

SB 530 by **Ring**; (Similar to H 0603) Bullying and Harassment Policies in Schools

SB 874 by **Stargel**; (Similar to H 0713) Dual Enrollment Program

SB 1020 by **Simmons**; Student Transportation Funding

SB 1202 by **Brandes**; (Similar to H 0909) Voter Registration

SB 1262 by **Legg**; (Compare to CS/H 0587) Education

SB 1264 by **Legg**; Digital Classrooms

335586	A	S	RCS	ED, Legg	Delete L.49 - 55:	03/18 06:14 PM
829512	A	S	RCS	ED, Legg	btw L.119 - 120:	03/18 06:14 PM

SB 1552 by **Benacquisto**; (Similar to H 1145) Parent and Student Rights

346014	PCS	S	RCS	ED		03/18 06:14 PM
244742	PCS:A	S	RCS	ED, Gaetz	Delete L.227 - 234:	03/18 06:14 PM
457936	PCS:A	S	RCS	ED, Benacquisto	Delete L.1394 - 1395:	03/18 06:14 PM
750288	PCS:A	S	RCS	ED, Benacquisto	Delete L.1712 - 1715:	03/18 06:14 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K - 12
Senator Legg, Chair
Senator Detert, Vice Chair

MEETING DATE: Wednesday, March 18, 2015
TIME: 4:00 —6:00 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Legg, Chair; Senator Detert, Vice Chair; Senators Benacquisto, Brandes, Bullard, Clemens, Gaetz, Galvano, Garcia, Montford, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 530 Ring (Similar H 603, Compare CS/H 7057)	Bullying and Harassment Policies in Schools; Requiring school districts to revise their bullying and harassment policies at specified intervals; specifying that a school district policy require a school to implement the policy in a certain manner and integrate it with the school's bullying prevention and intervention program, etc. ED 03/18/2015 Favorable AED FP	Favorable Yeas 11 Nays 0
2	SB 874 Stargel (Similar H 713)	Dual Enrollment Program; Exempting dual enrollment students from paying certain fees, including technology fees; deleting the requirement that a home education secondary student be responsible for his or her own instructional materials in order to participate in the dual enrollment program; authorizing certain instructional materials to be made available free of charge to dual enrollment students in public high schools, home education programs, and private schools, etc. ED 03/18/2015 Favorable AED AP	Favorable Yeas 8 Nays 3
3	SB 1020 Simmons	Student Transportation Funding; Revising the membership of students that a school district reports for transportation funding purposes; revising the school transportation allocation formula used by each school district; revising the types of students eligible for transportation funds used for transportation to and from school in private passenger cars and boats, etc. ED 03/18/2015 Favorable AED AP	Favorable Yeas 11 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K - 12

Wednesday, March 18, 2015, 4:00 —6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 1202 Brandes (Similar H 909)	Voter Registration; Designating a specified period each year during which supervisors of elections are authorized to provide certain students with the opportunity to register to vote at school and with instruction on the elections process, etc. EE 03/10/2015 Favorable ED 03/18/2015 Favorable RC	Favorable Yeas 11 Nays 0
5	SB 1262 Legg (Compare CS/H 587, S 888)	Education; Requiring the Department of Education to have an operating electronic IEP system in place for statewide use; authorizing the Commissioner of Education to issue a letter of guidance in response to a complaint against a teacher or administrator in lieu of a probable cause determination, etc. ED 03/18/2015 Favorable AED FP	Favorable Yeas 11 Nays 0
6	SB 1264 Legg (Compare S 7050)	Digital Classrooms; Establishing requirements for digital classrooms technology infrastructure planning by the Agency for State Technology or a contracted organization; requiring the Office of Technology and Information Services of the Department of Education to consult with the Agency for State Technology in developing the 5-year strategic plan for Florida digital classrooms; specifying conditions for a school district to maintain eligibility for Florida digital classrooms allocation funds, etc. ED 03/11/2015 Temporarily Postponed ED 03/18/2015 Fav/CS AED AP	Fav/CS Yeas 11 Nays 0

