2. Paragraph (e) of subsection (1) of section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) In order for a student to be promoted to high school from a school that includes middle grades 6, 7, and 8, the student must successfully complete the following courses:

(e) One course in career and education planning to be

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completed in grades 6, 7, or 8, which may be taught by any member of the instructional staff. The course must be Internet-based, customizable to each student, and include research-based assessments to assist students in determining educational and career options and goals. In addition, the course must result in a completed personalized academic and career plan for the student that may be revised as the student progresses through middle school and high school; must emphasize the importance of entrepreneurship and employability skills; and must include information from the Department of Economic Opportunity's economic security report under s. 445.07 and other state career planning resources. The required personalized academic and career plan, developed in consultation with a certified school counselor, must inform students of high school graduation requirements, including a detailed explanation of the requirements for earning a high school diploma designation under s. 1003.4285 and the career and technical education pathway to earn a standard high school diploma under s. 1003.4282(10); the requirements for each scholarship in the Florida Bright Futures Scholarship Program; state university and Florida College System institution admission requirements; available opportunities to earn college credit in high school, including Advanced Placement courses; the International Baccalaureate Program; the Advanced International Certificate of Education Program; dual enrollment, including career dual enrollment; work-based learning opportunities, including internships and apprenticeship and preapprenticeship programs; and career education courses, including career-themed courses, ~~preapprenticeship and apprenticeship programs,~~ and course sequences that lead to

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industry certification pursuant to s. 1003.492 or s. 1008.44.
The course may be implemented as a stand-alone course or integrated into another course or courses.
Section 3. This act shall take effect July 1, 2022.

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

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 676

INTRODUCER: Senator Cruz

SUBJECT: Drinking Water in Public Schools

DATE: February 7, 2022

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Brick	Bouck	ED	Pre-meeting
2. _____	_____	AED	_____
3. _____	_____	AP	_____

I. Summary:

SB 676 requires each school district to filter drinking water at each source for each district school built before 1986. Specifically, for such schools the bill requires each school district to, by June 30, 2023:

- Install and maintain a filter that meets specified standards and capacity to reduce lead at each school water source.
- Post a conspicuous sign near each school non-drinking-water source warning that water from such source should not be used for human consumption or food preparation.
- Publish on the school district's website information about filters and location for each drinking water source.

The bill provides a \$3 million nonrecurring appropriation from the Drinking Water Revolving Loan Trust Fund to the board of a county water and sewer district to implement the requirements of the bill.

The bill takes effect July 1, 2022.

II. Present Situation:

Lead is a common hazardous contaminant found in the plumbing systems of older homes, businesses and schools. Although rarely found in source water, lead can enter tap water through the corrosion of aging plumbing materials. The three main sources of lead in water found in schools include:¹

- Lead-containing service lines connected to public water systems, most often in schools built prior to 1950;

¹ NSF, *Lead in Schools and Older Homes*, <https://www.nsf.org/consumer-resources/articles/lead-schools-older-homes>, (last visited Feb. 4, 2022).

- Lead solder used in copper piping systems prior to 1986; and
- Lead-containing brass or galvanized pipe and fittings, which includes many products manufactured prior to the mid-1990s.²

Lead is a neurotoxin that can accumulate in the body over time with long-lasting effects, particularly for children. Lead in a child's body can slow down growth and development, damage hearing and speech, and lead to learning disabilities. For adults, lead can have detrimental effects on cardiovascular, renal, and reproductive systems and can prompt memory loss. The concentration of lead, total amount consumed, and duration of exposure influence the severity of health effects.³ Lead in school drinking water is a concern because it is a daily source of water for over 50 million children enrolled in public schools.⁴

Federal Safe Water Requirements

The federal Safe Drinking Water Act (SDWA) was passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply.⁵ The SDWA authorizes the United States Environmental Protection Agency (EPA) to set standards for drinking water contaminants in public water systems.⁶ The SDWA applies to every public water system in the United States, which are regulated by the EPA under the Lead and Copper Rule (LCR),⁷ as required by the SDWA.⁸

² In 1986, Congress amended the Safe Drinking Water Act (SDWA), prohibiting the use of pipes, solder, or flux that were not "lead free" in public water systems or plumbing providing water for human consumption. At the time "lead free" was defined as solder and flux with no more than 0.2 percent lead and pipes with no more than 8 percent. In 1996 Congress further amended the SDWA, requiring plumbing fittings and fixtures to be in compliance with voluntary lead leaching standards. The amendments also prohibited the sale of any pipe, pipe or plumbing fitting or fixture that is not lead free. United States Environmental Protection Agency, *Use of Lead Free Pipes, Fittings, Fixtures, Solder and Flux for Drinking Water*, <https://www.epa.gov/dwstandardsregulations/use-lead-free-pipes-fittings-fixtures-solder-and-flux-drinking-water> (last visited Feb. 4, 2022).

³ United States Government Accountability Office, *Lead Testing of School Drinking Water Would Benefit from Improved Federal Guidance* (July 2018), available at <https://www.gao.gov/assets/700/692979.pdf>, at 5.

⁴ *Id.* at 1.

⁵ United States Environmental Protection Agency, *Understanding the Safe Drinking Water Act* (June 2004), available at <https://www.epa.gov/sites/production/files/2015-04/documents/epa816f04030.pdf>, at 1. The SDWA is administered through programs that establish standards and treatment requirements for public water supplies, finance drinking water infrastructure projects, promote water system compliance, and control the underground injection of fluids to protect underground sources of drinking water. Congressional Research Service, *Safe Drinking Water Act (SDWA): A Summary of the Act and Its Major Requirements* (Mar. 1, 2017), available at <https://fas.org/sgp/crs/misc/RL31243.pdf>, at 5.

⁶ United States Government Accountability Office, *Lead Testing of School Drinking Water Would Benefit from Improved Federal Guidance* (July 2018), available at <https://www.gao.gov/assets/700/692979.pdf>, at 5. For a given contaminant the act requires the EPA to first establish a maximum contaminant level goal, which is the level at which no known or anticipated adverse effects on the health of persons occur and which allows an adequate margin of safety. EPA must then set an enforceable maximum contaminant level as close to the maximum contaminant level goal as is feasible, or require water systems to use a treatment technique to prevent known or anticipated adverse effects on the health of persons to the extent feasible.

⁷ 40 C.F.R. ss. 141.80-141.91.

⁸ Pub. L. No. 93-523, 88 Stat. 1660 (1974). Under the Safe Drinking Water Act, the EPA is authorized to regulate contaminants in public drinking water systems. Since 1974, EPA has implemented its drinking water program under three separate legislative frameworks—first under the initial statute and subsequently under major amendments in 1986 and 1996. United States Government Accountability Office, *Lead Testing of School Drinking Water Would Benefit from Improved Federal Guidance* (July 2018), available at <https://www.gao.gov/assets/700/692979.pdf>, at 2.

In the LCR, the EPA established a maximum contaminant level⁹ goal of zero, concluding that there was no established safe level of lead exposure. However, the rule established an “action level” of 15 micrograms of lead per liter (15 parts-per-billion (ppb)) of water, a level the EPA believed was generally representative of what could be feasibly achieved at the tap.¹⁰ If more than 10 percent of tap water samples exceed the lead action level of 15 ppb, then water systems are required to take specified treatment actions.¹¹

Because the LCR regulates public water systems, it does not directly address individual schools that are served by a public water system. There is no federal law requiring testing of lead in drinking water for schools receiving water from a public water system.¹² States and local jurisdictions may establish their own voluntary or mandatory programs for testing drinking water in schools and child-care facilities.¹³

The most direct oversight of water systems is conducted by state drinking water programs. States can apply to the EPA for “primacy,” the authority to implement the SDWA within their jurisdictions, if they can show that they will adopt standards at least as stringent as the EPA’s and make sure water systems meet these standards. All states and territories, except Wyoming and the District of Columbia, have received primacy.¹⁴

Florida Safe Water Requirements

The “Florida Safe Drinking Water Act”¹⁵ (Act) establishes the Florida Department of Environmental Protection (DEP) as the lead-agency with primary responsibility for the Act, with support by the Department of Health and its units, including county health departments. The Act is intended to:¹⁶

- Implement the federal Safe Drinking Water Act.
- Encourage cooperation between federal, state, and local agencies, not only in their enforcement role, but also in their service and assistance roles to city and county elected bodies.
- Provide for safe drinking water at all times throughout the state, with due regard for economic factors and efficiency in government.

⁹ The maximum contaminant level goal is the maximum level of a contaminant in drinking water at which no known or anticipated adverse effect on the health of persons would occur, allowing an adequate margin of safety.

¹⁰ U.S. Government Accountability Office, *Lead Testing of School Drinking Water Would Benefit from Improved Federal Guidance* (July 2018), available at <https://www.gao.gov/assets/700/692979.pdf>, at 6.

¹¹ United States Environmental Protection Agency, *Basic Information about Lead in Drinking Water*, <https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water> (last visited Feb. 4, 2022).

¹² U.S. Government Accountability Office, *Lead Testing of School Drinking Water Would Benefit from Improved Federal Guidance* (July 2018), available at <https://www.gao.gov/assets/700/692979.pdf>, at 2.

¹³ United States Environmental Protection Agency, *3Ts for Reducing Lead in Drinking Water Toolkit*, <https://www.epa.gov/ground-water-and-drinking-water/3ts-reducing-lead-drinking-water-toolkit> (last visited Feb. 4, 2022).

¹⁴ U.S. EPA, *Safe Drinking Water Act Resources and FAQs*, <https://echo.epa.gov/help/sdwa-faqs> (last visited Feb. 4, 2022.)

¹⁵ Section 403.850, F.S. The Act includes ss. 403.850-403.891, F.S.

¹⁶ Section 403.851, F.S.

In Florida, lead is monitored by the LCR and state rules.¹⁷ The Inorganics Monitoring Rule¹⁸ requires specified public water systems¹⁹ to monitor for lead at each point of entry to its distribution system. This requires monitoring to occur after the water leaves the treatment plant, but before it reaches the water system's first customer.²⁰ The LCR also requires that public water systems notify the department that they have complied with their obligation to notify consumers of the results of lead and copper sampling.²¹

Florida law does not require schools to test or filter drinking water.²² However, Florida regulations do require that any school with an on-site potable water system must be in proper working order and comply with the Florida Safe Drinking Water Act, which requires sampling and testing of the water supply.²³

Florida School District Actions Relating to Lead in Water

Recent examples of Florida school districts testing for lead and taking remedial actions include the:

- Hillsborough County School District, which tested more than 12,041 individual drinking or cooking water sources, prioritizing older schools. Remediation actions include replacing the fixture, adding water filters, or other plumbing projects.²⁴
- Pinellas County School District implemented a testing program in 2016.²⁵ If results were above the action level, a correction plan was implemented, which included a flushing protocol with follow-up testing, the supply of bottled water, installation of NSF-approved lead contaminant filters, and new plumbing.²⁶

¹⁷ Florida Department of Environmental Protection, *Monitoring Lead and Copper in Florida Drinking Water*, <https://floridadep.gov/water/source-drinking-water/content/monitoring-lead-and-copper-florida-drinking-water> (last visited Feb. 4, 2022).

¹⁸ Rule 62-550.513, F.A.C.

¹⁹ Sections 403.852(3), (17), and (18). These include water systems that regularly serve at least 25 persons.

²⁰ Florida Department of Environmental Protection, *Monitoring Lead and Copper in Florida Drinking Water*, <https://floridadep.gov/water/source-drinking-water/content/monitoring-lead-and-copper-florida-drinking-water> (last visited Feb. 4, 2022).

²¹ *Id.*

²² Nationwide, an estimated 43 percent of school districts, serving 35 million students, tested for lead in school drinking water in 2016 or 2017, according to GAO's nationwide survey of school districts. An estimated 41 percent of school districts, serving 12 million students, had not tested for lead. GAO's survey showed that, among school districts that did test, an estimated 37 percent found elevated lead (lead at levels above their selected threshold for taking remedial action.). U.S. Government Accountability Office, *Lead Testing of School Drinking Water Would Benefit from Improved Federal Guidance*, <https://www.gao.gov/products/GAO-18-382> (last visited Feb. 4, 2022).

²³ Florida Department of Education, *State Requirements for Educational Facilities* (2014), available at <http://www.fldoe.org/core/fileparse.php/7738/urlt/srefrule14.pdf>, at 62.

²⁴ Hillsborough County Public Schools, *Water Testing Information for Families & Community*, <https://www.hillsboroughschools.org/Page/4491> (last visited Feb. 4, 2022). The testing revealed less than two percent of fixtures required remediation. *Id.*

²⁵ Pinellas County Schools, *Water Quality Assessment*, <https://www.pcsb.org/site/handlers/filedownload.ashx?moduleinstanceid=39444&dataid=51816&FileName=water-treatment-brochure-v8-marksandbleed.pdf>.

²⁶ *Id.*

Filtering Water for Lead

Point-of-use (POU) and point-of-entry (POE) devices are different types of filtration options. A POU device is installed at each outlet, while a POE device is installed where the water enters the building. Specifically:²⁷

- POU units are commercially available and can be effective in removing lead. There are a number of POU cartridge filter units available that effectively remove lead. They can be relatively inexpensive (\$65 to \$250) or more expensive (\$250 to \$500)²⁸ and their effectiveness varies. Filters need routine maintenance (e.g., cartridge filter units need to be replaced periodically) to remain effective.
- POE devices are typically used by public water system under the SDWA, which are required to meet the federal and state regulations for drinking water, including additional water quality monitoring. In addition, POE devices are not effective in removing lead that comes from plumbing materials within the school.

The American National Standards Institute and NSF Standards

The American National Standards Institute (ANSI) is a private, non-profit organization that administers and coordinates the U.S. voluntary standards and conformity assessment system. Founded in 1918, the ANSI works in close collaboration with stakeholders from industry and government to identify and develop standards.²⁹

The National Sanitation Foundation (NSF)³⁰ is an independent, not-for-profit ANSI-accredited organization that facilitates development of consensus-based national standards for the safety, health and performance of food, water and consumer products. This includes developing standards for drinking water treatment products, including plumbing supplies, and testing these products to ensure their compliance with NSF and other consensus-based standards.³¹

In the 1970s, NSF led the development of standards for materials and products that treat or come in contact with drinking water, including water filters used in homes and businesses. While no federal regulations exist for residential water treatment filters, voluntary national standards and

²⁷ U.S. EPA, *3Ts: Training, Testing, Taking Action, Module 6: Remediation and Establishing Routine Practices, Remediation Options* (Oct. 2018), available at https://www.epa.gov/sites/production/files/2018-09/documents/module_6_remediation_options_508.pdf, at 2.

²⁸ Alachua County Schools installed Omnipure K5615_KK filters that are NSF/ANSI-53 rated, with a maximum life of one year. The cost of such installation for all schools was \$30,000, which compares to an estimated cost of \$300,000 to test each school individually for lead contaminants. The Gainesville Sun, *Alachua County schools install filters to remove lead* (Oct. 15, 2018), <https://www.gainesville.com/news/20181015/alachua-county-schools-install-filters-to-remove-lead> (last visited Feb. 4, 2022).

²⁹ American National Standards Institute, *What is ANSI? An Overview*, available at https://share.ansi.org/Shared%20Documents/News%20and%20Publications/Brochures/WhatIsANSI_brochure.pdf at 1.

³⁰ NSF International was founded as the National Sanitation Foundation in 1944, but changed its name to NSF International in 1990 with expansion of services beyond sanitation and into global markets. The letters NSF do not represent any specific words today. NSF, *Mission, Values, and History*, <http://www.nsf.org/about-nsf/mission-values-history> (last visited Feb. 4, 2022).

³¹ NSF, *Water and Wastewater Standards*, <https://www.nsf.org/standards-development/standards-portfolio/water-wastewater-standards> (last visited Feb. 4, 2022).

NSF International protocols have been developed that establish minimum requirements for the safety and performance of these products to treat drinking water.³²

NSF Standard 53 (NSF-53) *Drinking Water Treatment Units - Health Effects* is the nationally recognized standard for evaluating and certifying drinking water treatment systems for the reduction of contaminants.³³ NSF-53 establishes the minimum requirements for the certification of POU or POE filtration systems designed to reduce specific health-related contaminants, including lead, that may be present in drinking water.³⁴

Drinking Water State Revolving Trust Fund

The Drinking Water State Revolving Fund (DWSRF) program was created as part of the 1996 amendments to the SDWA³⁵ to help communities finance infrastructure improvements that are needed to protect public health and ensure compliance with federal drinking water standards. Each state provides a 20 percent match³⁶ to annual capitalization grants from the EPA, which provide low-interest loans and other types of assistance to eligible³⁷ public water systems. As water systems repay their loans, the repayments and interest flow back into the dedicated revolving fund, which may be used to make additional loans. The DWSRF programs are administered by state agencies that oversee drinking water systems and therefore can effectively prioritize infrastructure needs for funding.³⁸

The DWSRF program funds a wide range of drinking water infrastructure projects. The six categories of projects that are eligible to receive DWSRF assistance are:³⁹

- Treatment: Installation or upgrade of facilities to improve drinking water quality to comply with SDWA regulations. POU and POE treatment devices (i.e. filters) are only eligible if the

³² CDC, *Choosing Home Water Filters & Other Water Treatment Systems*, <https://www.cdc.gov/healthywater/drinking/home-water-treatment/water-filters.html> (last visited Feb. 4, 2022).

³³ NSF, *Certified Product Listings for Lead Reduction*, http://info.nsf.org/Certified/DWTU/listings_leadreduction.asp?ProductFunction=053|Lead+Reduction&ProductFunction=058|Lead+Reduction&ProductType;=&submit2=Search (last visited Feb. 4, 2022).

³⁴ *Id.* NSF/ANSI Standard 61 (NSF-61) *Drinking Water System Components – Health Effects* relates to plumbing products and water treatment and establishes requirements for the control of equipment that may introduce lead into drinking water because of the materials used in the product. NSF, *NSF/ANSI 61-2016: Drinking Water System Components – Health Effects*, available at https://d2evkimvhatqav.cloudfront.net/documents/NSF-ANSI_61_watermarked.pdf?mtime=20200716160320&focal=none. However, this standard does not include POU devices. *Id.* at 1.

³⁵ Public Law 104-182, 110 Stat. 1613.

³⁶ The 2021 GAA appropriated \$8,643,080 in general revenue funds and authorized the use of \$128,001,478 from the Drinking Water Revolving Loan Trust Fund. Specific Appropriation 1610, ch. 2021-36, L.O.F.

³⁷ Eligible water systems for DWSRF financial assistance include: existing privately-owned and publicly-owned community water systems and non-profit non-community water systems, including systems utilizing point of entry or residential central treatment; and new community water systems that represent cost-effective solutions to existing public health problems with serious risks. U.S. EPA, *Drinking Water State Revolving Fund Eligibility Handbook* (June 2017), available at https://www.epa.gov/sites/production/files/2019-10/documents/dwsrf_eligibility_handbook_june_13_2017_updated_508_versioni.pdf, at 8.

³⁸ U.S. EPA, *Drinking Water State Revolving Fund* (September 2018), available at https://www.epa.gov/system/files/documents/2021-09/fact-sheet-dwsrf-overview-final_1.pdf, at 1.

³⁹ U.S. EPA, *DWSRF Eligibilities*, <https://www.epa.gov/dwsrf/dwsrf-eligibilities-0> (last visited Feb. 4, 2022), see also 40 CFR 35.3520.

device is a designated compliance treatment technology⁴⁰ and is owned and maintained by the public water system.⁴¹

- Transmission and distribution: Rehabilitation, replacement, or installation of pipes to improve water pressure to safe levels or to prevent contamination caused by leaky or broken pipes.
- Source: Rehabilitation of wells or development of eligible sources to replace contaminated sources.
- Storage: Installation or upgrade of finished water storage tanks to prevent microbiological contamination from entering the distribution system.
- Consolidation: Interconnecting two or more water systems.
- Creation of new systems: Construction of a new system to serve homes with contaminated individual wells or consolidation of existing systems into a new regional water system.

Each state is currently authorized to transfer up to 33 percent of its capitalization grants between the DWSRF and the Clean Water State Revolving Fund (CWSRF).⁴² Recent legislation⁴³ authorized states, in consultation with the EPA, to transfer up to 5 percent more of the federal grant funds in their CWSRF to their DWSRF for projects to address public health threats related to lead exposure in drinking water. States may use transferred funds to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these).

The Infrastructure Investment and Jobs Act⁴⁴ authorized \$11.7 billion for DWSRF uses and over \$200 million over five years to address lead contamination in schools via testing and remediation.⁴⁵

Florida law⁴⁶ establishes the state Drinking Water Revolving Loan Trust Fund administered by the Florida Department of Environmental Protection (DEP) to make, loans, grants, and deposits to various water systems to assist them in planning, designing, and constructing public water

⁴⁰ The challenges facing small public water systems (systems serving 10,000 people or fewer) were a major focus of the 1996 Amendments SDWA. One way Congress sought to help systems meet these challenges was by explicitly allowing systems to install POU and POE treatment devices to achieve compliance with some of the maximum contaminant levels established in the National Primary Drinking Water Regulations. POU filters that are identified by the EPA as small system compliance technology (SSCT) for lead reduction are those that employ cation exchange and reverse osmosis. Distillation filters will reduce lead, but are not listed by the EPA as SSCT filters. U.S. EPA, *Point-of-Use or Point-of-Entry Treatment Options for Small Drinking Water Systems* (April 2006), available at https://www.epa.gov/sites/production/files/2015-09/documents/guide_smallsystems_pou-poe_june6-2006.pdf at 3-3.

⁴¹ U.S. EPA, *Drinking Water State Revolving Fund Eligibility Handbook* (June 2017), available at https://www.epa.gov/sites/production/files/2019-10/documents/dwsrf_eligibility_handbook_june_13_2017_updated_508_versioni.pdf, at 10.

⁴² The CWSRF is similar to the DWSRF, except is targeted toward wastewater infrastructure projects.

⁴³ Pub. L. No. 116-63, 133 Stat. 1120 (Oct. 4, 2019).

⁴⁴ Pub. L. No. 117-58, 135 Stat. 1140 (Nov. 15, 2021).

⁴⁵ NCSL, *State and Federal Efforts to Address Lead in Drinking Water*, <https://www.ncsl.org/research/environment-and-natural-resources/state-and-federal-efforts-to-address-lead-in-drinking-water.aspx> (last visited Feb. 4, 2022).

⁴⁶ Section 403.8533, F.S. See also s. 403.8532, F.S.

systems. The DEP receives requests for funding, which are used to establish the annual project priority list.⁴⁷ Specific to lead abatement, the Florida DWSRF program may provide loans for:⁴⁸

- Replacement of water supplies with new sources.
- Construction or upgrade of treatment facilities.
- Lining or coating a lead service line.
- Lead service line replacement.

III. Effect of Proposed Changes:

SB 676 requires each school district to filter drinking water at each source for each district school built before 1986. Specifically, for such schools the bill requires each school district to:

- Install and maintain a filter that meets specified standards and capacity to reduce lead at each school water source.
- Post a conspicuous sign near each school non-drinking-water source warning that water from such source should not be used for human consumption or food preparation.
- Publish on the school district's website information about filters and location for each drinking water source.

The bill creates s. 1013.29, F.S., to control or eliminate lead in school water sources to prevent the harmful effects of lead poisoning. The bill requires, by June of 2023 and subject to appropriation by the Legislature, each district board⁴⁹ to coordinate with the local school district to determine which district schools were built before 1986, and to provide funding for school districts to:

- Install a point of use filter⁵⁰ that reduces lead content in drinking water on each drinking water source⁵¹ and maintain each filter in a manner consistent with the manufacturer's recommendations. In addition, the filter:
 - Must be installed by school district staff.
 - Must meet the National Sanitation Foundation/American National Standards Institute Standard 53: Drinking Water Treatment Units-Health Effects.
 - Must have a certified capacity of 7,900 gallons and, at a minimum, must be changed or replaced annually.

⁴⁷ Florida Department of Environmental Protection, *DWSRF Program*, <https://floridadep.gov/wra/srf/content/dwsrf-program> (last visited Feb. 4, 2022).

⁴⁸ Florida Department of Environmental Protection, *Funding Assistance in Florida for Drinking Water Systems with Excessive Lead and Copper*, https://floridadep.gov/sites/default/files/FundingLeadCopper_DrinkingWater.pdf (last visited Feb. 4, 2022).

⁴⁹ The "district board" is the board of county commissioners of any county constituting the governing body of any water and sewer district, and acting for and on behalf of such district as a body corporate and politic. Section 153.52(3), F.S. A county water and sewer district is a special district, which a unit of local government created for a special purpose, as opposed to a general purpose, which has jurisdiction to operate within a limited geographic boundary and is created by general law, special act, local ordinance, or by rule of the Governor and Cabinet. Section 189.012(6), F.S. Special districts are very similar to municipalities and counties, but with local specialized governmental services and limited, related, and explicit powers. Florida Department of Economic Opportunity, *Introduction to Special Districts*, <http://www.floridajobs.org/community-planning-and-development/special-districts/special-district-accountability-program/florida-special-district-handbook-online/introduction-to-special-districts> (last visited Feb. 4, 2022).

⁵⁰ The bill defines a "point of use filter" or "filter" as a water filtration system that treats water at a single tap.

⁵¹ The bill defines a "drinking water source" as any water source used for drinking, food preparation, or cooking, and includes water fountains, ice makers, and kitchen sinks.

- Post a conspicuous sign near each school water source that is not a drinking water source. The sign must include wording and an image that clearly communicate that water from the source should not be used for human consumption, food preparation, or cooking.
- Publish on the school district's website a list of drinking water sources at such schools. At a minimum, the list must include for each drinking water source all of the following:
 - The date on which the current filter was installed.
 - The date on which the current filter is scheduled to be replaced.
 - The location of each water source.
 - Any actions necessary to comply with the requirements of the law which have been completed or are pending.

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

The bill appropriates, for the 2022-2023 fiscal year, \$3 million in nonrecurring funds from the Drinking Water Revolving Loan Trust Fund to boards of county water and sewer districts to implement these requirements. In addition, each such board may request additional funds for the purpose of compensating school district staff for the installation or replacement of filters. However, additional funds provided may not exceed the total appropriation.

The bill requires point-of-use water filtration devices on specified drinking water sources, which may lower the risk of students and school personnel ingesting lead through drinking water. The bill may also increase public awareness of the risks of lead in drinking water, specifically in schools.

The bill takes effect July 1, 2022.

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:

SB 676 appropriates \$3 million in nonrecurring funds from the Drinking Water Revolving Loan Trust Fund to the board of the county water and sewer district to implement the provisions of the bill, which include the installation and annual replacement of water filters that are certified to remove lead at drinking water sources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 1013.29 of the Florida Statutes.

This bill creates an unnumbered section of law.

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.

S00676
GENERAL BILL by Cruz; (Similar H 01245, S 01648)
Drinking Water in Public Schools. APPROPRIATION: \$3,000,000. EFFECTIVE DATE: 07/01/2022.
11/16/21 S Referred to Education; Appropriations Subcommittee on Education; Appropriations -SJ 42
01/11/22 S Introduced -SJ 41
02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Cruz

18-00259-22

2022676__

1 A bill to be entitled
 2 An act relating to drinking water in public schools;
 3 creating s. 1013.29, F.S.; providing legislative
 4 findings; defining terms; subject to legislative
 5 appropriation, requiring district boards to coordinate
 6 with district school boards to identify certain
 7 schools and to provide funding to those schools by a
 8 specified date; requiring school districts, as
 9 applicable, to install filters that meet certain
 10 specifications on drinking water sources; requiring
 11 school districts, as applicable, to post signage on
 12 certain water sources and requiring school districts
 13 to publish specified information on school district
 14 websites; authorizing district boards to request
 15 additional funding to compensate school district staff
 16 for the installation or replacement of filters;
 17 limiting the additional funding to not more than the
 18 amount appropriated; requiring the State Board of
 19 Education to adopt rules; providing an appropriation;
 20 providing an effective date.
 21
 22 Be It Enacted by the Legislature of the State of Florida:
 23
 24 Section 1. Section 1013.29, Florida Statutes, is created to
 25 read:
 26 1013.29 Prevention of lead in drinking water in public
 27 schools; installation of water treatment units.-
 28 (1) The Legislature finds that:
 29 (a) The adverse health effects of lead exposure in children

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30 and adults are well documented and that no safe blood lead level
 31 in children has been identified;
 32 (b) Lead accumulates in the body and can be ingested from
 33 various sources, including water sources used for drinking, food
 34 preparation, or cooking; and
 35 (c) All sources of lead should be controlled or eliminated
 36 to prevent childhood lead poisoning.
 37 (2) As used in this section, the term:
 38 (a) "District board" has the same meaning as in s.
 39 153.52(3).
 40 (b) "Drinking water source" means any water source used for
 41 drinking, food preparation, or cooking, including, but not
 42 limited to, water fountains, ice makers, and kitchen sinks.
 43 (c) "Point of use filter" or "filter" means a water
 44 filtration system that treats water at a single tap.
 45 (3) By June 30, 2023, subject to the appropriation of funds
 46 by the Legislature, each district board shall coordinate with
 47 its local district school board to determine which district
 48 schools were built before 1986 and shall provide funding to
 49 those schools for the purposes specified in this section. As
 50 applicable, each school district shall:
 51 (a) Install a point of use filter that reduces the lead
 52 content in drinking water on each drinking water source and
 53 maintain such filters in a manner consistent with the
 54 manufacturer's recommendations.
 55 1. The filter must be installed by a school district staff
 56 member.
 57 2. The filter or all of its component parts must meet the
 58 NSF International/American National Standards Institute Standard

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59 53: Drinking Water Treatment Units - Health Effects.

60 3. The filter must have a certified capacity of 7,900
 61 gallons and, at a minimum, must be changed or replaced annually.

62 (b) Post a conspicuous sign near each school water source
 63 that is not a drinking water source. The sign must include
 64 wording and an image that clearly communicate that water from
 65 the source should not be used for human consumption or, if
 66 applicable, for food preparation or cooking.

67 (c) Publish on its website a list of drinking water sources
 68 at such schools. At a minimum, the list must include, for each
 69 drinking water source, all of the following:

70 1. The date on which the current filter was installed.
 71 2. The date on which the current filter is scheduled to be
 72 replaced.

73 3. The location of each drinking water source.

74 4. Any actions necessary to comply with the requirements of
 75 this section which have been completed or are pending.

76 (4) Each district board may request additional funds for
 77 the purpose of compensating school district staff for the
 78 installation or replacement of filters. Funds provided pursuant
 79 to this subsection may not be more than the total appropriation
 80 provided to implement this section.

81 (5) The State Board of Education shall adopt rules to
 82 administer this section.

83 Section 2. For the 2022-2023 fiscal year, the sum of \$3
 84 million in nonrecurring funds is appropriated from the Drinking
 85 Water Revolving Loan Trust Fund to district boards, as defined
 86 in this act, for the purpose of implementing s. 1013.29, Florida
 87 Statutes, as created by this act.

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88 Section 3. This act shall take effect July 1, 2022.

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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 1054

INTRODUCER: Senator Hutson and others

SUBJECT: Financial Literacy Instruction in Public Schools

DATE: February 7, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Pre-meeting
2.			RC	

I. Summary:

SB 1054 is designated as the “Dorothy L. Hukill Financial Literacy Act.”

The bill requires that, beginning with students entering grade 9 in the 2022-2023 school year, students must earn one-half credit in personal financial literacy and money management in order to receive a standard high school diploma.

The bill establishes financial literacy standards within the Next Generation Sunshine State Standards beginning in the 2022-2023 school year and thereafter. Financial literacy standards must, at a minimum, establish personal financial literacy and money management.

The bill takes effect July 1, 2022.

II. Present Situation:

Florida law requires the adoption of standards for core curricula content taught in public schools and specifies the requirements that students must meet to earn a standard high school diploma.¹

Standard High School Diploma Requirements

In order to receive a standard high school diploma, a student must successfully complete 24 credits in core-curricula and extracurricular courses with a 2.0 or higher cumulative grade point

¹ Sections 1003.41 and 1003.4282(3), F.S.

average² with limited exceptions.³ One of the courses within the 24 credits must be completed online.⁴

The 24 required credits must be completed in the following subject areas:⁵

- Four credits in English Language Arts (ELA) I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or practical arts.
- One credit in physical education which includes the integration of health.
- Eight credits in electives. School districts are required to develop and offer coordinated electives to enable a student to develop knowledge and skills in his or her area of interest and such electives must include opportunities for students to earn college credit.

Career and Technical Education Graduation Pathway Option

Students may also earn a standard high school diploma through the career and technical education pathway.⁶ This pathway requires students to complete at least 18 credits, including:⁷

- Four credits in English Language Arts (ELA) I, II, III, and IV;
- Four credits in mathematics, including one in Algebra I and one in Geometry;
- Three credits in science, two of which must have a laboratory component and one which must include Biology I;
- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government;
- Two credits in career and technical education courses, resulting in a program completion and industry certification; and
- Two credits in work-based learning programs.

A student may substitute up to two credits of electives, including one-half credit in financial literacy, for work-based learning program courses to fulfill the work-based learning program requirements.⁸ All credits required for graduation include courses that are identified by content-

² Section 1003.4282(6)(a), F.S.

³ Section 1002.3105(5), F.S. A student may graduate with a minimum of 18 credit hours through the Academically Challenging Curriculum to Enhance Learning option if the student meets core course credit, assessment, and GPA requirements and completes three electives.

⁴ Section 1003.4282(4), F.S.

⁵ Section 1003.4282(3)(a)-(g), F.S.

⁶ Section 1003.4282(10), F.S.

⁷ Florida Department of Education, *CTE Pathway Option for a Standard High School Diploma*, <https://www.fldoe.org/academics/career-adult-edu/career-tech-edu/pathways-option.stml> (last visited Feb. 3, 2022).

⁸ Section 1003.4282(10)(a)3., F.S.

area experts as aligning with Florida's Next Generation Sunshine State Standards for that subject.⁹

Next Generation Sunshine State Standards

The Next Generation Sunshine State Standards (NGSSS) establish the core content of the curriculum to be taught in Florida kindergarten through grade 12 public schools.¹⁰ The standards must be rigorous and relevant to incrementally increase a student's core content knowledge and skills over time. The curricular content must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards applicable to students in grades 9 through 12 may be organized by grade clusters that include more than one grade level except as otherwise provided for visual and performing arts, health and physical education, and foreign language standards.¹¹

The State Board of Education is responsible for adopting the NGSSS and subsequent revisions to such standards.¹² Currently, the NGSSS must meet the following requirements:¹³

- English and Language Arts must establish specific curricular content for reading, writing, speaking and listening, and language.
- Science must establish specific curricular content for the nature of science, earth and space science, physical science, and life science.
- Mathematics must establish specific curricular content for algebra, geometry, statistics and probability, number and quantity, functions, and modeling.
- Social Studies must establish specific curricular content for geography, United States and world history, government, civics, humanities, economics, and financial literacy.
- Visual and performing arts, physical education, health, and foreign language must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

Financial Literacy in Florida Schools

Prior to 2019, financial literacy instruction was integrated into the NGSSS Social Studies standards and required within the one-half credit in economics to receive a standard high school diploma.¹⁴ Financial literacy instruction included information regarding:¹⁵

- Earning income.
- Buying goods and services.

⁹ Section 1003.4282(1)(b), F.S.

¹⁰ Section 1003.41(1), F.S.

¹¹ *Id.*

¹² Section 1003.41(3)-(4), F.S. Standards are reviewed by educators, school administrators, representatives of Florida college institutions and universities, business and industry leaders, and the public. The Commissioner of Education must develop and submit revisions to the NGSSS as needed.

¹³ Section 1003.41(2), F.S.

¹⁴ Section 1003.41(2)(d), F.S. (2018) repealed s. 12 and 14, ch. 2019-119, L.O.F.

¹⁵ *Id.*

- Saving and financial investing.
- Taxes.
- The use of credit and credit cards.
- Budgeting and debt management, including student loans and secured loans.
- Banking and financial services.
- Planning for one's financial future, including higher education and career planning.
- Credit reports and scores.
- Fraud and identity theft prevention.

All school districts are currently required to offer a financial literacy course consisting of at least one-half credit as an elective, however it is not a graduation requirement.¹⁶ The 2021-2022 Course Code Directory¹⁷ lists four one-half credit courses in economics with financial literacy, and two one-half credit courses in personal financial literacy.

III. Effect of Proposed Changes:

SB 1054 is designated as the “Dorothy L. Hukill Financial Literacy Act.”

The bill modifies s. 1003.4282, F.S., to require that, beginning with students entering grade 9 in the 2022-2023 school year, students must earn seven and one-half credits in electives, and earn one-half credit in personal financial literacy and money management in order to receive a standard high school diploma. The bill retains the current requirement for a student to successfully complete 24 credits to earn a standard high school diploma, and retains current law for students who entered grade 9 before the 2022-2023 school year, which requires that such students earn 8 credits in electives.

The bill specifies financial literacy course instruction to include:

- Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services;
- Balancing a checkbook;
- Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and credit card debt;
- Completing a loan application;
- Receiving an inheritance and related implications;
- Basic principles of personal insurance policies;
- Computing federal income taxes;
- Local tax assessments;
- Computing interest rates by various mechanisms;
- Simple contracts;
- Contesting an incorrect billing statement;
- Types of savings and investments; and
- State and federal laws concerning finance.

¹⁶ 1003.4282(8), F.S.

¹⁷ The Course Code Directory lists all public PreK-12 and postsecondary career and technical education courses that are available for use by school districts. Rule 6A-1.09441, F.A.C.

The bill modifies s. 1003.41, F.S., to require that the financial literacy standards within the Next Generation Sunshine State Standards must, beginning for students entering grade 9 in the 2022-2023 school year and thereafter, establish curricular content for, at a minimum, personal financial literacy, money management, and specified instructional areas in the required half-credit course in personal financial literacy.

The bill takes effect July 1, 2022.

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:

The bill does not impact state revenues or state expenditures. However, there may be an impact to districts to create and incorporate the half-credit financial literacy course that would be required for high school students who enter grade 9 beginning with the 2022-2023 school year.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1003.41, 1003.4282 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

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

None.

B. Amendments:

None.

S01054

GENERAL BILL by Hutson; (CO-INTRODUCERS) Pizzo; Berman; Baxley; (Similar H 01115)

Financial Literacy Instruction in Public Schools. EFFECTIVE DATE: 07/01/2022.

12/13/21 S Referred to Education; Rules -SJ 71

01/11/22 S Introduced -SJ 71

02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Hutson

7-00820-22

20221054__

A bill to be entitled

An act relating to financial literacy instruction in public schools; providing a short title; amending s. 1003.41, F.S.; revising the requirements regarding financial literacy for the Next Generation Sunshine State Standards; amending s. 1003.4282, F.S.; revising the required credits for a standard high school diploma to include one-half credit of instruction in personal financial literacy and money management and seven and one-half, rather than eight, credits in electives; specifying the requirements of the one-half credit of instruction in personal financial literacy and money management; providing an effective date.