A proposed committee substitute for the following bill (SB 1552) is expected to be considered:

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K - 12

Wednesday, March 18, 2015, 4:00 —6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	SB 1552 Benacquisto (Similar H 1145, Compare S 1448)	Parent and Student Rights; Providing the right of a parent to know the average amount of money expended for the education of his or her child; deleting the definition of and provisions relating to controlled open enrollment; requiring each school district to instead establish a public school parental choice policy that allows students to attend any public school that has not reached capacity in their district; requiring each school district board to establish a classroom teacher transfer process for parents, approve or deny a request within a certain timeframe, and post an explanation of the transfer process in the student handbook, etc. ED 03/11/2015 Workshop-Discussed ED 03/18/2015 Fav/CS AED AP	Fav/CS Yeas 7 Nays 4

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.			
State Board of Education			
8	Olenick, Michael H. (Palm City)	12/31/2016	Recommend Confirm Yeas 10 Nays 0

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Other Related Meeting Documents			

- On a public K-12 school bus.
- Through the use of:
 - Data or computer software accessed through a computer, computer system, or computer network within the scope of a public K-12 educational institution;³ or
 - Data or computer software accessed at a nonschool-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim’s ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school.⁴

The terms “bullying” and “harassment” include the following behaviors or conditions:

- **Bullying** means systemically and chronically inflicting physical hurt or psychological distress on one or more students, including cyberbullying,⁵ and may involve:⁶
 - Teasing;
 - Social exclusion;
 - Threat;
 - Intimidation;
 - Stalking;
 - Physical violence;
 - Theft;
 - Sexual, religious, or racial harassment;
 - Public humiliation; or
 - Destruction of property.
- **Harassment** means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:⁷
 - Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property;
 - Has the effect of substantially interfering with a student’s educational performance, opportunities, or benefits; or
 - Has the effect of substantially disrupting the orderly operation of a school.

The law further specifies that bullying and harassment include:⁸

- Retaliating against a student or school employee for reporting bullying or harassment;
- Reporting bullying or harassment in bad faith;

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

⁴ The law does not require a school to staff or monitor any non-school related activity, function, or program in its efforts to prevent bullying and harassment. s. 1006.147(2)(d), F.S.

⁵ “Cyberbullying” is a form of bullying through the use of technology or other means of electronic communication, including, but not limited to, creating webpages or blogs and distributing or posting materials that perpetuate the conduct. s. 1006.147(3)(b), F.S.

⁶ *Id.* at (3)(a).

⁷ *Id.* at (3)(b).

⁸ *Id.* at (3)(f).

- Perpetuating bullying or harassment with the intent to demean, dehumanize, embarrass, or cause physical harm to a student or school employee by:
 - Incitement or coercion;
 - Accessing or providing access to a school district's computer, computer system, or computer network; or
 - Engaging in conduct substantially similar in effect to bullying or harassment.

Policy and Reporting Requirements

Each school district is required to adopt a policy prohibiting the bullying and harassment of a student or employee of a public K-12 educational institution.⁹ The school district must involve students, parents, teachers, administrators, school volunteers, community representatives, and local law enforcement agencies in the process of adopting the policy.¹⁰ The policy must, at a minimum:¹¹

- Prohibit and define bullying and harassment.
- Describe the type of behavior expected from each student and employee of a public K-12 educational institution.
- Identify the consequences for a student or employee of a public K-12 educational institution who commits an act of bullying or harassment.
- Establish procedures for:
 - Reporting and investigating acts of bullying and harassment;
 - Immediately notifying a victim's parents, the parents of the perpetrator, and all local agencies where criminal charges may be pursued;
 - Referring victims and perpetrators to counseling;
 - Including incidents of bullying or harassment in each school's safety and discipline report submitted to the Department of Education;¹² and
 - Providing instruction to students, parents, teachers, school administrator, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment, including instruction on recognizing behaviors that leads to bullying and harassment and taking appropriate preventative action based on those observations;
 - Regularly reporting to a victim's parents the actions taken to protect the victim; and
 - Publicizing the policy, including publication in the code of student conduct and all employee handbooks.