WHEREAS, many young people in this state graduate from high school without having basic financial literacy or money management skills, and

WHEREAS, the Legislature finds that, in light of economic challenges nationwide, sound financial management skills are vitally important to all Floridians, particularly high school students, and

WHEREAS, the Legislature also finds that requiring educational instruction in financial literacy and money management as a prerequisite to high school graduation will better prepare young people in this state for adulthood by providing them with the requisite knowledge to achieve financial stability and independence, and

WHEREAS, 21 states in the nation require financial literacy instruction as a prerequisite for high school graduation and a

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7-00820-22

20221054__

standard high school diploma, and the adoption of this act will make Florida the seventh state in the nation to require a stand-alone course in personal financial literacy as a prerequisite for high school graduation and a standard high school diploma, NOW, THEREFORE,

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

Section 1. This act may be cited as the "Dorothy L. Hukill Financial Literacy Act."

Section 2. Paragraph (d) of subsection (2) of section 1003.41, Florida Statutes, is amended to read:

1003.41 Next Generation Sunshine State Standards.—

(2) Next Generation Sunshine State Standards must meet the following requirements:

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, economics, and financial literacy. Effective for students entering grade 9 in the 2022-2023 school year and thereafter, financial literacy standards must establish specific curricular content for, at a minimum, personal financial literacy and money management and include instruction in the areas specified in s. 1003.4282(3)(h).

Section 3. Paragraph (g) of subsection (3) of section 1003.4282, Florida Statutes, is amended, and paragraph (h) is added to that subsection, to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT

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REQUIREMENTS.—

(g) ~~Eight Credits in electives.~~—School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit. A student entering grade 9 before the 2022-2023 school year must earn eight credits in electives. A student entering grade 9 in the 2022-2023 school year or thereafter must earn seven and one-half credits in electives ~~Beginning with the 2019-2020 school year, all school districts must offer a financial literacy course consisting of at least one-half credit as an elective.~~

(h) One-half credit in personal financial literacy.—Beginning with students entering grade 9 in the 2022-2023 school year, each student must earn one-half credit in personal financial literacy and money management. This instruction must include discussion of or instruction in all of the following:

1. Types of bank accounts offered, opening and managing a bank account, and assessing the quality of a depository institution's services.

2. Balancing a checkbook.

3. Basic principles of money management, such as spending, credit, credit scores, and managing debt, including retail and

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credit card debt.

4. Completing a loan application.

5. Receiving an inheritance and related implications.

6. Basic principles of personal insurance policies.

7. Computing federal income taxes.

8. Local tax assessments.

9. Computing interest rates by various mechanisms.

10. Simple contracts.

11. Contesting an incorrect billing statement.

12. Types of savings and investments.

13. State and federal laws concerning finance.

Section 4. This act shall take effect July 1, 2022.

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 1060

INTRODUCER: Senator Hutson

SUBJECT: Florida Bright Futures Scholarship Program Student Service Requirements

DATE: February 7, 2022

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Palazesi	Bouck	ED	Pre-meeting
2. _____	_____	CM	_____
3. _____	_____	RC	_____

I. Summary:

SB 1060 modifies the eligibility requirements for the Florida Bright Futures Scholarship Program to include an option for students to use paid work hours in lieu of volunteer hours to qualify for a scholarship. Additionally, the bill requires a student to evaluate and reflect upon his or her paid work experience through papers or other presentations, and makes it optional for a student to identify a social or civic issue or a professional area and develop a plan for personal involvement or learning about the area.

The bill has an indeterminate fiscal impact. See Section V. Fiscal Impact Statement.

The takes effect on July 1, 2022.

II. Present Situation:

Florida Bright Futures Scholarship Program

In 1997,¹ the Florida Legislature created the Florida Bright Futures Scholarship Program (Bright Futures Program), a postsecondary scholarship program funded by the lottery. The intent of the Bright Futures Program was to reward any Florida high school graduate who merits recognition of high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible Florida public or private postsecondary education institution.² Since 1997, the Bright Futures Program has disbursed \$7.48 billion to over 2.9 million students.³

¹ Chapter 97-379, L.O.F.

² Section 1009.53(1), F.S.

³ Florida Department of Education, Office of Student Financial Assistance, *Florida Bright Futures Scholarship Disbursement History*, <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD.pdf>, (last visited Feb. 2, 2022).

The Bright Futures Program consists of the following awards:

- Florida Academic Scholars (FAS);
- Florida Medallion Scholars (FMS);
- Florida Gold Seal CAPE Scholars (FGSC); and
- Florida Gold Seal Vocational Scholars (FGSV).⁴

Florida Academic Scholarship and Florida Medallion Scholarship

A Florida high school student who wishes to qualify for the FAS or FMS award must graduate from a Florida public high school with a standard high school diploma, graduate from a private high school registered with the Florida Department of Education (DOE), earn a general education diploma (GED), complete a home education program, or graduate from a non-Florida high school as an eligible student.⁵ A student must also meet the following initial eligibility requirements:⁶

Scholarship Type	16 High School Course Credits ⁷	High School Weighted Bright Futures GPA	College Entrance Exams (ACT/SAT) ⁸	Service Hours
FAS ⁹	4 - English (three must include substantial writing)	3.50	29/1330	100 hours
FMS ¹⁰	4 - Mathematics (at or above the Algebra I level) 3 - Natural Science (two must have substantial laboratory) 3 - Social Science 2 - World Language (sequential, in same language)	3.00	25/1210	75 hours

⁴ Section 1009.53(2), F.S.

⁵ 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 3, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>. An out-of-state student may qualify for a Bright Futures Scholarship if the student earned a high school diploma from a non-Florida school while living with a parent or guardian who is a Florida resident and on military or public service assignment away from Florida during the student's last year of high school. Florida Department of Education, *Florida Bright Futures Scholarship Program and the Out-Of-State Student* (2021-22), at 2, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFOOSGuide.pdf>.

⁶ 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 3, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>.

⁷ The required coursework aligns with the State University System admission requirements found in Florida Board of Governor's Regulation 6.002, *Admission of Undergraduate First-Time-in-College, Degree-Seeking Freshmen*, available at https://www.flbog.edu/wp-content/uploads/6_002FINAL_FTIC_03252020.pdf.

⁸ Section 1009.531(6)(b)-(d), F.S. To ensure the required exam scores represent top student performance and are equivalent between the ACT and SAT, the department determines the score for FAS as no lower than 89th national percentile on the SAT, for FMS no lower than 75th national percentile on the SAT, and the required ACT score must be made concordant. The department must publish any changes to the exam requirements that apply to students graduating in the next 2 years.

⁹ Section 1009.534, F.S.

¹⁰ Section 1009.535, F.S.

A student who has demonstrated academic merit through a recognition program may be eligible for a FAS or FMS award without having to meet the college entrance exam requirement. These merit recognition programs include:¹¹

- National Merit Finalists and Scholars;
- National Hispanic Scholars;
- Advanced International Certificate of Education (AICE) Diploma;
- International Baccalaureate (IB) Diploma;

A FAS award recipient is eligible for an award equal to the amount necessary to pay 100 percent of tuition and applicable fees and an additional stipend for textbooks as specified in the General Appropriations Act (GAA).¹² A FMS award recipient is eligible for an award equal to the amount necessary to pay 75 percent of tuition and fees,¹³ however, an eligible FMS recipient enrolled at a Florida College System (FCS) institution is eligible for an award amount equal to the amount necessary to pay 100 percent of tuition and fees.¹⁴

A student may receive a FAS or FMS award for a maximum of 100 percent of the number of credit hours required to complete an associate degree, baccalaureate degree, or postsecondary career certificate program.¹⁵

For the 2020-2021 academic year, a total of \$438,909,995¹⁶ was disbursed to 67,369 students¹⁷ receiving a FAS award and \$212,251,523¹⁸ to 51,818 students¹⁹ receiving a FMS award.

Florida Gold Seal Vocational Scholarship

A Florida high school student who wishes to qualify for the Florida Gold Seal Vocational Scholarship (FGSV) award must meet the following initial eligibility requirements:²⁰

- Achieve a minimum 3.0 weighted GPA in the non-elective high school courses;
- Take at least three full credits in a single career and technical education program;
- Achieve a minimum 3.5 unweighted GPA in the career education courses;
- Complete 30 service hours; and
- Achieve the required minimum score on the ACT, SAT, or Florida Postsecondary Education Readiness Test (P.E.R.T.) exams depicted in the table below:²¹

¹¹ Sections 1009.535(1)(b)-(e), and 1009.535(1)(b)-(e), F.S.

¹² Section 1009.534(2), F.S. The 2021 GAA did not provide funds for a textbook stipend. Specific Appropriation 5, ch. 2021-36, L.O.F.

¹³ Section 1009.535(2), F.S.

¹⁴ *Id.* Beginning with the fall 2021 semester, a FMS who is enrolled in an associate degree program at a FCS institution is eligible for the award.

¹⁵ Section 1009.532(3)(a), F.S.

¹⁶ Florida Bright Futures Scholarship Program, *Florida Bright Futures Scholarship Disbursement History* (as of Sep. 2021), available at <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD2.pdf>.

¹⁷ *Id.*

¹⁸ Florida Bright Futures Scholarship Program, *Florida Medallion Scholars Disbursement History* (as of Sep. 2021), available at <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD3.pdf>.

¹⁹ *Id.*

²⁰ Section 1009.532(1), F.S.; *See also* 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 6, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>.

²¹ *Id.*

Exam Type	Sub-test	Required Score
ACT	Reading	19
	English	17
	Mathematics	19
SAT	Reading Test	24
	Writing and Language Test	25
	Math Test	24
P.E.R.T.	Reading	106
	Writing	103
	Mathematics	114

A FGSV award recipient is eligible for an award equal to the amount specified in the GAA.²²

A student may receive a FGSV award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete an applied technology diploma, associate in applied science or associate in science degree, or a postsecondary career certificate program.²³

For the 2020-2021 academic year, a total of \$638,015²⁴ was disbursed to 755 students²⁵ receiving a FGSV award.

Florida Gold Seal CAPE Scholarship

A Florida high school student who wishes to qualify for the Florida Gold Seal Career and Professional Education (FGSC) Scholarship must meet the following initial eligibility requirements:²⁶

- Earn a minimum of five postsecondary credit hours through CAPE industry certifications which articulate for college credit; and
- Complete 30 service hours.

A FGSC award recipient is eligible for an award equal to the amount specified in the GAA.²⁷

A student may receive an FGSC award for a maximum of 100 percent of the number of credit hours or equivalent clock hours required to complete an applied technology diploma, associate in applied science or associate in science degree, or a postsecondary career certificate program.²⁸ Upon completion of an eligible associate in science degree program which articulates to a

²² Section 1009.536(3), F.S.

²³ Section 1009.532(5)(a)1., F.S.; *See also* 2021-22 Bright Futures Student Handbook, *Chapter 2: What You Need to Know Now That You Are Eligible* (July 1, 2021), at 3, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter2.pdf>.

²⁴ Florida Bright Futures Scholarship Program, *Florida Gold Seal Vocational Scholars Disbursement History* (as of Sep. 2021), available at <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD4.pdf>.

²⁵ *Id.*

²⁶ Section 1009.536(2)(a)-(b), F.S.

²⁷ Section 1009.536(3), F.S.

²⁸ Section 1009.532(5)(b)1., F.S.; *See also* 2021-22 Bright Futures Student Handbook, *Chapter 2: What You Need to Know Now That You Are Eligible* (July 1, 2021), at 3, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter2.pdf>.

baccalaureate degree, a FGSC scholar may also receive an award for a maximum of 60 credit hours toward the baccalaureate degree.²⁹

For the 2020-2021 academic year, a total of \$262,253³⁰ was disbursed to 286 students³¹ receiving a FGSC award.

Student Volunteer Requirements for the Florida Bright Futures Scholarship Program

To be eligible for a scholarship award under the Bright Futures Program, a student must complete a specified number of hours of volunteer service work. A student must meet the following service hour requirements:

Bright Futures Scholarship Program	Required Service Hours ³²
FAS	100
FMS	75
FGSV	30
FGSC	30

The student's volunteer service work must be approved by the district school board, the administrators of a nonpublic school, or the DOE for home education students.³³

Each district school board and the administrators of a nonpublic school must establish approved activities and the process for documentation of service hours, including the deadline by which the hours must be completed.³⁴ Service work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office.³⁵ Except for credit earned through service-learning courses,³⁶ the student may not receive payment or academic credit for service work performed.³⁷

The hours earned by a student must be documented in writing, signed by the student and the student's parent or guardian, and a representative of the organization where the work was performed.

In addition to the service hours, a student must identify a social or civic issue or a professional area that interests him or her, develop a plan for their personal involvement in addressing the

²⁹ Section 1009.536(5)(b)2., F.S.

³⁰ Florida Bright Futures Scholarship Program, *Florida Gold Seal CAPE Scholars Disbursement History* (as of Sep. 2021), available at <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsD5.pdf>.

³¹ *Id.*

³² Sections 1009.534(1), 1009.535(1), 1009.536(1)(e), and 1009.536(3)(b), F.S.

³³ *Id.*

³⁴ 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 4 and 6-7, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>.

³⁵ *Id.*

³⁶ Section 1003.497, F.S.

³⁷ 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 4 and 6-7, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>.

issue or learning more about the area, and, through papers or presentations, evaluate and reflect upon his or her experience.³⁸

III. Effect of Proposed Changes:

SB 1060 modifies the eligibility requirements for the Bright Futures Scholarship Program to include an option for students to use paid work hours in lieu of volunteer hours to qualify for a scholarship. Specifically, the bill allows students, beginning with students graduating in the 2022-2023 academic year and thereafter, to meet volunteer service or paid work requirements through:³⁹

- Florida Academic Scholars (FAS): 100 hours of volunteer service or 300 hours of paid work;
- Florida Medallion Scholars (FMS): 75 hours of volunteer service or 75 hours of paid work; and
- Florida Gold Seal Vocational Scholars (FGSV) and Florida Gold Seal CAPE Scholars (FGSC): 30 hours of volunteer service or 30 hour of paid work.

The paid work hours must meet the requirements for volunteer hours, including documentation in writing of paid work hours, and a student evaluation and reflection upon his or her volunteer service or paid work experience through papers or other presentations. The bill also makes it optional for a student to identify a social or civic issue or a professional area and develop a plan for personal involvement or learning about the area.

The takes effect on July 1, 2022.

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.

³⁸ 2021-22 Bright Futures Student Handbook, *Chapter 1: Initial Eligibility Requirements* (Aug. 5, 2021), at 4 and 6-7, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>.

³⁹ The bill does not provide an option for students to qualify for the Bright Futures Scholarship Program using a combination of volunteer and paid hours.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Private business could see an increase in the number of high school students applying for employment opportunities as a pathway to qualify for the Bright Futures Scholarship program. Additionally, expanding the eligibility requirements could lead to more students qualifying for the Bright Futures Scholarship program, making college more affordable for students.

C. Government Sector Impact:

According to the Department of Education, the bill could lead to more students qualifying for a Bright Futures award due to expanding the pathways toward successfully completing the service hour requirement. The total number of additional students seeking to utilize the pathway of paid work to satisfy the initial eligibility requirement is indeterminable at this time.⁴⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill does not address whether students may use past work hours to meet the requirements. Since the Bright Futures Scholarship program requires the student to submit a plan for volunteer hours, most school districts had a “pre-approval” type process for these hours. Accordingly, students who only had work hours, which do not currently count toward the requirement, likely would not have submitted a plan for approval and would be limited to those hours earned after July 1, 2022.⁴¹

VIII. Statutes Affected:

This bill substantially amends sections 1009.534, 1009.535, and 1009.536 of the Florida Statutes.

⁴⁰ Florida Department of Education, *2022 Agency Bill Analysis for HB 461* (Dec. 6, 2021).

⁴¹ *Id.*

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.



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LEGISLATIVE ACTION

Senate

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House

The Committee on Education (Hutson) recommended the following:

Senate Amendment

Delete lines 126 - 192
and insert:
the 2022-2023 academic year and thereafter, at least 300 hours
of paid work approved by the district school board, the
administrators of a nonpublic school, or the Department of
Education for home education program students. The student may
~~must~~ identify a social or civic issue or a professional area
that interests him or her and, develop a plan for his or her
personal involvement in addressing the issue or learning about



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the area. The student must, ~~and~~, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. ~~Except for credit earned through service learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed.~~ Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

Section 3. Paragraph (e) of subsection (1) and subsection (2) of section 1009.536, Florida Statutes, are amended to read:
1009.536 Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational Scholars award and the Florida Gold Seal CAPE Scholars award are created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(e) ~~Beginning with high school students graduating in the 2011-2012 academic year and thereafter,~~ Completes at least 30 hours of volunteer service or, beginning with high school



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41 students graduating in the 2022-2023 academic year and
42 thereafter, at least 300 hours of paid work approved by the
43 district school board, the administrators of a nonpublic school,
44 or the Department of Education for home education program
45 students. The student may ~~must~~ identify a social or civic issue
46 or a professional area that interests him or her and, ~~and~~ develop a
47 plan for his or her personal involvement in addressing the issue
48 or learning about the area. The student must, ~~and~~, through
49 papers or other presentations, evaluate and reflect upon his or
50 her volunteer service or paid work experience. ~~Except for credit~~
51 ~~earned through service-learning courses adopted pursuant to s.~~
52 ~~1003.497, the student may not receive remuneration or academic~~
53 ~~credit for the volunteer service work performed.~~ Such volunteer
54 service or paid work may include, but is not limited to, a
55 business or governmental internship, work for a nonprofit
56 community service organization, or activities on behalf of a
57 candidate for public office. The hours of volunteer service or
58 paid work must be documented in writing, and the document must
59 be signed by the student, the student's parent or guardian, and
60 a representative of the organization for which the student
61 performed the volunteer service or paid work.

62 (2) A ~~high school student graduating in the 2016-2017~~
63 ~~academic year and thereafter~~ is eligible for a Florida Gold Seal
64 CAPE Scholars award if he or she meets the general eligibility
65 requirements for the Florida Bright Futures Scholarship Program,
66 and the student:

67 (a) Earns a minimum of 5 postsecondary credit hours through
68 CAPE industry certifications approved pursuant to s. 1008.44
69 which articulate for college credit; and



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70 (b) Completes at least 30 hours of volunteer service or,
71 beginning with a high school student graduating in the 2022-2023
72 academic year and thereafter, at least 300 hours of paid work,
73 approved by the

S01060

GENERAL BILL by Hutson; (Similar CS/H 00461)

Florida Bright Futures Scholarship Program Student Service Requirements. EFFECTIVE DATE: 07/01/2022.

12/13/21 S Referred to Education; Commerce and Tourism; Rules -SJ 71

01/11/22 S Introduced -SJ 71

02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Hutson

7-01048B-22

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A bill to be entitled

An act relating to Florida Bright Futures Scholarship Program student service requirements; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; providing that students may satisfy eligibility requirements for a Florida Academic Scholars, Florida Medallion Scholars, Florida Gold Seal Vocational Scholars, or a Florida Gold Seal CAPE Scholars award, respectively, by performing a specified number of hours of paid work; authorizing, instead of requiring, such students to identify a specified interest or develop a plan for their service requirements under the program; conforming provisions to changes by the act; providing an effective date.

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

Section 1. Subsection (1) of section 1009.534, Florida Statutes, is amended to read:

1009.534 Florida Academic Scholars award.—

(1) A student is eligible for a Florida Academic Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses ~~that are~~ designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6) (a) on the combined verbal and quantitative parts of the Scholastic

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Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12, has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6) (a) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office;

(d) Has been recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar recipient.

The student must complete a program of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, paid work, as approved by the district school board, the administrators of a nonpublic school,

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or the Department of Education for home education program students, which must include ~~a minimum of 75 hours of service work for high school students graduating in the 2010-2011 academic year and~~ 100 hours of volunteer service or 300 hours of paid work for high school students graduating in the 2011-2012 academic year and thereafter. The student ~~may~~ must identify a social or civic issue or a professional area that interests him or her ~~and~~, develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, and, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. ~~Except for credit earned through service learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for the volunteer service work performed.~~ Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

Section 2. Subsection (1) of section 1009.535, Florida Statutes, is amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

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(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score required under s. 1009.531(6)(b) on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;

(d) Has been recognized by the merit or achievement program of the National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer service

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~~or paid~~ work required under s. 1009.534; or

(e) Has been recognized by the National Hispanic Recognition Program as a scholar, but has not completed the program of volunteer service or paid work required under s. 1009.534.

A high school student ~~graduating in the 2011-2012 academic year and thereafter~~ must complete at least 75 hours of volunteer service or, beginning with a high school student graduating in the 2022-2023 academic year and thereafter, paid work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student ~~may~~ must identify a social or civic issue or a professional area that interests him or her ~~and,~~ develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, and, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. ~~Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed.~~ Such volunteer service or paid work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service or paid work must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service or paid work.

7-01048B-22

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Section 3. Paragraph (e) of subsection (1) and subsection (2) of section 1009.536, Florida Statutes, are amended to read:
1009.536 Florida Gold Seal Vocational Scholars and Florida Gold Seal CAPE Scholars awards.—The Florida Gold Seal Vocational Scholars award and the Florida Gold Seal CAPE Scholars award are created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(e) ~~Beginning with high school students graduating in the 2011-2012 academic year and thereafter,~~ Completes at least 30 hours of volunteer service or, beginning with high school students graduating in the 2022-2023 academic year and thereafter, paid work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student ~~may~~ must identify a social or civic issue or a professional area that interests him or her ~~and,~~ develop a plan for his or her personal involvement in addressing the issue or learning about the area. The student must, and, through papers or other presentations, evaluate and reflect upon his or her volunteer service or paid work experience. ~~Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for the volunteer service work performed.~~ Such volunteer service or paid work may include, but is not limited to, a

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175 business or governmental internship, work for a nonprofit
 176 community service organization, or activities on behalf of a
 177 candidate for public office. The hours of volunteer service or
 178 paid work must be documented in writing, and the document must
 179 be signed by the student, the student's parent or guardian, and
 180 a representative of the organization for which the student
 181 performed the volunteer service or paid work.

182 (2) A ~~high school~~ student ~~graduating in the 2016-2017~~
 183 ~~academic year and thereafter~~ is eligible for a Florida Gold Seal
 184 CAPE Scholars award if he or she meets the general eligibility
 185 requirements for the Florida Bright Futures Scholarship Program,
 186 and the student:

187 (a) Earns a minimum of 5 postsecondary credit hours through
 188 CAPE industry certifications approved pursuant to s. 1008.44
 189 which articulate for college credit; and

190 (b) Completes at least 30 hours of volunteer service or,
 191 beginning with a high school student graduating in the 2022-2023
 192 academic year and thereafter, paid work, approved by the
 193 district school board, the administrators of a nonpublic school,
 194 or the Department of Education for home education program
 195 students. The student may ~~must~~ identify a social or civic issue
 196 or a professional area that interests him or her and, develop a
 197 plan for his or her personal involvement in addressing the issue
 198 or learning about the area. The student must, and, through
 199 papers or other presentations, evaluate and reflect upon his or
 200 her experience. ~~Except for credit earned through service-~~
 201 ~~learning courses adopted pursuant to s. 1003.497, the student~~
 202 ~~may not receive remuneration or academic credit for the~~
 203 ~~volunteer service work performed.~~ Such volunteer service or paid

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204 work may include, but is not limited to, a business or
 205 governmental internship, work for a nonprofit community service
 206 organization, or activities on behalf of a candidate for public
 207 office. The hours of volunteer service or paid work must be
 208 documented in writing, and the document must be signed by the
 209 student, the student's parent or guardian, and a representative
 210 of the organization for which the student performed the
 211 volunteer service or paid work.

212 Section 4. This act shall take effect July 1, 2022.

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 1160

INTRODUCER: Senator Perry

SUBJECT: Transportation Research

DATE: February 7, 2022

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Price</u>	<u>Vickers</u>	<u>TR</u>	Favorable
2. <u>Sagues</u>	<u>Bouck</u>	<u>ED</u>	Pre-meeting
3. _____	_____	<u>RC</u>	_____

I. Summary:

SB 1160 establishes the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) within the University of Florida (UF) and provides for its duties relating to transportation research, education, workforce development, and related issues. The bill requires I-STREET, by July 1, 2023, and annually thereafter, to provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report outlining its goals, as well as its efforts and progress on reaching those goals.

The bill also creates an advisory board to periodically review and advise I-STREET concerning its research program. The board consists of nine members in transportation-related areas, as follows:

- Two members, one each appointed by the President of the Senate and the Speaker of the House of Representatives.
- Two members, who are the Secretaries of Transportation and of Economic Opportunity, or their designees.
- One member from the Florida Transportation Commission.
- Four members nominated by UF's College of Engineering and approved by UF's president, which nominees may include representatives of UF, other academic and research institutions, or private entities.

The bill does not provide funding for any costs associated with participation in I-STREET. Such costs are indeterminate and are expected to be absorbed within the existing resources of the UF, the Florida Department of Transportation, and other participants.

The bill takes effect on July 1, 2022.

II. Present Situation:

The Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab

The University of Florida (UF) College of Engineering Transportation Institute, the Florida Department of Transportation (FDOT), and the City of Gainesville created the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living (I-STREET) on the UF campus and surrounding highway network. The testbed deploys and evaluates numerous advanced technologies such as autonomous vehicles, smart devices, and sensors to enhance mobility and safety.¹

The missions of I-STREET is to provide a unique ecosystem for the collaboration, research, testing, and market delivery of innovative mobility and safety solutions that scales to cities around the world.²

The main goals of I-STREET are to:³

- Improve mobility and safety on the campus and around Gainesville;
- Facilitate the development and implementation of advanced technologies invented at UF.
- Quantify the minimum criteria for operators to safely engage with automated vehicles.
- Assist industry and foster collaborations for developing and testing prototype technologies.
- Become a model nationally and internationally for the use of advanced transportation technologies.
- Leverage the testbed to advance education, technology transfer, and outreach to transportation professionals across the country.

The initial partnership contemplated a five-year project from 2017 to 2021.⁴ However, I-STREET is engaged in a number of active projects⁵ and anticipates that the testbed will become a permanent fixture at the University of Florida and testing will go on indefinitely.⁶

Florida Department of Transportation University of Florida I-STREET Invitation

The FDOT is inviting transportation industry leaders for participation in the I-STREET. The FDOT will develop requests for proposals (RFPs) utilizing the emerging technologies and will select vendors through a competitive bidding process. The selected vendor for each project will deploy technology solutions. The University of Florida will conduct before-and-after evaluations of implemented projects. After evaluation, the FDOT will consider whether to expand the successful I-STREET projects elsewhere in the state.⁷

¹ University of Florida Transportation Institute (UFTI), *I-STREET Living Lab*, [I-STREET Living Lab - University of Florida Transportation Institute \(ufl.edu\)](https://www.transportation.institute.ufl.edu/i-street-living-lab/faq/) (last visited Feb. 2, 2022). See UFTI, *FAQ*, <https://www.transportation.institute.ufl.edu/i-street-living-lab/faq/> (last visited Feb. 2, 2022).

² *Id.* See video at 8:08.

³ *Id.*

⁴ *Id.*

⁵ UFTI, *Projects*, <https://www.transportation.institute.ufl.edu/i-street-living-lab/projects/> (last visited Feb. 2, 2022).

⁶ UFTI, *FAQ*, *When will the testing begin and end?*, [FAQ - University of Florida Transportation Institute \(ufl.edu\)](https://www.transportation.institute.ufl.edu/i-street-living-lab/faq/) (last visited Feb. 2, 2022).

⁷ FDOT, *UF I-Street*, <https://www.fdot.gov/traffic/its/projects-deploy/cv/maplocations/uf-testbed.shtm> (last visited Feb. 2, 2022).

The FDOT has allocated funding for projects per fiscal year from 2021 until 2025. Each year, the FDOT funds multiple projects based on the projects' merits and safety and mobility improvement potential. The number of awards vary depending on the project type and scope.⁸

III. Effect of Proposed Changes:

SB 1160 creates s. 334.066, F.S., to codify the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) within the University of Florida (UF) and requires it, at a minimum, to:

- Conduct and facilitate research on issues related to innovative transportation mobility and safety technology development and deployment in this state and serve as an information exchange and depository for the most current information pertaining to transportation research, education, workforce development, and related issues.
- Be a continuing resource for the Legislature, the Florida Senate, the Florida Department of Transportation, local governments, the nation's metropolitan regions, and the private sector in the area of transportation and related research.
- Promote intercampus transportation and related research activities among Florida universities to enhance the ability of these universities to attract federal and private sector funding for transportation and related research.
- Provide by July 1, 2023, and annually thereafter, to the Governor, the President of the Senate, and the Speaker of the House of Representatives a comprehensive report that outlines its clearly defined goals and its efforts and progress on reaching those goals.

The bill also creates an advisory board to periodically review and advise I-STREET concerning its research program. The board consists of nine members in transportation-related areas, as follows:

- Two members, one each appointed by the President of the Senate and the Speaker of the House of Representatives.
- Two members, who are the Secretaries of Transportation and of Economic Opportunity, or their designees.
- One member from the Florida Transportation Commission.
- Four members nominated by UF's College of Engineering and approved by UF's president, which nominees may include representatives of UF, other academic and research institutions, or private entities.

Codifying I-STREET into law may help the testbed meet its mission, bring prominence to the state in the areas of transportation innovation and safety, and improve transportation for Florida residents and guests.

The bill takes effect on July 1, 2022.

⁸ *Id.*

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:

To the extent that a private sector entity participates in the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) activities, that entity may incur costs in an indeterminate amount. The bill does not provide funding for any costs associated with participation.

Transportation-related research with a focus on emerging technologies would be expected to facilitate planning, development, and implementation of transportation systems and facilities.

C. Government Sector Impact:

The costs associated with the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) duties is unknown but is expected to be absorbed within the existing resources of the University of Florida, the Florida Department of Transportation, and other potential government sector participants. The bill does not provide funding for any costs associated with participation.

Transportation-related research with a focus on emerging technologies would be expected to facilitate planning, development, and implementation of transportation systems and facilities.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 334.066 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.

S01160

GENERAL BILL by Perry; (Similar H 01031)

Transportation Research. EFFECTIVE DATE: 07/01/2022.

01/18/22 S Favorable by Transportation; YEAS 7 NAYS 0 -SJ 210

01/19/22 S Now in Education

02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Perry

8-00737-22

20221160__

A bill to be entitled

An act relating to transportation research; creating s. 334.066, F.S.; establishing the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) within the University of Florida; specifying the duties of I-STREET; requiring I-STREET to annually provide the Governor and the Legislature with a certain report; requiring the creation of a certain advisory board; specifying the composition and duties of the board; providing an effective date.

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

Section 1. Section 334.066, Florida Statutes, is created to read:

334.066 Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab.—

(1) The Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) is established within the University of Florida.

(2) At a minimum, I-STREET shall:

(a) Conduct and facilitate research on issues related to innovative transportation mobility and safety technology development and deployment in this state and serve as an information exchange and depository for the most current information pertaining to transportation research, education, workforce development, and related issues.

(b) Be a continuing resource for the Legislature, the

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8-00737-22

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Department of Transportation, local governments, the nation's metropolitan regions, and the private sector in the area of transportation and related research.

(c) Promote intercampus transportation and related research activities among Florida universities to enhance the ability of these universities to attract federal and private sector funding for transportation and related research.

(d) Provide by July 1, 2023, and each July 1 thereafter, to the Governor, the President of the Senate, and the Speaker of the House of Representatives a comprehensive report that outlines its clearly defined goals and its efforts and progress on reaching those goals.

(3) An advisory board shall be created to periodically review and advise I-STREET concerning its research program. The board shall consist of nine members in transportation-related areas, as follows:

(a) A member appointed by the President of the Senate.

(b) A member appointed by the Speaker of the House of Representatives.

(c) The Secretary of Transportation or his or her designee.

(d) The Secretary of Economic Opportunity or his or her designee.

(e) A member of the Florida Transportation Commission.

(f) Four members nominated by the University of Florida's College of Engineering and approved by the university's president. The College of Engineering's nominees may include representatives of the University of Florida, other academic and research institutions, or private entities.

Section 2. This act shall take effect July 1, 2022.

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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 1516

INTRODUCER: Senator Jones

SUBJECT: Required Instruction in the History of African Americans

DATE: February 7, 2022

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jahnke	Bouck	ED	Pre-meeting
2. _____	_____	AED	_____
3. _____	_____	AP	_____

I. Summary:

SB 1516 encourages instructional staff to include the history of local African-American cemeteries in the study of the history of African Americans when practicable.

The bill does not have a fiscal impact.

The bill is effective July 1, 2022.

II. Present Situation:

Florida Required Instruction in Schools

The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities.¹ Each district school board must provide appropriate instruction to ensure that students meet State Board of Education (SBE) adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.²

Instructional staff of public schools, excluding charter schools,³ subject to the rules of the SBE and the district school board, must provide instruction in:⁴

- The history and content of the Declaration of Independence.

¹ Section 1000.03(4), F.S.

² In 2020, the SBE adopted new standards for English language arts and mathematics, called the Benchmarks for Excellent Student Thinking (BEST) standards. The English language arts standards implementation began with the 2021-2022 school year and implementation of the math standards begin in the 2022-2023 school year. Section 1003.42(1), F.S.

³ Instructional staff of charter schools are exempt from this section of law. Section 1002.33(16), F.S.

⁴ Section 1003.42(2), F.S.

- The history, meaning, significance, and effect of the provisions of the Constitution of the United States.
- The arguments in support of adopting our republican form of government.
- Flag education, including proper flag display and flag salute.
- The elements of civil government.
- The history of the United States.
- The history of the Holocaust.
- The history of African Americans.
- The elementary principles of agriculture.
- The effects of alcoholic and intoxicating liquors and beverages and narcotics.
- Kindness to animals.
- The history of the state.
- The conservation of natural resources.
- Comprehensive health education.
- The study of Hispanic contributions to the United States.
- The study of women's contributions to the United States.
- The nature and importance of free enterprise to the United States economy.
- A character-development program in kindergarten through grade 12.
- The sacrifices that veterans and Medal of Honor recipients have made serving the country.

Required African-American Instruction

Florida public schools⁵ are required to teach about African-American history.⁶ The instruction must include, the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to American society.⁷

In October 2019, the Department of Education (DOE) adopted a rule requiring school districts to report, annually by July 1, on how instruction was provided during the previous school year for certain subjects, including the history of African Americans.⁸ The report must include specific courses offered for each grade level and what materials and resources were used.⁹

Commissioner of Education's African American History Task Force

The Commissioner of Education's African American History Task Force ensures awareness of African American history educational requirements, identifies and recommends needed state education leadership action, assists in adoption of instructional materials by the state, and builds supporting partnerships.¹⁰ The task force creates models for relevant curricula, including specific topics pertinent to each grade level. Models incorporate recommended student activities, focus

⁵ Instructional staff of charter schools are exempt from this section of law. Section 1002.33(16), F.S.

⁶ Section 1003.42(2)(h), F.S.

⁷ *Id.*

⁸ Rule 6A-1.094124, F.A.C.

⁹ *Id.*

¹⁰ Commissioner of Education's African American Task Force, *Commissioner of Education's African American History Task Force*, available at <https://afroamfl.org/> (last visited February 4, 2022).

questions, and assessment tools for each topic. Current topics include the Harlem Renaissance, the slave trade, the expansion of the Sahara Desert, and the Rosewood Massacre.¹¹

African American Cemeteries

Throughout slavery and segregation, African American cemeteries were not provided with the same resources as their white counterparts.¹² Slaveholders prohibited cemeteries from being built on valuable land, causing many African Americans to be buried in isolated areas.¹³ Proper gravestones were not often used, with graves instead being marked by wood planks, plants, and other meaningful objects that decay over time.¹⁴ As a result, many decedents are unable to locate their deceased ancestors resting place.¹⁵

Additionally, neglect by local officials and a lack of consistent recordkeeping has caused African American burial sites to become lost, re-buried by development, and unmaintained.¹⁶ Modern construction projects are often interrupted when they run into unmarked African American human remains.¹⁷

At the federal level, the African American Burial Grounds Study Act has been proposed multiple times, but has yet to be passed by the U.S. House. The act would charge the National Park Service with the organization and preservation of African American burial grounds. Also, it would require the development of financial and technical assistance programs for local groups to survey and maintain burial grounds.¹⁸

2021 Florida Task Force on Abandoned African-American Cemeteries

On June 4, 2021, Governor DeSantis signed CS/CS/HB 37 into law, establishing a task force on Abandoned African-American Cemeteries (2021 task force).¹⁹ Under the purview of the Department of State, the 2021 task force is required to:²⁰

- Review the findings and recommendations made by the 1998 Task Force on Abandoned and Neglected Cemeteries and any legislative or administrative action taken in response.

¹¹ Commissioner of Education's African American Task Force, *African American History Instructional Standards Guide* (July 2021), available at <https://afroamfl.org/wp-content/uploads/2021/08/AAHTF-Instructional-Standards-July-2021.pdf>

¹² National Geographic, *The fight to save America's historic Black cemeteries*, <https://www.nationalgeographic.com/travel/article/historic-black-cemeteries-at-risk-can-they-be-preserved> (last visited February 4, 2022).

¹³ *Id.*

¹⁴ South Carolina's Information Highway, *History of African-American Cemeteries*, <https://www.sciway.net/hist/chicora/gravematters-1.html> (last visited February 4, 2022).

¹⁵ National Geographic, *The fight to save America's historic Black cemeteries*, <https://www.nationalgeographic.com/travel/article/historic-black-cemeteries-at-risk-can-they-be-preserved> (last visited February 4, 2022).

¹⁶ *Id.*

¹⁷ Nora McGreevy, *Lost African American Cemetery Found Under Florida Parking Lot*, Smithsonian Magazine, June 17, 2020, available at <https://www.smithsonianmag.com/smart-news/lost-african-american-cemetery-re-discovered-under-florida-parking-lot-180975109/>.

¹⁸ Library of Congress, S.2827 - African American Burial Grounds Study Act, <https://www.congress.gov/bill/116th-congress/senate-bill/2827/text/es> (last visited February 4, 2022).

¹⁹ Chapter 2021-60, L.O.F.

²⁰ Chapter 2021-60, L.O.F.

- Examine the adequacy of current practices regarding the preservation of unmarked and abandoned African-American cemeteries and burial grounds and identify any challenges unique to African-American cemeteries and burial grounds.
- Identify locations of unmarked and abandoned African-American cemeteries and burial grounds throughout the state and propose strategies, including any proposed legislation, for the preservation and evaluation of such sites.
- Make recommendations regarding standards for the creation, placement, and maintenance of a memorial at any identified locations of unmarked and abandoned African-American cemeteries or burial grounds throughout the state.
- Submit a report by January 1, 2022, detailing its findings and recommendations to the President of the Senate, Speaker of the House of Representatives, Minority Leaders of the Senate and House of Representatives, and the Governor.

The 2021 task force consists of ten members, eight of whom are appointed by the Secretary of State to represent relevant impacted groups, including the Florida Council of Churches, cemetery industry, Florida State Conference of the National Association for the Advancement of Colored People, and the Florida African American Heritage Preservation Network. Of the remaining task force members, one is a member of the House of Representatives appointed by the Speaker, and the other is a Senator appointed by the President of the Senate.²¹

As of January 2022, the task force has met six times and submitted its final report.²² Initial meetings included review of the 1998 Task Force on Abandoned and Neglected Cemeteries findings, solicitation of public comment, examination of other state initiatives, and report drafting.²³ The report includes four categories of final recommendations.²⁴ Specifically, the Education category recommends funding grant opportunities to research and preserve cemeteries, expanding the University of South Florida's Black Cemetery Network²⁵, and establishing curricula on the history of African American cemeteries.