The policy must be implemented in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's discipline policies, and other violence prevention efforts.¹³

⁹ *Id.* at (4). The policy must be in substantial compliance with the Department of Education's model policy. *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² Section 1006.09(6), F.S. The School Environmental Safety Incident Reporting (SESIR) System is used by the Office for Safe Schools within the Florida Department of Education to compile data on incidents of crime, violence, and disruptive behaviors that occur on school grounds, on school transportation, and at off-campus, school-sponsored events. Such data is contained in the *Statewide Report on School Safety and Discipline Data*, available at <http://www.fldoe.org/safeschools/sesir.asp> (last visited March 12, 2015).

¹³ Section 1006.147(4), F.S.

Distribution of safe schools funds to a school district is contingent upon the school district's compliance with implementing the reporting procedures required as part of its bullying and harassment policy.¹⁴

By January 1 of each year, the Commissioner of Education must submit a report on the statewide implementation of bullying and harassment policies, including data regarding incidents of bullying and harassment and resulting consequences, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.¹⁵

III. Effect of Proposed Changes:

SB 530 requires periodic revision of a school district's anti-bullying and harassment policy, modifies the information that must be contained in the policy, and requires schools to implement the policy.

Specifically, the bill adds the requirements that each:

- School district revise its anti-bullying and harassment policy every 3 years.
- School implement the school district's anti-bullying and harassment policy.
- School district's anti-bullying and harassment policy:
 - Make the reporting of bullying or harassment mandatory; and
 - Include a list of bullying prevention and intervention programs authorized by the school district to provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying or harassment.

The bill may require a school to create a bullying prevention and intervention program by:

- Removing the requirement that a school district's anti-bullying and harassment policy contain a procedure for providing instruction on identifying, preventing, and adding a requirement that the school district's policy contain a list of programs authorized by the school district to provide such instruction.
- Adding a requirement that the school district's anti-bullying and harassment policy be implemented in a manner that is ongoing throughout the school year and integrated with the school's bullying prevention and intervention program.

The bill provides for an effective date of July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹⁴ Section 1006.09(7), F.S.

¹⁵ *Id.* at (8).

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.147 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Ring

29-00561A-15

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A bill to be entitled

An act relating to bullying and harassment policies in schools; amending s. 1006.147, F.S.; requiring school districts to revise their bullying and harassment policies at specified intervals; specifying that a school district policy require a school to implement the policy in a certain manner and integrate it with the school's bullying prevention and intervention program; requiring such a policy to include mandatory reporting procedures and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction; providing an effective date.

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

Section 1. Subsection (4) of section 1006.147, Florida Statutes, is amended to read:

1006.147 Bullying and harassment prohibited.—

(4) Each school district shall adopt and revise every 3 years a policy prohibiting bullying and harassment of a student or employee of a public K-12 educational institution. Each school district's policy shall be in substantial conformity with the Department of Education's model policy. The school district bullying and harassment policy shall afford all students the same protection regardless of their status under the law. The school district may establish separate discrimination policies that include categories of students. The school district shall involve students, parents, teachers, administrators, school

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staff, school volunteers, community representatives, and local law enforcement agencies in the process of adopting and revising the policy. The school district policy must require a school to implement the policy ~~be implemented~~ in a manner that is ongoing throughout the school year and integrated with a school's curriculum, a school's bullying prevention and intervention program, a school's discipline policies, and other violence prevention efforts. The school district policy must contain, at a minimum, the following components:

(a) A statement prohibiting bullying and harassment.

(b) A definition of bullying and a definition of harassment that include the definitions listed in this section.

(c) A description of the type of behavior expected from each student and employee of a public K-12 educational institution.

(d) The consequences for a student or employee of a public K-12 educational institution who commits an act of bullying or harassment.

(e) The consequences for a student or employee of a public K-12 educational institution who is found to have wrongfully and intentionally accused another of an act of bullying or harassment.