III. Effect of Proposed Changes:

SB 1516 amends s. 1003.42, F.S., by encouraging instructional staff of public schools, excluding charter schools, to incorporate the history of local African-American cemeteries into their required instruction of the history of African Americans when practicable.

Incorporating the history of local African-American cemeteries could provide students with a better awareness and understanding of African American history within in their communities.

The bill is effective July 1, 2022.

²¹ Chapter 2021-60, L.O.F.

²² Florida Department of State, *Abandoned African-American Cemeteries Task Force*, <https://dos.myflorida.com/historical/archaeology/human-remains/abandoned-cemeteries/abandoned-african-american-cemeteries-task-force/> (last visited February 4, 2022).

²³ *Id.*

²⁴ Florida Department of State, *Task Force on Abandoned African-American Cemeteries Final Report* (December 17, 2020), available at https://files.floridados.gov/media/705214/hb-37_task-force-on-abandoned-african-american-cemeteries_report_12-17-2021.pdf.

²⁵ *Id.*

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 1003.42 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.

S01516

GENERAL BILL by Jones; (Identical H 00447)

Required Instruction in the History of African Americans. EFFECTIVE DATE: 07/01/2022.

01/12/22 S Referred to Education; Appropriations Subcommittee on Education; Appropriations -SJ 133

01/18/22 S Introduced -SJ 133

02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Jones

35-01534-22

20221516__

A bill to be entitled

An act relating to required instruction in the history of African Americans; amending s. 1003.42, F.S.; providing that instructional staff of public schools are encouraged to include the history of local African-American cemeteries in the study of the history of African Americans when practicable; providing an effective date.

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

Section 1. Paragraph (h) of subsection (2) of section 1003.42, Florida Statutes, is amended to read:
1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall include the contributions of African Americans to American society. Members of the instructional staff are encouraged to include the history of local African-American cemeteries in the

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study of the history of African Americans when practicable.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection. A character development program that incorporates the values of the recipients of the Congressional Medal of Honor and that is offered as part of a social studies, English Language Arts, or other schoolwide character building and veteran awareness initiative meets the requirements of paragraphs (s) and (t).

Section 2. This act shall take effect July 1, 2022.

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

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 1674

INTRODUCER: Senator Ausley

SUBJECT: Individual Education Plans

DATE: February 7, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sagues	Bouck	ED	Pre-meeting
2.			JU	
3.			RC	

I. Summary:

SB 1674 requires school districts to provide information and instruction to a student with a disability and his or her parent on self-determination and the legal rights and responsibilities relating to educational decisions that transfer to the student upon attaining the age of 18.

The information provided must include mechanisms for maintaining parental involvement in educational decision-making including a Family Educational Rights and Privacy Act waiver, powers of attorney, guardian advocacy and guardianship.

The bill requires that this information be shared with students and their parents at least one year prior to the student reaching the age of majority.

The bill has no fiscal impact.

The bill takes effect on July 1, 2022.

II. Present Situation:

Students with Disabilities

All students who are between the ages of 3 to 21 and have a disability have the right to a free, appropriate public education (FAPE)¹ and related services designed to meet their unique needs.

It is the responsibility of each state and school district to develop procedures consistent with the requirement that all students with disabilities have access to a FAPE in the least restrictive

¹ Section 1003.5716, F.S.

environment.² During the 2021-2022 academic year, Florida public schools reported 578,317 students with disabilities.³

Individuals with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a federal law that makes available a FAPE to eligible children with disabilities and ensures special education and related services are provided to those children.

The stated purpose of the IDEA is to:⁴

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

The Individual Education Plan

The Individual Education Plan (IEP) is the primary vehicle for communicating the school district's commitment to addressing the unique educational needs of a Florida student with a disability.⁵ IDEA requires that:⁶

- Students with disabilities who meet the criteria of one or more categories of disability specified in law and who need special education services have an IEP;
- The IEP must be reviewed at least annually and revised as necessary;
- Due process rights are guaranteed;
- Student records are confidential;
- Parents are important partners in the IEP process and must be invited to all IEP meetings; and
- Student evaluation procedures are nondiscriminatory.

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

³ FDOE, Education Information and Accountability Services Data Report, *Membership in Programs for Exceptional Students, Final Survey 2, 2021-22*, <https://www.fldoe.org/core/fileparse.php/7584/urlt/MPES2122.xlsx> (last visited Feb. 3, 2022).

⁴ United States Department of Education, *IDEA, About IDEA*, <https://sites.ed.gov/idea/about-idea/#IDEA-Purpose> (last visited Feb. 3, 2022).

⁵ FDOE, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 9.

⁶ *Id.*

To ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities, an IEP team begins the process of identifying the need for transition services when the student is in grade 7, or when the student attains the age of 12, whichever occurs first.⁷ The student's IEP must be operational and in place for implementation on the first day of the student's first year of high school.⁸ The process of identifying the need for transition services and developing an IEP must include:⁹

- Consideration of the student's need for instruction in the area of self-determination and self-advocacy to assist in the student's active and effective participation in IEP meetings;
- Preparation for the student to graduate from high school with a standard high school diploma¹⁰ with a Scholar designation¹¹ unless the student's parent chooses a Merit designation;¹²
- Information about the school district's high-school level transition services, career and technical education, and collegiate programs available to students with a disability and how to access such programs;
- Information about programs and services available through Florida's Center for Students with Unique Abilities, Florida's Centers for Independent Living, the Division of Vocational Rehabilitation, the Agency for Persons with Disabilities, and the Division of Blind Services; and
- Referral forms, links, and technical support contacts for accessing services and programs.

The IEP in effect when the student enters high school or attains the age of 14, or when determined appropriate by the parent and IEP team, must be updated annually to include a statement:¹³

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

⁷ Section 1003.5716(1), F.S.

⁸ *Id.*

⁹ Section 1003.5716(1)(a)-(b), F.S.

¹⁰ Section 1003.4282, F.S.

¹¹ A "Scholar" designation requires a student to meet the requirements of s. 1003.4282, F.S., for a standard high school diploma and satisfy additional specific course requirements in mathematics, science, social studies, foreign language, and electives. *See* Section 1003.4285(1)(a), F.S.

¹² A "Merit" designation requires a student to meet the requirements of s. 1003.4282, F.S., for a standard high school diploma and attain one or more industry certifications from the list established under s. 1003.492, F.S. Section 1003.4285(1)(b), F.S.

¹³ Section 1003.5716(2), F.S.

IEP teams are required to invite agencies,¹⁴ with parental consent if the student has not reached the age of majority¹⁵ consent, that may provide services after the student exits high school and include consideration of pre-employment transition services¹⁶ through the Division of Vocational Rehabilitation (VR)¹⁷ in the development of post-secondary and career goals.¹⁸

Workforce Innovation and Opportunity Act of 2014 (WIOA)

The WIOA¹⁹ aims to increase opportunities for individuals facing barriers to employment and focus on the connection between education and career preparation.²⁰ The WIOA requires that state vocational rehabilitation agencies set aside at least 15 percent of their federal funds to provide preemployment transition services²¹ to eligible individuals with a disability who:²²

- Are between 14 and 21 years of age;²³ and
- Have a current IEP; or
- Have or are eligible for an accommodation plan pursuant to s. 504 of the Rehabilitation Act of 1973.²⁴

¹⁴ Agency involvement in transition planning is based on the nature of the student's needs and the student's disability, whether the student is potentially eligible for services and the student's postsecondary education and career goals, such as further education, training, employment and independent living. Agencies frequently involved in the planning and delivery of transition services in Florida include: Agency for Persons with Disabilities; Center for Independent Living; Department of Children and Families; Division of Blind Services; Division of Vocational Rehabilitation (VR); Social Security Administration; Local career and technical schools, Florida colleges and universities; and other adult service providers. FDOE, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 47.

¹⁵ "Age of majority" means any natural person 18 years of age or older, or an emancipated minor. Section 487.021(6), F.S.

¹⁶ VR provides pre-employment services, which may include career exploration counseling, workplace readiness training, community-based work experiences, self-advocacy instruction, peer mentoring and postsecondary educational counseling for students with a disability. FDOE, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf> at 48.

¹⁷ The Division of VR is housed in the FDOE. VR and VR services mean any service, provided directly or through public or private entities, to enable an individual or group of individuals to achieve an employment outcome. Section 413.20(8) and (28), F.S.

¹⁸ FDOE, *Developing Quality Individual Education Plans* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/0070122-qualityieps.pdf>, at 17.

¹⁹ Pub. L. No. 113-128, 128 Stat. 1425 (July 22, 2014).

²⁰ See U.S. Department of Labor, Employment & Training Administration, *WIOA Overview*, <https://www.doleta.gov/wioa/about/overview/> (last visited Feb. 3, 2022).

²¹ "Transition services" means a coordinated set of activities for a student, designed that promote movement from school to post-school activities, including postsecondary education; vocational training; integrated and supported employment; continuing and adult education and services; independent living, or community participation. Section 413.20(27), F.S.

²² States may elect a lower minimum age or higher maximum age for receipt of pre-employment services under IDEA. Workforce Innovation Technical Assistance Center, *Preemployment Transition Services*, <http://www.wintac.org/topic-areas/pre-employment-transition-services> (last visited Feb. 4, 2022).

²³ Section 413.310(1), F.S.

²⁴ The Section 504 plan identifies the services and accommodations necessary for a student to access instruction and may include accommodations in the classroom and for local and state assessments. FDOE, *Accommodations, Assisting Students with Disabilities* (2018), available at <http://www.fldoe.org/core/fileparse.php/7567/urlt/0070069-accomm-educator.pdf>, at 3. Pub. L. No. 93-112, s. 504, 83 Stat. 355, 361 (1973), as amended and codified in 29 U.S.C. s. 794.

Impact of Students Attaining the Age of Majority

Individuals with Disabilities Education Act

The IDEA specifically authorizes states to transfer rights reserved for parents of a student with disabilities to the student once the student attains the age of majority.²⁵ The IDEA requires that such transfer of rights must be provided for in-state law that applies to all children (except for those determined incompetent under state law) and provide for the following:²⁶

- The transfer of all rights accorded to parents under the IDEA; and
- Notification to the student and parents of the transfer of rights.

To protect students who have not been determined incompetent, but may be unable to provide informed consent with respect to his or her educational program, the IDEA requires that states establish procedures for appointing an individual to represent the interests of the student for the duration of his or her eligibility for special education services.²⁷

Family Educational Rights and Privacy Act

With limited exceptions, school districts may not disclose personally identifiable information contained within student records to a third party without parental consent.²⁸ The Family Educational Rights and Privacy Act (FERPA) applies to all schools that receive funds under an applicable program of the USDOE.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Such rights include parents or eligible students having the right to:²⁹

- Inspect and review the student's education records maintained by the school.
- Request that a school correct records which they believe to be inaccurate or misleading.

Sections 1002.22 and 1002.225, F.S., incorporate the FERPA into Florida law as it applies to public K-12 students and public postsecondary educational institutions, respectively. The FERPA only applies to records created for an educational purpose and maintained by an educational agency.

Powers of Attorney

A power of attorney is a legal document in which the client (a principal) authorizes a person or entity (an agent) to act on his or her behalf. The authority granted depends on the specific language of the power of attorney. A principal may grant very broad authority (a general power

²⁵ 34 C.F.R. s. 300.520(a)

²⁶ *Id.*

²⁷ 34 C.F.R. s. 300.520(b)

²⁸ Section 1002.22, F.S.; 20 U.S.C. s. 1232(g).

²⁹ 20 U.S.C. s. 1232(g). U.S. Department of Education, *FERPA*, <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html#:~:text=The%20Family%20Educational%20Rights%20and%20Privacy%20Act%20%28FERPA%29,applicable%20program%20of%20the%20U.S.%20Department%20of%20Education.> (last visited Feb. 3, 2022).

of attorney) or may limit the authority to certain specific acts (a limited power of attorney).³⁰ An agent must be age 18 or older, or a financial institution that meets specified criteria.³¹

A power of attorney must be signed by the principal and two witnesses in a notary's presence. If the principal is physically unable to sign the power of attorney, the notary public may sign the principal's name on the power of attorney.³²

Guardian Advocate

Guardian advocacy is a process for family members, caregivers, or friends of individuals with a developmental disability to obtain the legal authority to act on their behalf if the person lacks the decision-making ability to do some, but not all, of the decision-making tasks necessary to care for his or her person or property.³³ This is accomplished without having to declare the person with a developmental disability incapacitated.

A petition to appoint a guardian advocate for a person with a developmental disability may be executed by an adult person who is a resident of this state.³⁴ The petition must be verified by the petitioner and must include statutorily innumerate information.³⁵

Notice of the filing of the petition must be given to the person with a developmental disability, both verbally and in writing, in the language of the person and in English and must include specified information.³⁶

If the court finds the person with a developmental disability requires the appointment of a guardian advocate, the order appointing the guardian advocate must contain findings of facts and conclusions of law supporting that determination.³⁷

Upon compliance with all of the statutory requirements, letters of guardian advocacy must be issued to the guardian advocate.³⁸

Guardianship

Guardian means a person who has been appointed by the court to act on behalf of a ward's person or property, or both.³⁹ Adjudicating a person totally incapacitated and in need of a guardian deprives a person of his or her civil and legal rights.⁴⁰ The Legislature has recognized that the least restrictive form of guardianship should be used to ensure the most appropriate level of care and the protection of that person's rights.⁴¹

³⁰ Section 709.2102(1), (9), and (11), F.S.

³¹ Section 709.2105, F.S.

³² Section 709.2105, F.S.

³³ Section 393.12(2)(a), F.S.

³⁴ Section 393.12 (3), F.S.

³⁵ Section 393.12(3)(a)-(f), F.S.

³⁶ Section 393.12(4)(a)-(c), F.S.

³⁷ Section 393.12(8), F.S.

³⁸ See Section 393.12, F.S.

³⁹ Section 744.102(9), F.S.

⁴⁰ Section 744.101(1), F.S.

⁴¹ Section 744.101(2), F.S.

In Florida, the process to determine an individual's incapacity and the subsequent appointment of a guardian begins with a verified petition detailing the factual information supporting the reasons the petitioner believes the individual to be incapacitated, including the rights the alleged incapacitated person is incapable of exercising.⁴² Once a person has been adjudicated incapacitated, the court appoints a guardian, and the letters of guardianship are issued.⁴³ The order appointing a guardian must be consistent with the ward's welfare and safety, must be the least restrictive appropriate alternative, and must reserve to the ward the right to make decisions in all matters commensurate with his or her ability to do so.⁴⁴

III. Effect of Proposed Changes:

SB 1674 modifies s. 1003.5716, F.S., to require school districts to provide, within a student's individual education plan, information and instruction to a student with a disability and his or her parent on self-determination and the legal rights and responsibilities relating to educational decisions that transfer to the student upon attaining the age of 18.

The information provided must include mechanisms for maintaining parental involvement in educational decision-making including a Family Educational Rights and Privacy Act waiver, powers of attorney, guardian advocacy and guardianship.

The bill requires that this information be shared with students and their parents at least one year prior to the student reaching the age of majority.

Requiring such information to be shared with a student with disabilities and his or her parent before the student attains the age of majority, may help the student make informed educational decisions and allow the parent to continue to participate in such decisions.

The bill takes effect on July 1, 2022.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴² Section 744.3201, F.S.

⁴³ Sections 744.3371, 744.345, F.S.

⁴⁴ Section 744.2005(3), F.S.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.5716 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

S01674

GENERAL BILL by Ausley; (CO-INTRODUCERS) Rodrigues; (Identical H 01317)

Individual Education Plans. EFFECTIVE DATE: 07/01/2022.

01/12/22 S Referred to Education; Judiciary; Rules -SJ 144

01/18/22 S Introduced -SJ 144

02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Ausley

3-01269B-22

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A bill to be entitled

An act relating to individual education plans; amending s. 1003.5716, F.S.; requiring individual education plans for certain students to contain information and instruction on the legal rights and responsibilities regarding educational decisions which transfer to students at the age of 18; requiring such information to include ways in which a student may provide informed consent to allow his or her parent to continue to participate in his or her educational decisions; providing an effective date.

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

Section 1. Subsection (1) of section 1003.5716, Florida Statutes, is amended to read:

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

(1) To ensure quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities, during the student's seventh grade year or when the student attains the age of 12, whichever occurs first, an IEP team shall begin the process of, and develop an IEP for, identifying the need for transition services before the student with a disability enters high school or attains the age of 14 years, whichever occurs first, in order for his or her

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postsecondary goals and career goals to be identified. The plan must be operational and in place to begin implementation on the first day of the student's first year in high school. This process must include, but is not limited to, all of the following:

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

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

(c) Provision of the information to the student and his or her parent of the school district's high school-level transition services, career and technical education, and collegiate programs available to students with disabilities and how to access such programs. Information shall also be provided on school-based transition programs and programs and services available through Florida's Center for Students with Unique Abilities, the Florida Centers for Independent Living, the Division of Vocational Rehabilitation, the Agency for Persons with Disabilities, and the Division of Blind Services. Referral forms, links, and technical support contacts for these services must be provided to students and parents at IEP meetings.

(d) At least 1 year before the student reaches the age of majority, provision of information and instruction to the student and his or her parent on self-determination and the legal rights and responsibilities regarding the educational decisions which transfer to the student upon attaining the age

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of 18. The information must include the ways in which the
student may provide informed consent to allow his or her parent
to continue to participate in his or her educational decisions,
including:

1. Informed consent to grant permission to access
confidential records protected under the Family Educational
Rights and Privacy Act (FERPA) as provided in s. 1002.22.

2. Powers of attorney as provided in chapter 709.

3. Guardian advocacy as provided in s. 393.12.

4. Guardianship as provided in chapter 744.

Section 2. This act shall take effect July 1, 2022.

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 1834

INTRODUCER: Senator Baxley

SUBJECT: Parental Rights in Education

DATE: February 7, 2022

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Palazes	Bouck	ED	Pre-meeting
2. _____	_____	AP	_____
3. _____	_____	RC	_____

I. Summary:

SB 1834 provides additional requirements for school districts to notify parents if there is a change in their student's services or monitoring in relation to their student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student.

The bill requires school districts to adopt procedures that reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children. The procedures must require school district personnel to encourage a student to discuss issues relating to his or her well-being with his or her parent, or to seek permission to discuss or facilitate discussion of the issue with the parent. Additionally, the procedures must comply with the rights of parents in accessing their student's educational records that are created, maintained, or used by public educational institutions.

The bill creates a cause of action for parents to seek declarative and injunctive relief against a school district that violates the provisions of the bill.

The bill requires that all student support training provided by school districts to school personnel adhere to guidelines, standards, and frameworks established by the Department of Education.

The bill prohibits a school district from encouraging classroom discussion about sexual orientation or gender identity in primary grade levels or in a manner that is not age-appropriate or developmentally appropriate for students.

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

The bill has an effective date of July 1, 2022.

II. Present Situation:

Constitutional Rights of Parents

Parental Guarantees in the United States Constitution

The Fourteenth Amendment to the U.S. Constitution provides that no State shall:

[D]eprive any person of life, *liberty*, or property, without due process of law.

The U.S. Supreme Court (Court) has recognized that the Due Process Clause guarantees more than simply fair process. The Due Process Clause contains an additional component that provides a heightened level of protection against any government interference when certain fundamental rights and liberty interests are involved. The Court noted, in a case to determine the scope of grandparent visitation rights when pitted against a parent's rights, that the Fourteenth Amendment "liberty interest" at issue – the interest that parents had in the care, custody, and control over their children – was perhaps the oldest of any fundamental liberty interest that the Court had recognized.¹

The Court reflected back to a 1923 decision,² when it determined that the "liberty" interest protected by the Due Process Clause included the right of parents to "establish a home and bring up children" and "to control the education of their own."

The Court also noted as early as 1925³ that a child was not simply the creature of the State and that the people who nurture the child and direct the child's destiny have the right, and the high duty, to recognize and prepare the child for additional obligations. In 1944, the Court confirmed the right of parents to direct the upbringing of their children when it stated:

It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder.⁴

Finally, in recounting the history of parental authority in 1979, the Court stated, "We have recognized on numerous occasions that the relationship between parent and child is constitutionally protected."⁵

Parental Guarantees in the State Constitution

Similarly, the Florida Supreme Court (Florida Court) has determined that the fundamental liberty interest in parenting one's child "is protected by both the Florida and federal constitutions. In Florida, it is specifically protected by our privacy provision."⁶ The Florida Court also noted that

¹ *Troxel v. Granville*, 530 U.S. 57 (2000).

² *Troxel* quoting *Meyer v. Nebraska*, 262 U.S. 390, 399, 401 (1923).

³ *Troxel* quoting *Pierce v. Society of Sisters*, 268 U.S. 510, 534-535 (1925).

⁴ *Troxel* quoting *Prince v. Massachusetts*, 321 U.S. 158, 166 (1944).

⁵ *Troxel* quoting *Parham v. J.R.* 442 U.S. 584, 602 (1979).

⁶ *Beagle v. Beagle*, 678 So. 2d 1271, 1275 (Fla. 1996).

the state constitutional privacy provision contained in article I, section 23 affords greater protection than that of the federal constitution.

The Florida Court determined that the standard of review that must be used to evaluate whether a state has intruded into a citizen's private life is the "compelling state interest standard."⁷ Under that test, the burden of proof is on the state to justify its intrusion on privacy. The burden can be met by the state if it demonstrates that the regulation being challenged serves a compelling state interest and the regulation accomplishes its goal by using the least intrusive means.⁸

Statutory Rights of Parents of Students

Parents' Bill of Rights

In 2021, the Florida Legislature passed the Parents' Bill of Rights Act⁹ that established that important information relating to a minor child should not be withheld, either inadvertently or purposefully, from his or her parent, including information relating to the minor child's health, well-being, and education, while the minor child is in the custody of the school district.¹⁰ The Parents' Bill of Rights provided that all parental rights are reserved to the parent¹¹ of a minor child in this state without obstruction or interference from the state, any of its political subdivisions, any other governmental entity, or any other institution, including, but not limited to, all of the following rights of a parent of a minor child in this state:¹²

- The right to direct the education and care of his or her minor child.
- The right to direct the upbringing and the moral or religious training of his or her minor child.
- The right to apply to enroll his or her minor child in a public school or, as an alternative to public education, a private school, including a religious school, a home education program, or other available options, as authorized by law.¹³
- The right to access and review all school records relating to his or her minor child.¹⁴
- The right to make health care decisions for his or her minor child, unless otherwise prohibited by law.
- The right to access and review all medical records of his or her minor child, unless prohibited by law or if the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement agency or official requests that the information not be released.
- The right to consent in writing before a biometric scan of his or her minor child is made, shared, or stored.
- The right to consent in writing before any record of his or her minor child's blood or deoxyribonucleic acid (DNA) is created, stored, or shared, except as required by general law or authorized pursuant to a court order.

⁷ *Winfield v. Division of Pari-Mutual Wagering*, 477 So. 2d 544, 548 (Fla. 1985).

⁸ *Id.*

⁹ Chapter 2021-199, L.O.F.

¹⁰ Section 1014.02 (1), F.S.

¹¹ Section 1014.02(2), F.S. defines a parent as a person who has legal custody of a minor child as a natural or adoptive parent or a legal guardian.

¹² Section 1014.04(1)(a)-(j), F.S.

¹³ Section 1002.20, (2)(b) and (6), F.S. provide the rights of parents to enroll their child into a public or private school.

¹⁴ Section 1002.20(13), F.S. provide the rights parents have when accessing student records.

- The right to consent in writing before the state or any of its political subdivisions makes a video or voice recording of his or her minor child unless such recording is made during or as part of a court proceeding or is made as part of a forensic interview in a criminal or Department of Children and Families (DCF) investigation or is to be used solely for the following purposes:
 - A safety demonstration, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles;
 - A purpose related to a legitimate academic or extracurricular activity;
 - A purpose related to regular classroom instructions;
 - Security or surveillance of buildings or grounds; or
 - A photo identification card.
- The right to be notified promptly if an employee of the state, any of its political subdivisions, any other governmental entity, or any other institution suspects that a criminal offense has been committed against his or her minor child, unless the incident has first been reported to law enforcement or the DCF and notifying the parent would impede the investigation.

A parent of a minor child has other inalienable rights that are more comprehensive than those listed in the Parent Bill of Rights, unless such rights have been legally waived or terminated.¹⁵ However, the Parent Bills of Rights does not authorize a parent to abuse or neglect a child or to end or cause the end of a child's life, and does not prohibit specified actions by law enforcement, courts, or employees of agencies for child welfare.¹⁶

School District Obligations

School districts are required to develop and adopt policies to promote parental involvement in the public school system.¹⁷ Additionally, school districts are required to:

- Provide a parent with specific information about his or her child's educational progress, comprehensive information about opportunities for involvement in the child's education, and a framework for building and strengthening partnerships among parents and school district personnel.¹⁸
- Afford a parent the opportunity to enroll his or her child in instruction for exceptional students or challenge a district school board's determination of the child's eligibility for a gifted or special education program.¹⁹
- Establish a policy enabling a parent to object to and contest specific instructional materials.²⁰
- Notify a parent and obtain his or her consent before a public school student may be referred to or offered contraceptive services at school facilities or travel in a privately owned motor vehicle to a school function.²¹
- Afford a parent the ability to opt their student out of receiving instruction on reproductive health or any disease, including HIV/AIDS.²²

¹⁵ Section 1014.04(4), F.S.

¹⁶ Section 1014.04(2), F.S.

¹⁷ Section 1014(1), F.S.

¹⁸ Section 1002.23, F.S.

¹⁹ Section 1003.57, F.S.

²⁰ Section 1006.28(2)(a)2. and 3., F.S.

²¹ Sections 1002.20(3)(e) and (22)(c), F.S.

²² Section 1002.20(3)(d), F.S.

Access to Records and Information

The rights of students and their parents with respect to education records created, maintained, or used by public educational institutions and agencies are protected under federal law.²³ Specifically, a parent of a K-12 student has the right to:²⁴

- Receive accurate and timely information regarding the student's academic progress and must be informed of ways a parent can help a student succeed in school.
- Access the student's education records, including the right to inspect and review those records.
- Challenge the content of education records in order to ensure that the records are not inaccurate, misleading, or otherwise a violation of privacy or other rights.
- Privacy with respect to the student's records and reports.
- Receive annual notice of the parent's rights with respect to education records.
- Receive report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.²⁵
- Receive reports at regular intervals of the academic progress and other needed information regarding the student.
- Receive timely notification of any verified report of a substance abuse violation by the student.²⁶
- Access information relating to the school district's policies for promotion or retention, including high school graduation requirements.²⁷
- Access information relating to student eligibility to participate in extra-curricular activities.²⁸
- Access information relating to the state public education system, standards, and requirements.²⁹
- Access, review, object to, and challenge instructional and supplemental education materials.³⁰

Parental Consent for Health Care

Any medical decision made to address a student's needs is a matter between the student, the student's parent, and a competent health care professional chosen by the parent.³¹ The right to consent to medical treatment for a child resides with a parent who has the legal responsibility to maintain and support the child.³² District school boards may adopt policies to ensure an

²³ Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g; and s. 1002.22, F.S. With limited exceptions, the FERPA prohibits the distribution of federal funds to an educational agency that has a policy or practice of disclosing the education records of a student without parental consent. Section 1002.221, F.S., incorporates FERPA into Florida law. FERPA only applies to records created for an educational purpose and maintained by an educational agency. The FERPA authorizes an education agency to disclose records without parental consent to juvenile justice and criminal justice agencies if the disclosure concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released. 34 C.F.R. s. 99.38.

²⁴ Sections 1002.20, 1002.22(2), and 1006.28, F.S.

²⁵ Section 1002.20(14), F.S.

²⁶ Section 1002.20(3), F.S.

²⁷ Section 1008.25, F.S.

²⁸ Section 1006.195(1), F.S.

²⁹ Section 1002.23, F.S.

³⁰ Sections 1002.20(19) and 1006.28, F.S.

³¹ Section 1006.0625, F.S.

³² *O'Keefe v. Orea*, 731 So. 2d 680, 686 (Fla. 1st DCA 1998).

appropriate response in emergency situations and the provision of first aid and emergency medical care.³³ In addition, a volunteer team physician who, gratuitously and in good faith, agrees to render emergency care or treatment to any participant at an athletic event sponsored by a public or private elementary or secondary school event in connection with an emergency at the event is immune from damages arising as a result of care or treatment provided in good faith, with regard to human rights, safety, and property.³⁴

Florida's School Counseling Framework

Florida's School Counseling Framework represents the continuing evolution of prekindergarten–12 school counseling programs.³⁵ When first articulated in 1995, this model represented a departure from prior “guidance” program concepts to one that is comprehensive in scope, preventative in design, and developmental in nature. The Framework has been increasingly used by districts to structure their school counseling programs to include a standards-based student development curriculum and activities.³⁶

III. Effect of Proposed Changes:

SB 1834 modifies s. 1001.42, F.S., to provide additional requirements for school districts to notify parents if there is a change in their student's services or monitoring in relation to their student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student.

The bill requires school districts to adopt procedures that reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children. The procedures must require school district personnel to encourage a student to discuss issues relating to his or her well-being with his or her parent; or to seek permission to discuss or facilitate discussion of the issue with the parent. Additionally, the procedures must comply with the rights of parents in accessing their student's educational records that are created, maintained, or used by public educational institutions. The bill does provide that information could be withheld if a reasonably prudent person would believe that such disclosure would result in abuse, abandonment, or neglect of the student, and specifies that it does not limit the duty of school district personnel to report suspicion of such acts to the Department of Children and Families.

The bill prohibits a school district from adopting procedures or student support forms that:

- Prohibit a parent from accessing any of his or her minor child's education records created, maintained, or used by the school district.
- Require school district personnel to withhold from a parent information about his or her student's mental, emotional, or physical health or well-being, or a change in related services or monitoring; or

³³ Section 1001.43, F.S.

³⁴ Section 768.135, F.S.

³⁵ Florida Department of Education, *Florida's School Counseling Framework*, at 9 (2010), available at <https://www.fldoe.org/core/fileparse.php/7690/urlt/0070167-finalcounselframework2010.pdf>, (last visited Feb, 4, 2022).

³⁶ *Id.*

- Encourage or have the effect of encouraging a student to withhold from a parent such information, unless a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect.

The bill specifies that school district personnel may not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being.

The bill prohibits a school district from encouraging classroom discussion about sexual orientation or gender identity in primary grade levels³⁷ or in a manner that is not age-appropriate or developmentally appropriate for students.

The bill creates a cause of action for parents to seek declarative and injunctive relief against a school district that violates the provisions of the bill. A prevailing parent may receive damages and is entitled to reasonable attorney fees and court costs.

The bill requires that all student support training provided by school districts to school personnel adhere to guidelines, standards, and frameworks established by the Department of Education. The DOE is required to review and update, as necessary, by June 30, 2023, for compliance with the provisions of this bill, the following:

- School counseling frameworks and standards;
- Educator practices and professional conduct principles; and
- Other student services personnel guidelines, standards, or frameworks.

The bill has an effective date of July 1, 2022.

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.

³⁷ Florida statutes does not define "primary grades." Rule 6A-4.0142, F.A.C. Provides the requirements for teacher certification in prekindergarten/primary education, the certification covers instruction provided to students age 3 through grade 3.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires the DOE to review and update, as necessary, existing guidelines, standards and frameworks. School districts may need to adopt updated training materials based on the DOE review. The fiscal impact of these changes is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1001.42 of the Florida Statutes.

The bill creates an unnumbered section of Florida law.

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.

S01834

GENERAL BILL by Baxley; (Similar CS/H 01557)

Parental Rights in Education. EFFECTIVE DATE: 07/01/2022.

01/12/22 S Referred to Education; Appropriations; Rules -SJ 157

01/18/22 S Introduced -SJ 157

02/03/22 S On Committee agenda-- Education, 02/08/22, 9:00 am, 412 Knott Building

By Senator Baxley

12-01508B-22

20221834__

1 A bill to be entitled
 2 An act relating to parental rights in education;
 3 amending s. 1001.42, F.S.; requiring district school
 4 boards to adopt procedures that comport with certain
 5 provisions of law for notifying a student's parent of
 6 specified information; requiring such procedures to
 7 reinforce the fundamental right of parents to make
 8 decisions regarding the upbringing and control of
 9 their children in a specified manner; prohibiting the
 10 procedures from prohibiting a parent from accessing
 11 certain records; providing construction; prohibiting a
 12 school district from adopting procedures or student
 13 support forms that require school district personnel
 14 to withhold from a parent specified information or
 15 that encourage or have the effect of encouraging a
 16 student to withhold from a parent such information;
 17 providing an exception; prohibiting school district
 18 personnel from discouraging or prohibiting parental
 19 notification and involvement in critical decisions
 20 affecting a student's mental, emotional, or physical
 21 well-being; prohibiting a school district from
 22 encouraging classroom discussion about sexual
 23 orientation or gender identity in primary grade levels
 24 or in a specified manner; authorizing a parent to
 25 bring an action against a school district to obtain a
 26 declaratory judgment that a school district procedure
 27 or practice violates certain provisions of law;
 28 providing for the additional award of injunctive
 29 relief, damages, and reasonable attorney fees and

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30 court costs to certain parents; requiring certain
 31 training developed or provided by a school district to
 32 adhere to standards established by the Department of
 33 Education; requiring the department to review and
 34 update, as necessary, specified materials by a certain
 35 date; providing an effective date.
 36

37 Be It Enacted by the Legislature of the State of Florida:
 38

39 Section 1. Paragraph (c) is added to subsection (8) of
 40 section 1001.42, Florida Statutes, to read:

41 1001.42 Powers and duties of district school board.—The
 42 district school board, acting as a board, shall exercise all
 43 powers and perform all duties listed below:

44 (8) STUDENT WELFARE.—

45 (c)1. In accordance with the rights of parents enumerated
 46 in ss. 1002.20 and 1014.04, adopt procedures for notifying a
 47 student's parent if there is a change in the student's services
 48 or monitoring related to the student's mental, emotional, or
 49 physical health or well-being and the school's ability to
 50 provide a safe and supportive learning environment for the
 51 student. The procedures must reinforce the fundamental right of
 52 parents to make decisions regarding the upbringing and control
 53 of their children by requiring school district personnel to
 54 encourage a student to discuss issues relating to his or her
 55 well-being with his or her parent or to seek permission to
 56 discuss or facilitate discussion of the issue with the parent.
 57 The procedures must comply with s. 1002.22(2) and may not
 58 prohibit a parent from accessing any of his or her minor child's

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education records created, maintained, or used by the school district. This paragraph does not limit or alter any obligation of school district personnel to report suspected abuse, abandonment, or neglect, as those terms are defined in s. 39.01.

2. A school district may not adopt procedures or student support forms that require school district personnel to withhold from a parent information about his or her student's mental, emotional, or physical health or well-being, or a change in related services or monitoring, or that encourage or have the effect of encouraging a student to withhold from a parent such information, unless a reasonably prudent person would believe that such disclosure would result in abuse, abandonment, or neglect, as those terms are defined in s. 39.01. School district personnel may not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being.

3. A school district may not encourage classroom discussion about sexual orientation or gender identity in primary grade levels or in a manner that is not age-appropriate or developmentally appropriate for students.

4. A parent of a student may bring an action against a school district to obtain a declaratory judgment that a school district procedure or practice violates this paragraph and seek injunctive relief. A court may award damages and shall award reasonable attorney fees and court costs to a parent who receives declaratory or injunctive relief.

5. Student support services training developed or provided by a school district to school district personnel must adhere to student services guidelines, standards, and frameworks

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established by the Department of Education.

Section 2. By June 30, 2023, the Department of Education shall review and update, as necessary, school counseling frameworks and standards; educator practices and professional conduct principles; and any other student services personnel guidelines, standards, or frameworks in accordance with the requirements of this act.

Section 3. This act shall take effect July 1, 2022.

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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: SPB 7044

INTRODUCER: For consideration by the Education Committee

SUBJECT: Postsecondary Education

DATE: February 7, 2022

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jahnke	Bouck		Pre-meeting

I. Summary:

SPB 7044 modifies requirements related to postsecondary education transparency of course information and student fees, transfer of credit, and accreditation. Specifically the bill:

- Requires additional information about textbooks and instructional materials that Florida College System (FCS) institutions and state universities must post at least 45 days before the first day of class for each term.
- Revises the maintenance requirements and course information that must be included in the statewide course numbering system (SCNS).
- Requires the State Board of Education to adopt rules governing the SCNS procedures, collection of course information, publication of course information, and faculty discipline committee reviews.
- Requires certain postsecondary education institutions receiving general education course credit in transfer to apply the credit to general education core course requirements and other general education requirements before applying as elective credit.
- Establishes transparency requirements for FCS institutions and state universities to prominently post and email to enrolled students all tuition and fees.
- Subjects any FCS institution or state university proposal or action to increase a fee, authorized by law, to an extraordinary vote.
- Prohibits a state college or state university from being accredited by the same accrediting agency or association for consecutive accreditation cycles.
- Provides a cause of action for any postsecondary education institution that is negatively impacted by a retaliatory action by its accrediting agency or association.

The bill has no fiscal impact on state government. See Section V.

The bill is effective July 1, 2022.

II. Present Situation:

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

III. Effect of Proposed Changes:

Textbooks and Instructional Materials Transparency

Present Situation

Current law establishes requirements regarding the textbook and instructional materials¹ adoption process at Florida College System (FCS) institutions and state universities.² As part of this process, each FCS institution and university is required to post a hyperlink to lists of required and recommended textbooks for at least 95 percent of all courses and course sections offered during the upcoming term.³ Such lists must be posted as early as is feasible, but at least 45 days before the first day of class for each term.⁴ The lists must include the International Standard Book Number (ISBN) for each required textbook or other identifying information, which must include, at a minimum: the title, all authors listed, publishers, edition number, copyright date, published date, and any other relevant information necessary to identify the specific textbooks or instructional materials required and recommended for each course.⁵

Eight of the 12 state universities met the 95 percent threshold for posting of lists of required and recommended textbooks and instructional materials for courses and course sections at least 45 days prior to the start of classes for the Fall 2020 semester.⁶ Ten universities met the threshold for the Spring 2021 semester.

Twenty-one of the 28 FCS institutions met the 95 percent threshold for posting of lists of required and recommended textbooks and instructional materials for courses and course sections at least 45 days prior to the start of classes for the Fall 2020 semester.⁷

The State Board of Education (SBE) and the Board of Governors (BOG) are required to adopt textbook and instructional materials affordability policies, procedures, and guidelines for implementation by FCS institutions and state universities, respectively, that further efforts to minimize the cost of textbooks and instructional materials for students attending such institutions while ensuring that the quality of education and academic freedom is maintained.⁸

¹ Pursuant to s. 1004.085(1), F.S., the term ‘instructional materials’ means “educational materials for use within a course which may be available in printed or digital format.”

² Section 1004.085, F.S.

³ Section 1004.085(5), F.S.

⁴ *Id.*

⁵ *Id.*

⁶ Florida Board of Governors, *State University System Textbook & Instructional Materials Affordability Report Fall 2021*, at pg. 7, available at https://www.flbog.edu/wp-content/uploads/2021/11/2021-Textbook-Instructional-Materials-Report_Final.pdf.