(f) A procedure for the mandatory reporting of an act of bullying or harassment, including provisions that permit a person to anonymously report such an act. However, this paragraph does not permit formal disciplinary action to be based solely on an anonymous report.

(g) A procedure for the prompt investigation of a report of bullying or harassment and the persons responsible for the

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59 investigation. The investigation of a reported act of bullying
60 or harassment is deemed to be a school-related activity and
61 begins with a report of such an act. Incidents that require a
62 reasonable investigation when reported to appropriate school
63 authorities shall include alleged incidents of bullying or
64 harassment allegedly committed against a child while the child
65 is en route to school aboard a school bus or at a school bus
66 stop.

67 (h) A process to investigate whether a reported act of
68 bullying or harassment is within the scope of the district
69 school system and, if not, a process for referral of such an act
70 to the appropriate jurisdiction. Computers without web-filtering
71 software or computers with web-filtering software that is
72 disabled shall be used when complaints of cyberbullying are
73 investigated.

74 (i) A procedure for providing immediate notification to the
75 parents of a victim of bullying or harassment and the parents of
76 the perpetrator of an act of bullying or harassment, as well as
77 notification to all local agencies where criminal charges may be
78 pursued against the perpetrator.

79 (j) A procedure to refer victims and perpetrators of
80 bullying or harassment for counseling.

81 (k) A procedure for including incidents of bullying or
82 harassment in the school's report of data concerning school
83 safety and discipline required under s. 1006.09(6). The report
84 must include each incident of bullying or harassment and the
85 resulting consequences, including discipline and referrals. The
86 report must include in a separate section each reported incident
87 of bullying or harassment that does not meet the criteria of a

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88 prohibited act under this section with recommendations regarding
89 such incidents. The Department of Education shall aggregate
90 information contained in the reports.

91 (l) A list of programs authorized by the school district
92 ~~that provide procedure for providing~~ instruction to students,
93 parents, teachers, school administrators, counseling staff, and
94 school volunteers on identifying, preventing, and responding to
95 bullying or harassment, including instruction on recognizing
96 behaviors that lead to bullying and harassment and taking
97 appropriate preventive action based on those observations.

98 (m) A procedure for regularly reporting to a victim's
99 parents the actions taken to protect the victim.

100 (n) A procedure for publicizing the policy, which must
101 include its publication in the code of student conduct required
102 under s. 1006.07(2) and in all employee handbooks.

103 Section 2. This act shall take effect July 1, 2015.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

3/18/15
Meeting Date

0530
Bill Number (if applicable)

Topic BULLYING

Amendment Barcode (if applicable)

Name HEATHER BEAVEN

Job Title CEO

Address 306 S. OCEANSHORE BLVD
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LAGLER BEACH, FL 32130
City State Zip

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Speaking: For Against Information

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

Representing STUDENTS UNITED WITH PARENTS & EDUCATORS TO RESOLVE BULLYING (SUPERB)

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
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 Pre-K - 12

BILL: SB 874

INTRODUCER: Senator Stargel

SUBJECT: Dual Enrollment Program

DATE: March 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 874 modifies public and private dual enrollment articulation agreements to expand benefits for home education program and private school students and establishes August 1 as the annual deadline for submitting such agreements to the Florida Department of Education. Specifically, the bill:

- Deletes from dual enrollment articulation agreements with home education program students, the responsibility of a student to provide for his or her own instructional materials and requires that instructional materials for dual enrollment courses be provided free of charge to home education program students and private school students, similar to current law for public school students.
- Specifies dual enrollment articulation agreement provisions and requirements for agreements with private school students, similar to current law for home education program students.
- Adds technology fees to the fees that public and private school students and home education program students are exempt from paying for dual enrollment courses.

The bill takes effect July 1, 2015.

II. Present Situation:

Each year, more than 50,000 students participate in Florida's dual enrollment program and participation is continuing to grow.¹ Dual enrollment is an acceleration mechanism that allows a student, who is enrolled in grades 6 through 12 in a Florida public school or in a Florida private

¹ Florida Department of Education, *Dual Enrollment FAQs*, available at <http://www.fldoe.org/core/fileparse.php/5423/urlt/DualEnrollmentFAQ.pdf>, at 1 of 12.

school² or who is a home education³ student, to enroll in a postsecondary course that is creditable toward high school completion and a career certificate, an associate degree, or a baccalaureate degree.⁴ A student who is enrolled in postsecondary instruction that is not creditable toward a high school diploma must not be classified as a dual enrollment student.⁵ Eligible students are authorized to enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term.⁶ If, however, a student is projected to graduate from high school before the scheduled completion date for a postsecondary course, the student must not register for that course through dual enrollment.⁷

Student Eligibility Requirements

To enroll in a postsecondary course through dual enrollment, a student must demonstrate readiness to perform college-level work.⁸ To demonstrate readiness for college-credit dual enrollment courses, students must attain a 3.0 unweighted high school grade point average (GPA) and minimum score on a common placement test⁹ adopted by the State Board of Education.¹⁰ To enroll in a career dual enrollment course, students must attain a 2.0 unweighted high school GPA.¹¹ Florida College System (FCS) institution boards of trustees may establish additional initial student eligibility requirements which must be specified in dual enrollment articulation agreements.¹² However, such requirements must not “arbitrarily prohibit students who have demonstrated the ability to master advanced courses from participating in dual enrollment courses.”¹³

² A private school is “a nonpublic school defined as an individual, association, copartnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization that provides instructional services that meet the intent of s. 1003.01(13) or that gives preemployment or supplementary training in technology or in fields of trade or industry or that offers academic, literary, or career training below college level, or any combination of the above, including an institution that performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 1005. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school. This definition does not include home education programs conducted in accordance with s. 1002.41.” Section 1002.01(2), F.S. The Florida Department of Education (DOE) maintains a database of private schools that meet the specified requirements in law. Section 1002.42(2), F.S.

³ A home education program means “the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirements of ss. 1002.41, 1003.01(13), and 1003.21(1).” Section 1002.01(1), F.S. A parent must notify the district school superintendent of the county in which the parent resides of his or her intent to establish and maintain a home education program. The notice must be in writing, signed by the parent, and must include the names, addresses, and birthdates of all children who shall be enrolled as students in the home education program. The notice must be filed in the district school superintendent’s office within 30 days of the establishment of the home education program. Section 1002.41(1)(a), F.S.

⁴ Section 1007.271(1)-(2), F.S.

⁵ Section 1007.271(1), F.S.

⁶ Section 1007.271(2), F.S.

⁷ *Id.*

⁸ Section 1007.271(3), F.S.

⁹ A student may take the Florida Postsecondary Education Readiness Test (PERT), Accuplacer, SAT, or Enhanced ACT to demonstrate reading, writing, and mathematics proficiency, by meeting specified minimum test scores, to perform college-level work. Rule 61-10.0315, F.A.C.

¹⁰ Section 1007.271(3), F.S.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

Dual Enrollment Articulation Agreements

Dual enrollment articulation agreements (articulation agreement) are locally-developed agreements between a school district, a home education parent, or a private school and an eligible postsecondary education institution¹⁴ regarding participation in dual enrollment courses.¹⁵ The articulation agreement between each school district and public postsecondary institution are mandatory and must be submitted to the Florida Department of Education (DOE or department) annually by August 1.¹⁶ However, articulation agreements between postsecondary education institutions and private secondary schools are optional and not submitted to the department.¹⁷ In addition, articulation agreements between a home education parent and the partnering postsecondary education institution are not required to be submitted to the department.¹⁸ Consequently, DOE does not annually collect information on articulation agreements for private school and home education program students.