⁷ See Florida Department of Education, *College and Textbook Affordability in the Florida College System 2021* (Fall 2021).

⁸ Section 1004.085(6), F.S. See also Board of Governors Regulation 8.003 and State Board of Education Rule 6A-14.092, F.A.C.

Further, the board of trustees of each FCS institution and state university is required to submit an annual report by September 30 to the Chancellor of the FCS or the State University System (SUS), respectively.⁹ Each FCS institution's and state university's report is required to address the following four components:¹⁰

- The textbook and instructional materials selection process for high-enrollment courses.
- Specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials.
- Institution policies implemented for the posting of textbook and instructional materials information for students.
- The number of courses and course sections that did not meet the textbook and instructional materials posting deadline in the previous academic year.

Effect of Proposed Changes

The bill modifies s. 1004.085, F.S., to supplement current law requiring posts of lists of required and recommended textbooks and instructional materials at least 45 days before the first day of class for each term. The bill requires the lists to:

- Remain posted for at least five academic years.
- Be searchable by the course subject, course number, course title, the name of the instructor of the course, the title of each assigned textbook or instructional material, and each author of an assigned textbook or instructional material.
- Be easily downloadable by current and prospective students.

In addition, if a course is a general education core course option, the list must include course syllabi information containing sufficient detail to inform students of all of the following:

- The course curriculum.
- The goals, objectives, and student expectations of the course.
- How student performance will be measured.

Articulation

The Legislature has established policies to facilitate articulation and seamless integration within Florida's education system. The purpose of the State's system of articulation is to provide for the efficient and effective progression and transfer of students within the education system and to allow students to proceed toward their educational objectives as rapidly as their circumstances permit.¹¹

Present Situation

Florida law requires the Department of Education, in conjunction with the BOG, to develop, coordinate, and maintain a statewide course numbering system for postsecondary and dual enrollment education in school districts, public postsecondary educational institutions, and participating nonpublic postsecondary educational institutions that will:¹²

⁹ Section 1004.085(7), F.S.

¹⁰ Section 1004.085(7), F.S.

¹¹ Section 1007.01(1) and (2), F.S.

¹² Section 1007.24(1), F.S.

- Improve program planning.
- Increase communication among all delivery systems.
- Facilitate student acceleration and the transfer of students and credits between public school districts, public postsecondary educational institutions, and participating nonpublic educational institutions.

The continuing maintenance of the system must be accomplished with the assistance of appropriate faculty committees representing public and participating nonpublic educational institutions.¹³

All 12 of Florida's state universities, 28 FCS institutions, 38 participating nonpublic postsecondary institutions, and 48 career education centers participate in the statewide course numbering system (SCNS).¹⁴ When transferring institutions, a student's credits are accepted at institutions participating in the SCNS when the two institutions offer the same course, course prefix, and number.¹⁵

Courses that have the same academic content and are taught by faculty with comparable credentials are given the same prefix and number and are considered equivalent courses.¹⁶ Equivalent courses are guaranteed to transfer to any other institution participating in the SCNS. Credits awarded for equivalent courses must satisfy institutional requirements on the same basis as credits awarded to native students.¹⁷ Courses that are not substantially like any other course in the SCNS are given a unique course number and are not considered equivalent.¹⁸

Specific types of courses are exempted from the guarantee of transfer for equivalent courses. Exceptions include courses not offered at the receiving institution; special topics, internship, practicum, and dissertation courses, graduate courses; and applied performing arts or skills courses in criminal justice that require demonstration achievement.¹⁹

Statewide Articulation Agreement

Florida established a Statewide Articulation Agreement in 1971 to facilitate the seamless articulation of student credits between and among public postsecondary institutions.²⁰ The "2+2" articulation system provides for the equitable treatment of transfer students.²¹ The Articulation

¹³ Section 1007.24(1), F.S.

¹⁴ Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 3, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

¹⁵ *Id.* at 3-4.; See also Section 1007.24(7), F.S. The course number is composed of a three character prefix, a three digit number indicating the course content, and a level digit indicating the level of instruction (non college credit, lower or upper division, or graduate and professional).

¹⁶ Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 4, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

¹⁷ Section 1007.24(7), F.S.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Section 1007.23, F.S.; Rule 6A-10.024 F.A.C.; Florida Board of Governors Regulations for Articulation; See also Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 14, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

²¹ Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 14, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

Coordinating Committee, made up of members representing the SUS, FCS, public career and technical education, K-12 education, and nonpublic postsecondary education oversees the agreement and makes recommendation for continuous improvement.²²

Under the statewide articulation agreement, a student who graduates from an FCS institution with an associate in arts (AA) degree is guaranteed the following rights:²³

- Admission to an upper division program at a state university or FCS institution if it offers baccalaureate degree programs, except to limited access programs.²⁴
- Acceptance of at least 60 semester hours by the state universities and FCS baccalaureate degree-granting institutions.
- Adherence to the university or college requirements and policies, based on the catalog in effect at the time the student first enters the Florida college, provided the student maintains continuous enrollment.
- Transfer of equivalent courses under the SCNS.
- Acceptance by the state universities and baccalaureate degree-granting FCS institutions of credits earned in accelerated programs (e.g. Dual Enrollment, CLEP, Advanced Placement, International Baccalaureate, and Advanced International Certificate of Education).
- No additional general education core or general education institutional requirements.
- Advance knowledge of selection criteria for limited access programs.
- Equal opportunity with native university students to enter limited access programs.

Some degree programs require specific lower division coursework outside of common prerequisites, thus, depending on a student's course selection, the 60 hours earned in the AA will be accepted; however, not all of the credit may apply towards a student's degree program.²⁵

General Education Courses

Current law requires an AA degree at an FCS or SUS institution to be no more than 60 semester hours of college credit and include 36 semester hours of general education course work.²⁶ A baccalaureate degree must be no more than 120 semester hours of college credit, unless prior approval has been granted by the BOG or the SBE, as applicable, and include 36 semester hours of general education coursework.²⁷

Students initially entering an FCS or SUS institution in 2015-2016 and thereafter, are required to complete at least one identified general education core course in each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences.²⁸ All public

²² Section 1007.01(3), F.S.

²³ *Id.* See also Rule 6A-10.024, F.A.C. and Florida Board of Governors, *Regulation 8.007 Articulation* (March 23, 2021), available at https://www.flbog.edu/wp-content/uploads/8_007_Articulation_final_3_23_2021.pdf.

²⁴ Florida Board of Governors, *Regulation 8.013 Limited Access*, available at https://www.flbog.edu/wp-content/uploads/8_013_Limited_Access-1.pdf.

²⁵ Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 15, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

²⁶ Section 1007.25(9), F.S.

²⁷ Section 1007.25(10), F.S.

²⁸ Section 1007.25(3), F.S. Beginning in the 2022-2023 academic year, and thereafter students entering an associated in applied science degree or an associate in science degree must complete at least one identified core course in each subject area as part of the general education course requirements before a degree is awarded.

postsecondary educational institutions are required to accept these courses as meeting general education core course requirements.²⁹ After completing the general education core course requirements, the remaining courses and credits that fulfill the total 36-hour general education requirement for an associate in arts or baccalaureate degree are at the discretion of the FCS or SUS institution.³⁰

General education programs in Florida, while consistent at the general education core requirements and the total of 36 hours for completion, vary in the selection of institutionally-required courses.³¹ Students who transfer with an AA or associate in science (AS) degree, or who have completed their block of 36 general education hours do not have to meet the receiving institution's general education program requirements.³² If a student does not complete the total 36-hour general education curriculum prior to transfer, each course, outside of courses taken as general education courses, will be reviewed individually to determine if it meets the general education requirements of the new institution.³³

Effect of Proposed Changes

The bill modifies s. 1007.24, F.S., to largely codify existing practice in the development and maintenance of the SCNS. The bill requires the SCNS to be maintained electronically and regularly updated by the DOE, and in addition to including the courses at the recommended levels, requires the inclusion of course numbers, course titles, credits awarded, and other identifiable information by institution and academic year, as required by SBE rule. The bill further requires such information to be included in the registration process at each state university and FCS institution.

When receiving transfer course credit, the bill requires postsecondary institutions participating in the SCNS to accept and apply general education courses and credit, including credit earned through dual enrollment, course equivalences, and other acceleration mechanisms, as first satisfying general education core course credit requirements and other general education subject area course credit requirements before applying the course credit as elective credit.

Additionally, the bill requires the SBE to adopt rules that provide for the collection of course information from participating institutions, identifiable information required for each course, and the conduct of regularly scheduled faculty committee reviews and recommendations.

Specifically, the rules must address the following:

- Required institutional reporting formats, timelines, and procedures for the timely and uniform collection and publication of course data information.
- Regularly scheduled faculty committee reviews and recommendations to the commissioner for the alignment or realignment of courses, course numbers, course titles, designated levels,

²⁹ Section 1007.25(3), F.S.

³⁰ Florida Board of Governors, *Regulation 8.005 General Education Core Course Options*, available at https://www.flbog.edu/wp-content/uploads/8_005GeneralEducationCore_final.pdf and Rule 6A -14.0303(5), F.A.C.

³¹ Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 15, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

³² *Id.*

³³ *Id.*

credits awarded, and other identifiable information for the purpose of facilitating credit transfer and acceptance for substantially similar courses at receiving institutions.

- Regularly scheduled faculty committee reviews and recommendations to the commissioner for the classification or reclassification of courses as satisfying general education, general education core, prerequisite, substitution, equivalency, civic literacy, or other course types, consistent with subject area, course content, programmatic, and other requirements outlined in rule.

Accreditation

In the United States, institutions of higher education are permitted to operate with considerable independence and autonomy. The United States has no Ministry of Education or other centralized federal authority exercising control over the quality of postsecondary educational institutions, and the states assume varying degrees of control over education. As a consequence, American educational institutions can vary widely in the character and quality of their programs. To ensure a basic level of quality, the practice of accreditation arose in the United States as a means of conducting nongovernmental, peer evaluation of educational institutions and programs.³⁴

Present Situation

In order for students to receive federal student aid from the U.S. Department of Education (USDOE) for postsecondary study, the institution must be accredited by a nationally recognized accrediting agency, be authorized by the State in which the institution is located, and receive approval from the USDOE through a program participation agreement.³⁵

Federal law requires an accrediting agency to establish standards for the accreditation process, which must be sufficiently rigorous to ensure that the agency is a reliable authority regarding the quality of the education provided by the institution it accredits.³⁶ While an agency may establish additional accreditation standards it deems appropriate,³⁷ the agency must establish standards for the following:³⁸

- Student success, in relation to the institution's mission, including as applicable, course completion, passage of state licensing examinations, and job placement rates.
- Curriculum.
- Faculty.
- Facilities, equipment, and supplies.
- Fiscal and administrative capacity as appropriate to the specified scale of operations.
- Student support services.
- Recruiting and admissions practices, academic calendars, catalogs, publications, grading, and advertising.

³⁴ United States Department of Education, *History and Context of Accreditation in the United States*, https://www2.ed.gov/admins/finaid/accred/accreditation_pg2.html#U.S. (last visited February 5, 2022).

³⁵ United States Department of Education, *Overview of Accreditation in the United States*, <https://www2.ed.gov/admins/finaid/accred/accreditation.html> (last visited February 3, 2022).

³⁶ 34 C.F.R. s. 602.16.

³⁷ 34 C.F.R. s. 602.16.(f)(2).

³⁸ 34 C.F.R. s. 602.16.(1)(i)-(x).

- Measures of program length and the objectives of the degrees or credentials offered.
- Record of student complaints received by, or available, to the agency.
- Record of compliance with the institution's responsibilities under title IV of the Higher Education Act of 1965, as amended, based on the most recent loan default data, the results of financial or compliance audits, program reviews, and any other information provided by the USDOE.

For the purposes of determining institution eligibility for Federal Financial Aid programs, the accrediting agency must also establish the following procedures which are required of an institution it accredits:³⁹

- Review newly established branch campuses of any of its accredited institutions.
- Perform regular onsite inspections that focus on educational quality and program effectiveness.
- Monitor the expansion of programs at institutions that are experiencing significant enrollment growth.
- Submit a teach-out-plan to the agency for approval in certain circumstances.
- Confirm that the institution or programs they accredit have publicly disclosed transfer of credit policies and make public the criteria established regarding the acceptance of credit earned at another institution.
- Publicly disclose when an institution is considered for accreditation or renewal of accreditation.

To gain or renew accreditation, an institution must be evaluated through a set of procedures established by an accrediting agency.⁴⁰ Many of the procedures are guided by federal requirements.

The process typically begins with an institutional self-study, to examine whether the institution meets the basic standards of the accrediting agency.⁴¹ The self-study includes reports which show how the institution meets the agency's standards. The next phase of the process involves a peer review and site visit at the institution.⁴² The peer review includes a review of the self-study and an on-site visit to determine whether the standards of the agency are being met, in addition to discussions with faculty, students, staff and administrators regarding issues or questions that may have arisen during the self-study.⁴³

Following the visit, the peer review team submits a report to the accrediting agency with recommendations. The decision-making body of an accrediting agency issues a decision on whether to award or deny accreditation or preaccreditation⁴⁴ to a new institution; renew or

³⁹ 34 C.F.R. s. 602.24.; *See also* Congressional Research Service, *An Overview of Accreditation of Higher Education in the United States* (Oct. 16, 2020), at 13, available at <https://sgp.fas.org/crs/misc/R43826.pdf>.

⁴⁰ Congressional Research Service, *An Overview of Accreditation of Higher Education in the United States* (Oct. 16, 2020), at 5, available at <https://sgp.fas.org/crs/misc/R43826.pdf>.

⁴¹ *Id.* at 5.

⁴² *Id.* A peer review is comprised of an outside team of primarily higher education faculty and administrators, but also practitioners in specific fields and member of the public.

⁴³ *Id.*

⁴⁴ 34 C.F.R. s. 600.3. defines "preaccreditation" as the status of accreditation and public recognition that a nationally recognized accrediting agency grants to an institution or program for a limited period of time that signifies the agency has

terminate accreditation for an existing institution; or take an intermediate action, such as probationary status.⁴⁵ An accrediting agency must provide an institution with the ability to appeal an agency action prior to it becoming final.⁴⁶

A renewal of accreditation must take place at regularly established intervals set by the accrediting agency.⁴⁷ Accrediting agencies also monitor institutions between full accreditation reviews and may require annual reporting, interim reviews, or reviews of any substantive changes.⁴⁸

Council of Regional Accrediting Commissions

The Council of Regional Accrediting Commissions (C-RAC) represents the seven organizations responsible for the accreditation⁴⁹ of approximately 3,000 of the nation's colleges and universities:⁵⁰

- Accrediting Commission for Community and Junior Colleges.
- Higher Learning Commission.
- Middle States Commission on Higher Education.
- New England Commission of Higher Education.
- Northwest Commission on Colleges and Universities.
- Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).
- Western Association of Schools and Colleges (WASC) Senior College and University Commission.

The SACSCOC is the body for the accreditation of degree-granting higher education institutions in the Southern states.⁵¹ It serves as the common denominator of shared values and practices primarily among the diverse institutions in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia and Latin America and certain other international sites approved by the SACSCOC Board of Trustees that award associate, baccalaureate, master's, or doctoral degrees.⁵²

determined that the institution or program is progressing toward full accreditation and is likely to attain full accreditation before the expiration of that limited period of time.

⁴⁵ Congressional Research Service, *An Overview of Accreditation of Higher Education in the United States* (Oct. 16, 2020), at 5-6, available at <https://sgp.fas.org/crs/misc/R43826.pdf>.

⁴⁶ 34 C.F.R. s. 602.25.

⁴⁷ 34 C.F.R. s. 602.19(a).

⁴⁸ 34 C.F.R. s. 602.22. A substantive change could include an institution's change of control, addition of new educational programs that are a significant departure from existing offers, or a new location or branch campus.

⁴⁹ Defined as "a process of external review used by the higher education community to assure quality and spur ongoing improvement." Council of Regional Accrediting Commissions, *Accreditation 101*, <https://www.c-rac.org/accreditation-101> (last visited February 4, 2022).

⁵⁰ Council of Regional Accrediting Commissions, *Who We Are*, <https://www.c-rac.org/copy-of-about-us> (last visited February 4, 2022).

⁵¹ The Southern Association of Colleges and Schools Commission on Colleges website at <https://sacscoc.org/about-sacscoc/> (last visited February 4, 2022).

⁵² *Id.*

SACSCOC accredits 74 Florida public and private colleges and universities,⁵³ including 12 universities that make up the State University System of Florida, 28 institutions in the Florida College System, and 34 private colleges and universities.

Revised Federal Regulations for Accreditation outside Traditional Region

In 2020, the U.S. Department of Education (USDOE) revised federal regulations to remove geographical boundaries on institutions seeking accreditation.⁵⁴ The USDOE noted the distinctions between regional and national accreditors are artificial and all accreditors are held to the same USDOE standards.⁵⁵ Further under these rules, the USDOE recognizes accreditors based on the following three categories: institutional accreditors, programmatic accreditors, and specialized accreditors, which are programmatic accreditors that also accredit single-program institutions.⁵⁶

The USDOE recognizes 31 non-regional accrediting agencies whose member institutions may establish eligibility to participate in federal financial aid programs.⁵⁷

Effect of Proposed Changes

The bill creates section 1008.47, F.S., relating to postsecondary education institution accreditation. The bill defines a “postsecondary education institution” as an FCS institution, state university, or nonpublic postsecondary education institution that receives state funds.

The bill prohibits Florida’s public postsecondary education institutions from being accredited by the same accrediting agency or association for consecutive accreditation cycles. The bill requires in the year following reaffirmation or fifth-year review by their accrediting agencies or associations, public postsecondary education institutions to collaborate to identify accrediting agencies or associations that are recognized by the database created and maintained by the USDOE, other than their current accrediting agencies or associations, from which to seek accreditation and seek and obtain accreditation before their next reaffirmation date.

The bill also provides a cause of action against an accrediting agency or association by a public or private postsecondary education institution that has been negatively impacted by retaliatory action taken against the postsecondary education institution by an accrediting agency or association. The bill provides that if the postsecondary institution prevails, it may recover liquidated damages up to the amount of federal financial aid received by the postsecondary education institution, court costs, and reasonable attorney fees.

These provisions expires December 31, 2032.

⁵³ Southern Association of Colleges and Schools Commission on Colleges, *SACSCOC Accredited and Candidate List* (July 2021), available at <https://sacscoc.org/app/uploads/2019/11/Institutionswebmemlist.pdf>.

⁵⁴ See 84 Federal Register 58917-58918 (amending 34 C.F.R. §§ 602.3, 602.11)

⁵⁵ United States Department of Education, *Final Accreditation and State Authorization Regulations*, available at <https://www2.ed.gov/policy/highered/reg/hearulemaking/2018/accredfactsheetfinal.pdf>.

⁵⁶ *Id.*

⁵⁷ United States Department of Education, *Institutional Accrediting Agencies*, available at https://www2.ed.gov/admins/finaid/accred/accreditation_pg3.html#RegionalInstitutional (last visited February 5, 2022).

Additionally, the bill directs the Division of Law Revision to prepare a reviser's bill to replace references to the phrases "the Southern Association of Colleges and Schools," "the Commission on Colleges of the Southern Association of Colleges and Schools," and "the Southern Association of Colleges and Schools Commission on Colleges" wherever they occur in Florida Statutes with the phrase "an accrediting agency or association recognized by the database created and maintained by the United States Department of Education."