Currently, 2 of Florida's 12 state universities and 28 FCS institutions participate in dual enrollment.¹⁹

Tuition, Fees, and Other Costs

A student who enrolls in a postsecondary course through dual enrollment is exempt from the payment of registration, tuition, and laboratory fees.²⁰

Instructional materials assigned for dual enrollment courses must be provided to dual enrollment students from Florida public high schools free of charge.²¹ This requirement does not prohibit a FCS institution from providing instructional materials at no cost to a home education program or a private school student.²² Instructional materials purchased by a district school board or a FCS institution board of trustees on behalf of dual enrollment students must be the property of the board that purchased the instructional materials.²³

III. Effect of Proposed Changes:

SB 874 modifies public and private dual enrollment articulation agreements to expand benefits for home education program and private school students and establishes August 1 as the annual

¹⁴ An eligible postsecondary education institution is a state university, a Florida College System (FCS) institution, or "an independent college or university which is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and confers degrees as defined in s. 1005.02" Sections 1007.271 and 1011.62(1)(i), F.S.

¹⁵ Section 1007.271, F.S.; Florida Department of Education, *Dual Enrollment FAQs*, available at <http://www.fldoe.org/core/fileparse.php/5423/urlt/DualEnrollmentFAQ.pdf>, at 3 of 12.

¹⁶ Section 1007.271(21), F.S.

¹⁷ Section 1007.271(24), F.S.

¹⁸ Section 1007.271(13), F.S.

¹⁹ Email, Florida Department of Education (March 13, 2015), on file with the Committee on Education Pre-K – 12 staff; Florida Department of Education, *2014-15 Dual Enrollment Agreements*, <http://www.fldoe.org/policy/articulation/1415dual-enrollment-agreements.stml> (last visited March 13, 2015).

²⁰ Section 1007.271(2), F.S.

²¹ Section 1007.271(17), F.S.

²² *Id.*

²³ *Id.*

deadline for submitting such agreements to the Florida Department of Education. Specifically, the bill:

- Deletes from dual enrollment articulation agreements with home education program students, the responsibility of a student to provide for his or her own instructional materials and requires that instructional materials for dual enrollment courses be provided free of charge to home education program students and private school students, similar to current law for public school students.²⁴
- Specifies dual enrollment articulation agreement provisions and requirements for agreements with private school students, similar to current law for home education program students.²⁵
- Adds technology fees to the fees that public and private school students and home education program students are exempt from paying for dual enrollment courses.

Dual Enrollment Articulation Agreements

The bill:

- Clarifies that public and private postsecondary institutions that are eligible to receive funding for participation in dual enrollment,²⁶ must enter into a home education articulation agreement with each home education program student seeking enrollment in dual enrollment courses.
 - Requires public and private postsecondary institutions that enter into articulation agreements with home education program students, to complete and submit the articulation agreements annually to DOE by August 1. This provision will allow the department to compile information on locally-developed articulation agreements between home education program student and eligible postsecondary institutions.
- Requires district school boards and FCS institutions that enter into articulation agreements with state universities or eligible private postsecondary education institutions, to complete and submit the articulation agreements annually to DOE by August 1. This provision will allow the department to compile information on locally-developed school district and FCS institution articulation agreements with eligible postsecondary institutions.
- Requires each eligible postsecondary education institution to enter into an articulation agreement with each private school student seeking to participate in dual enrollment courses that are creditable toward a career certificate, an associate degree, or a baccalaureate degree, in effect, aligning this provision to the articulation agreement requirements for home education program students.
 - Specifies information that must be included in the articulation agreements with private school students similar to information that must be included in articulation agreements with home education program students (i.e., delineation of available courses and programs, initial and continued student eligibility requirements which must not exceed the requirements for other dual enrollment students, student responsibilities for providing transportation, and a copy of transfer guarantees developed by DOE to inform students

²⁴ Section 1007.271(17), F.S.

²⁵ Section 1007.271(13), F.S.

²⁶ An eligible postsecondary education institution is a state university, a Florida College System (FCS) institution, or “an independent college or university which is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and confers degrees as defined in s. 1005.02” Sections 1007.271 and 1011.62(1)(i), F.S.