Tuition and Fees

Present Situation

Florida College System

The SBE has adopted a rule related to student fees. The rule authorizes each FCS institution board of trustees to establish, publish, collect, and budget student fees, and establish dates for the payment of such fees.⁵⁸

The standard tuition rate for the FCS is currently set in statute at \$71.98 per credit hour for advanced and professional, postsecondary vocational, developmental education, and educator preparation institute programs, and at \$91.79 per credit hour for resident baccalaureate degree programs.⁵⁹ For 2020-2021, the average annual cost for the academic year, taking 30 credit hours was \$3,207.⁶⁰

Each FCS institution is required to publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its consideration at a board of trustees meeting. The notice must:⁶¹

- Include the date and time of the meeting at which the proposal will be considered.
- Specifically outline the details of existing tuition and fees, the rationale for the proposed increase, and how the funds from the proposed increase will be used.
- Be posted on the institution's website and used in a press release.

State University System

The BOG, or the board's designee, is authorized to establish tuition for graduate and professional programs and out-of-state fees for all programs.⁶² The BOG has adopted regulations related to the adoption of tuition and fees at state universities.⁶³ The regulations authorize undergraduate tuition per credit hour to be charged as established in law and that each university board of trustees set out-of-state fees, graduate fees and myriad other associated student fees.⁶⁴

⁵⁸ Rule 6A-14.054, F.A.C.

⁵⁹ Section 1009.23(3)(a) and (b), F.S.

⁶⁰ See The Florida Department of Education "College and Textbook Affordability in the Florida College System 2021," at pg. 2-3.

⁶¹ Section 1009.23(20), F.S.

⁶² Section 1009.24(4)(b), F.S.

⁶³ Florida Board of Governors, *Active Regulations, Chapter 7*, <https://www.flbog.edu/regulations/active-regulations/> (last visited February 4, 2022).

⁶⁴ Florida Board of Governors, *Regulation 7.003 Fees, Fines and Penalties*, available at <https://www.flbog.edu/wp-content/uploads/7-001-tuition-and-associated-fees-regulation.pdf>.

BOG regulation requires the institution board of trustees to authorize all fees assessed to students and that only tuition and fees outlined in the board regulations may be charged.⁶⁵

The resident undergraduate tuition rate for the SUS is currently set in statute at \$105.07 per credit hour.⁶⁶ For 2021-2022, the average resident undergraduate, full-time student tuition and fees is \$6,030.26.⁶⁷

Each state university is required to publicly notice and notify all enrolled students of any proposal to change tuition or fees at least 28 days before its consideration at a board of trustees meeting. The notice must:⁶⁸

- Include the date and time of the meeting at which the proposal will be considered.
- Specifically outline the details of existing tuition and fees, the rationale for the proposed change, and how the funds from the proposed change will be used.
- Be posted on the institution's website and used in a press release.

Effect of Proposed Changes

The bill requires each FCS institution and state university to prominently post all tuition and fees, as well as any proposed changes, to their respective websites in an area that is transparent and easily accessible. Additionally, the bill adds to existing notification requirements to require that for any proposal to increase tuition or fees, the institution must email this information to all enrolled students. The bill requires the emailed notification to all enrolled students to also include how existing tuition and fees are expended and the necessity for the proposed change or increase.

The bill subjects any FCS institution or state university proposal or action for a fee increase, authorized by law, to a supermajority vote. Specifically, the bill requires that an FCS institution proposal or action to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by a supermajority of the members of the board of trustees of the institution, if approval by the board of trustees is required by general law, and supermajority vote of the members of the SBE, if approval by the SBE is required by general law, in order to take effect.

The bill codifies s. 7(e), Art. IX of the State Constitution by requiring any state university proposal or action to raise, impose, or authorize any fee, as authorized by law, except for tuition, to be approved by at least nine affirmative votes of the members of the board of trustees of the constituent university (out of a total of 13 members), if approval by the board of trustees is required by general law, and at least 12 affirmative votes of the members of the BOG (out of a total of 17 members), if approval by the BOG is required by general law, in order to take effect.

⁶⁵ Florida Board of Governors *Regulation 7.001 Tuition and Associated Fees*, available at <https://www.flbog.edu/wp-content/uploads/2021/10/7.003-Fees-fines-penalties-regulationOct2021FINAL.pdf>.

⁶⁶ Section 1009.24(4)(a), F.S.

⁶⁷ Florida Board of Governors, *State University System of Florida, Tuition and Required Fees, 2021-22*, available at <https://www.flbog.edu/wp-content/uploads/2021/07/2021-2022-SUS-Tuition-and-Fees-Report.pdf>.

⁶⁸ Section 1009.24(20), F.S.

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:

The measures designed to improve articulation and credit transfer may allow students to also save money by completing their programs in a more timely fashion.

The provision relating to public postsecondary institutions seeking and obtaining accreditation may have a positive impact on some accrediting agencies or associations while having a negative fiscal impact on others, depending on which accrediting agencies and associations receive applications from Florida's public postsecondary institutions.

C. Government Sector Impact:

There will be an indeterminate cost to Florida College System institutions and state universities related to the requirement they seek and obtain accreditation from an accrediting agency or association other than their current accreditors.

Costs associated with seeking institutional accreditation vary amongst accreditation agencies, but may include an application fee between \$5,000 to \$12,500; candidacy fee, which is between \$5,000 to \$6,000 for at least two regional accreditors; and costs associated with site visits conducted by the accreditor averaging \$2,500 plus expenses per

evaluator. The candidate institution pays all reasonable and necessary costs per site visit, including travel, lodging, food, and possibly honoraria.

The initial accreditation process requires a substantial financial and time commitment. To the extent the cost of seeking and obtaining accreditation is greater than the costs borne for reaffirmation, there is an indeterminate fiscal impact to Florida College System institutions and state universities.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1004.085, 1007.24, 1009.23, and 1009.24.

This bill creates section 1008.47 of the Florida Statutes.

The bill creates an unnumbered section of Florida law.

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.

S07044
PROPOSED BILL by ED;
Postsecondary Education. EFFECTIVE DATE: 07/01/2022.
02/03/22 S Submitted for consideration by Education; On Committee agenda-- Education, 02/08/22, 9:00
am, 412 Knott Building

FOR CONSIDERATION By the Committee on Education

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1 A bill to be entitled
 2 An act relating to postsecondary education; amending
 3 s. 1004.085, F.S.; providing requirements for lists of
 4 required and recommended textbooks and instructional
 5 materials for Florida College System institution and
 6 state university courses; amending s. 1007.24, F.S.;
 7 revising the maintenance requirements of and
 8 information that must be included in the statewide
 9 course numbering system; requiring certain
 10 postsecondary educational institutions' registration
 11 processes to include specified information; requiring
 12 certain postsecondary educational institutions to
 13 accept and apply general education courses and credit
 14 in a specified manner; requiring the State Board of
 15 Education to adopt rules; providing requirements for
 16 the rules; creating s. 1008.47, F.S.; defining the
 17 term "postsecondary education institution";
 18 prohibiting public postsecondary education
 19 institutions from being accredited by the same agency
 20 or association for consecutive accreditation cycles;
 21 requiring public postsecondary education institutions
 22 to collaborate to identify additional accrediting
 23 agencies or associations that are recognized by the
 24 database created and maintained by the United States
 25 Department of Education, other than their current
 26 accrediting agencies or associations, from which they
 27 may seek and obtain accreditation; creating a cause of
 28 action for postsecondary education institutions;
 29 authorizing the award of specified damages, court

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30 costs, and attorney fees; providing for the future
 31 expiration of specified provisions; amending ss.
 32 1009.23 and 1009.24, F.S.; requiring Florida College
 33 System institutions and state universities,
 34 respectively, to post specified information relating
 35 to tuition and fee rates and proposed changes to such
 36 rates on their websites; revising the information that
 37 must be included in a required notice to students;
 38 requiring a specific press release to be e-mailed to
 39 enrolled students; providing requirements for a
 40 Florida College System institution or a state
 41 university, respectively, to raise, impose, or
 42 authorize certain fees; providing a directive to the
 43 Division of Law Revision; providing an effective date.
 44
 45 Be It Enacted by the Legislature of the State of Florida:
 46
 47 Section 1. Section 1004.085, Florida Statutes, is amended
 48 to read:
 49 1004.085 Textbook and instructional materials affordability
 50 and transparency.—
 51 (1) As used in this section, the term "instructional
 52 materials" means educational materials for use within a course
 53 which may be available in printed or digital format.
 54 (2) An employee of a Florida College System institution or
 55 state university may not demand or receive any payment, loan,
 56 subscription, advance, deposit of money, service, or anything of
 57 value, present or promised, in exchange for requiring students
 58 to purchase a specific textbook or instructional material for

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coursework or instruction.

(3) An employee may receive:

(a) Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are specifically marked as free samples not for resale.

(b) Royalties or other compensation from sales of textbooks or instructional materials that include the instructor's own writing or work.

(c) Honoraria for academic peer review of course materials.

(d) Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks or instructional materials pursuant to guidelines adopted by the State Board of Education or the Board of Governors.

(e) Training in the use of course materials and learning technologies.

(4) Each Florida College System institution and state university board of trustees is authorized to adopt policies in consultation with providers, including bookstores, which allow for the use of innovative pricing techniques and payment options for textbooks and instructional materials. Such policies may include bulk pricing arrangements that enable students to purchase course materials or texts that are delivered digitally; delivered through other technologies that are, or the licenses of which are, required for use within a course; or delivered in a print format. Innovative pricing techniques and payment options must include an opt-in or opt-out provision for students and may be approved only if there is documented evidence that the options reduce the cost of textbooks and instructional

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materials for students taking a course.

(5) (a) Each Florida College System institution and state university shall post prominently in the course registration system and on its website, ~~as early as is feasible, but at least 45 days before the first day of class for each term,~~ a hyperlink to lists of required and recommended textbooks and instructional materials for at least 95 percent of all courses and course sections offered at the institution during the upcoming term. The lists must include the International Standard Book Number (ISBN) for each required and recommended textbook and instructional material or other identifying information, which must include, at a minimum, all of the following: the title, all authors listed, publishers, edition number, copyright date, published date, and other relevant information necessary to identify the specific textbooks or instructional materials required and recommended for each course. The State Board of Education and the Board of Governors shall include in the policies, procedures, and guidelines adopted under subsection (6) certain limited exceptions to this notification requirement for classes added after the notification deadline.

(b) The lists of required and recommended textbooks and instructional materials required in paragraph (a) must:

1. Be posted as early as is feasible but at least 45 days before the first day of class for each term.

2. Remain posted for at least 5 academic years.

3. Be searchable by the course subject, the course number, the course title, the name of the instructor of the course, the title of each assigned textbook or instructional material, and each author of an assigned textbook or instructional material.

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117 4. Be easily downloadable by current and prospective
 118 students.

119 (c) If a course subject to paragraphs (a) and (b) is a
 120 general education core course option identified pursuant to s.
 121 1007.25, course syllabi information containing sufficient detail
 122 to inform students of all of the following must be included:

123 1. The course curriculum.

124 2. The goals, objectives, and student expectations of the
 125 course.

126 3. How student performance will be measured.

127 (6) After receiving input from students, faculty,
 128 bookstores, and publishers, the State Board of Education and the
 129 Board of Governors each shall adopt textbook and instructional
 130 materials affordability policies, procedures, and guidelines for
 131 implementation by Florida College System institutions and state
 132 universities, respectively, that further efforts to minimize the
 133 cost of textbooks and instructional materials for students
 134 attending such institutions while maintaining the quality of
 135 education and academic freedom. The policies, procedures, and
 136 guidelines shall address:

137 (a) The establishment of deadlines for an instructor or
 138 department to notify the bookstore of required and recommended
 139 textbooks and instructional materials so that the bookstore may
 140 verify availability, source lower cost options when practicable,
 141 explore alternatives with faculty when academically appropriate,
 142 and maximize the availability of used textbooks and
 143 instructional materials.

144 (b) Confirmation by the course instructor or academic
 145 department offering the course, before the textbook or

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146 instructional materials adoption is finalized, of the intent to
 147 use all items ordered, particularly each individual item sold as
 148 part of a bundled package.

149 (c) Determination by a course instructor or the academic
 150 department offering the course, before a textbook or
 151 instructional material is adopted, of the extent to which a new
 152 edition differs significantly and substantively from earlier
 153 versions and the value to the student of changing to a new
 154 edition or the extent to which an open-access textbook or
 155 instructional material is available.

156 (d) The availability of required and recommended textbooks
 157 and instructional materials to students otherwise unable to
 158 afford the cost, including consideration of the extent to which
 159 an open-access textbook or instructional material may be used.

160 (e) Participation by course instructors and academic
 161 departments in the development, adaptation, and review of open-
 162 access textbooks and instructional materials and, in particular,
 163 open-access textbooks and instructional materials for high-
 164 demand general education courses.

165 (f) Consultation with school districts to identify
 166 practices that impact the cost of dual enrollment textbooks and
 167 instructional materials to school districts, including, but not
 168 limited to, the length of time that textbooks and instructional
 169 materials remain in use.

170 (g) Selection of textbooks and instructional materials
 171 through cost-benefit analyses that enable students to obtain the
 172 highest-quality product at the lowest available price, by
 173 considering:

174 1. Purchasing digital textbooks in bulk.

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2. Expanding the use of open-access textbooks and instructional materials.

3. Providing rental options for textbooks and instructional materials.

4. Increasing the availability and use of affordable digital textbooks and learning objects.

5. Developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials.

6. The length of time that textbooks and instructional materials remain in use.

7. An evaluation of cost savings for textbooks and instructional materials which a student may realize if individual students are able to exercise opt-in provisions for the purchase of the materials.

(7) The board of trustees of each Florida College System institution and state university shall report, by September 30 of each year, to the Chancellor of the Florida College System or the Chancellor of the State University System, as applicable, the textbook and instructional materials selection process for high-enrollment courses; specific initiatives of the institution designed to reduce the costs of textbooks and instructional materials; policies implemented in accordance with subsection (5); the number of courses and course sections that were not able to meet the textbook and instructional materials posting deadline for the previous academic year; and any additional information determined by the chancellors. By November 1 of each year, each chancellor shall provide a summary of the information provided by institutions to the State Board of Education and the Board of Governors, as applicable.

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Section 2. Present subsection (8) of section 1007.24, Florida Statutes, is redesignated as subsection (9) and amended, a new subsection (8) is added to that section, and subsections (4) and (5) of that section are amended, to read:

1007.24 Statewide course numbering system.—

(4) The statewide course numbering system must be ~~shall~~ maintained electronically and regularly updated by the department and include the courses at the recommended levels, course numbers, course titles, credits awarded, and other identifiable information by institution and academic year, as required by state board rule.

(5) The registration process at each state university and Florida College System institution must ~~shall~~ include the courses at their designated levels, ~~and~~ statewide course numbers, course titles, credits awarded, and other identifiable information, as required by state board rule.

(8) Participating postsecondary institutions receiving transfer course credit must accept and apply general education courses and credit in accordance with this section, s. 1007.25, and other provisions of law, including credit earned through dual enrollment, course equivalencies, and other acceleration mechanisms, as first satisfying general education core course credit requirements and other general education subject area course credit requirements before applying the course credit as elective credit.

~~(9) (8)~~ The State Board of Education shall adopt rules that provide for the collection of course information from participating institutions, identifiable information required for each course, and the conduct of regularly scheduled faculty

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committee reviews and recommendations. At a minimum, rules must address all of the following:

(a) Required institutional reporting formats, timelines, and procedures for the timely and uniform collection and publication of course data information.

(b) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the alignment or realignment of courses, course numbers, course titles, designated levels, credits awarded, and other identifiable information for the purpose of facilitating credit transfer and acceptance for substantially similar courses at receiving institutions.

(c) Regularly scheduled faculty committee reviews and recommendations to the commissioner for the classification or reclassification of courses as satisfying general education, general education core, prerequisite, substitution, equivalency, civic literacy, or other course types, pursuant to s. 1007.25, consistent with subject area, course content, programmatic, and other requirements outlined in rule.

(d) Purges of courses that are listed in the statewide course numbering system but have not been taught at an institution for the preceding 5 years. These rules must include waiver provisions that allow course continuation if an institution has reasonable cause for having not offered a course within the 5-year limit and an expectation that the course will be offered again within the following 5 years.

Section 3. Section 1008.47, Florida Statutes, is created to read:

1008.47 Postsecondary education institution accreditation.—

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(1) DEFINITION.—As used in this section, the term “postsecondary education institution” means a Florida College System institution, state university, or nonpublic postsecondary education institution that receives state funds.

(2) ACCREDITATION.—A public postsecondary education institution may not be accredited by the same accrediting agency or association for consecutive accreditation cycles. In the year following reaffirmation or fifth-year review by their accrediting agencies or associations, public postsecondary education institutions shall collaborate to identify accrediting agencies or associations that are recognized by the database created and maintained by the United States Department of Education, other than their current accrediting agencies or associations, from which to seek accreditation and shall seek and obtain accreditation before their next reaffirmation date.

(3) CAUSE OF ACTION.—A postsecondary education institution negatively impacted by retaliatory action taken against the postsecondary education institution by an accrediting agency or association may bring an action against the accrediting agency or association in a court of competent jurisdiction and may obtain liquidated damages up to the amount of federal financial aid received by the postsecondary education institution, court costs, and reasonable attorney fees.

(4) This section expires December 31, 2032.

Section 4. Subsection (20) of section 1009.23, Florida Statutes, is amended, and subsection (21) is added to that section, to read:

1009.23 Florida College System institution student fees.—

(20) All tuition and fees described in this section, and

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any proposed changes to such tuition and fees, must be prominently posted on the institution's website in an area that is transparent and easily accessible. Each Florida College System institution shall publicly notice and notify all enrolled students of any proposal to increase tuition or fees at least 28 days before its consideration for a vote taken at a board of trustees meeting. The notice must:

(a) Include the date and time of the meeting at which the proposal will be considered.

(b) Specifically outline the details of existing tuition and fees, including how such tuition and fees are expended, the rationale and necessity for the proposed increase, and how the funds from the proposed increase will be used.

(c) Be posted on the institution's website and issued in a press release, which must also be enclosed in an e-mail sent to all enrolled students.

(21) Any proposal or action of a Florida College System institution to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by a supermajority vote of the members of the board of trustees of the institution, if approval by the board of trustees is required by general law, and at least a supermajority vote of the members of the State Board of Education, if approval by the State Board of Education is required by general law, in order to take effect.

Section 5. Subsection (20) of section 1009.24, Florida Statutes, is amended, and subsection (21) is added to that section, to read:

1009.24 State university student fees.—

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(20) All tuition and fees described in this section, and any proposed changes to such tuition and fees, must be prominently posted on the state university's website in an area that is transparent and easily accessible. Each state university shall publicly notice and notify all enrolled students of any proposal to change tuition or fees at least 28 days before its consideration for a vote taken at a board of trustees meeting. The notice must:

(a) Include the date and time of the meeting at which the proposal will be considered.

(b) Specifically outline the details of existing tuition and fees, including how such tuition and fees are expended, the rationale and necessity for the proposed change, and how the funds from the proposed change will be used.

(c) Be posted on the university's website and issued in a press release, which must also be enclosed in an e-mail sent to all enrolled students.

(21) Pursuant to s. 7(e), Art. IX of the State Constitution, any proposal or action of a constituent university to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by at least 9 affirmative votes of the members of the board of trustees of the constituent university, if approval by the board of trustees is required by general law, and at least 12 affirmative votes of the members of the Board of Governors, if approval by the Board of Governors is required by general law, in order to take effect.

Section 6. The Division of Law Revision shall prepare a reviser's bill to replace references to the phrases "the Southern Association of Colleges and Schools," "the Commission

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349 on Colleges of the Southern Association of Colleges and
350 Schools," and "the Southern Association of Colleges and Schools
351 Commission on Colleges" wherever they occur in the Florida
352 Statutes with the phrase "an accrediting agency or association
353 recognized by the database created and maintained by the United
354 States Department of Education."

355 Section 7. This act shall take effect July 1, 2022.