- and parents about transferability of credits earned through dual enrollment toward elective or general education requirement).
- Requires the postsecondary education institutions to complete and submit the articulation agreements annually to DOE by August 1.
 - Requires the electronic submission system for submitting dual enrollment articulation agreements between public postsecondary education institutions and school districts to be used also for the submission of articulation agreements with home education program and private school students. This provision may streamline the process for submitting the articulation agreements with home education program and private school students which will assist with compiling relevant information.
 - Requires DOE to review, for compliance, articulation agreements with home education program and private school students, in effect, aligning this provision with the department's oversight responsibility for articulation agreements between public postsecondary education institutions and school districts.

Tuition, Fees, and Other Costs

The bill requires instructional materials purchased by district school boards or FCS institution boards of trustees to be provided free of charge to all dual enrollments students, which would include students in public and private schools and home education programs. The bill deletes the requirement for home education program students to be responsible for their own instructional materials, in effect, making instructional materials free of charge for such students similar to free instructional materials for public school students under current law.²⁷

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

²⁷ Section 1007.271(17), F.S.

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 the following sections of the Florida Statutes: 1002.20, 1007.271, and 1011.62.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Stargel

15-00797-15

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1 A bill to be entitled
 2 An act relating to the dual enrollment program;
 3 amending s. 1007.271, F.S.; exempting dual enrollment
 4 students from paying certain fees, including
 5 technology fees; deleting the requirement that a home
 6 education secondary student be responsible for his or
 7 her own instructional materials in order to
 8 participate in the dual enrollment program; requiring
 9 a postsecondary institution that is eligible to
 10 participate in the dual enrollment program to enter
 11 into a home education articulation agreement;
 12 requiring the postsecondary institution to annually
 13 complete and submit the agreement to the Department of
 14 Education by a specified date; conforming provisions
 15 to changes made by the act; authorizing certain
 16 instructional materials to be made available free of
 17 charge to dual enrollment students in public high
 18 schools, home education programs, and private schools;
 19 requiring the department to review dual enrollment
 20 articulation agreements submitted for certain
 21 students, including home education students and
 22 private school students, to participate in a dual
 23 enrollment program; requiring the Commissioner of
 24 Education to notify the district school board
 25 superintendent and the president of the postsecondary
 26 institution if the dual enrollment articulation
 27 agreement does not comply with statutory requirements;
 28 requiring a district school board and a Florida
 29 College System institution to annually complete and

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30 submit to the department by a specified date a dual
 31 enrollment articulation agreement with a state
 32 university and an eligible independent college or
 33 university, as applicable; providing requirements for
 34 a private school student to participate in a dual
 35 enrollment program; requiring a postsecondary
 36 institution eligible to participate in the dual
 37 enrollment program to enter into an articulation
 38 agreement with each private school student seeking
 39 enrollment in a dual enrollment course and his or her
 40 parent; requiring the postsecondary institution to
 41 annually complete and submit the articulation
 42 agreement to the department by a specified date;
 43 providing requirements for the articulation agreement;
 44 amending ss. 1002.20 and 1011.62, F.S.; conforming
 45 provisions to changes made by the act; providing an
 46 effective date.

47
 48 Be It Enacted by the Legislature of the State of Florida:
 49

50 Section 1. Subsections (2), (10), (11), (13), (16), (17),
 51 (22), (23), and (24) of section 1007.271, Florida Statutes, are
 52 amended to read:

53 1007.271 Dual enrollment programs.—

54 (2) For the purpose of this section, an eligible secondary
 55 student is a student who is enrolled in any of grades 6 through
 56 12 in a Florida public school or in a Florida private school
 57 that is in compliance with s. 1002.42(2) and provides a
 58 secondary curriculum pursuant to s. 1003. 4282. A student

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59 ~~Students~~ who is ~~are~~ eligible for dual enrollment pursuant to
 60 this section may enroll in dual enrollment courses conducted
 61 during school hours, after school hours, and during the summer
 62 term. However, if the student is projected to graduate from high
 63 school before the scheduled completion date of a postsecondary
 64 course, the student may not register for that course through
 65 dual enrollment. The student may apply to the postsecondary
 66 institution and pay the required registration, tuition, and fees
 67 if the student meets the postsecondary institution's admissions
 68 requirements under s. 1007.263. Instructional time for dual
 69 enrollment may vary from 900 hours; however, the full-time
 70 equivalent student membership value is ~~shall be~~ subject to ~~the~~
 71 ~~provisions in~~ s. 1011.61(4). A student enrolled as a dual
 72 enrollment student is exempt from the payment of registration,
 73 tuition, technology, and laboratory fees. Applied academics for
 74 adult education instruction, developmental education, and other
 75 forms of precollegiate instruction, as well as physical
 76 education courses that focus on the physical execution of a
 77 skill, rather than the intellectual attributes of the activity,
 78 are ineligible for inclusion in the dual enrollment program.
 79 Recreation and leisure studies courses shall be evaluated
 80 individually in the same manner as physical education courses
 81 for potential inclusion in the program.

82 (10) Early admission is a form of dual enrollment through
 83 which an eligible secondary student enrolls ~~students enroll~~ in a
 84 postsecondary institution on a full-time basis in courses that
 85 are creditable toward the high school diploma and the associate
 86 or baccalaureate degree. A student must enroll in a minimum of
 87 12 college credit hours per semester or the equivalent to

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88 participate in the early admission program; however, a student
 89 may not be required to enroll in more than 15 college credit
 90 hours per semester or the equivalent. A student ~~Students~~
 91 enrolled pursuant to this subsection is ~~are~~ exempt from the
 92 payment of registration, tuition, technology, and laboratory
 93 fees.

94 (11) Career early admission is a form of career dual
 95 enrollment through which an eligible secondary student enrolls
 96 ~~students enroll~~ full time in a career center or a Florida
 97 College System institution in postsecondary programs leading to
 98 industry certifications, as listed in the Postsecondary Industry
 99 Certification Funding List pursuant to s. 1008.44, which are
 100 creditable toward the high school diploma and the certificate or
 101 associate degree. Participation in the career early admission
 102 program is limited to students who have completed a minimum of 4
 103 semesters of full-time secondary enrollment, including studies
 104 undertaken in ~~the ninth~~ grade 9. A student ~~Students~~ enrolled
 105 pursuant to this section is ~~are~~ exempt from the payment of
 106 registration, tuition, technology, and laboratory fees.

107 (13) (a) The dual enrollment program for a home education
 108 student ~~students~~ consists of the enrollment of an eligible home
 109 education secondary student in a postsecondary course creditable
 110 toward an associate degree, a career certificate, or a
 111 baccalaureate degree. To participate in the dual enrollment
 112 program, an eligible home education secondary student must:

113 1. Provide proof of enrollment in a home education program
 114 pursuant to s. 1002.41.

115 2. Be responsible for his or her own ~~instructional~~
 116 ~~materials and~~ transportation unless provided for otherwise.

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117 3. Sign a home education articulation agreement pursuant to
118 paragraph (b).

119 (b) Each postsecondary institution that is eligible to
120 participate in the dual enrollment program pursuant to s.
121 1011.62(1)(i) must ~~shall~~ enter into a home education
122 articulation agreement with each home education student seeking
123 enrollment in a dual enrollment course and the student's parent.
124 By August 1 of each year, the applicable postsecondary
125 institution shall complete and submit the home education
126 articulation agreement to the Department of Education. The home
127 education articulation agreement must ~~shall~~ include, at a
128 minimum:

129 1. A delineation of courses and programs available to a
130 dually enrolled home education student who participates in a
131 dual enrollment program ~~students~~. The postsecondary institution
132 may add, revise, or delete courses and programs ~~may be added,~~
133 revised, or deleted at any time by the postsecondary
134 institution.

135 2. The initial and continued eligibility requirements for
136 home education student participation, not to exceed those
137 required of other dual enrollment ~~dually enrolled~~ students.

138 3. The student's responsibilities for providing his or her
139 own ~~instructional materials and~~ transportation.

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

142 (16) A student ~~Students~~ who ~~meets meet~~ the eligibility
143 requirements of this section and who ~~chooses choose~~ to
144 participate in dual enrollment programs ~~is are~~ exempt from the
145 payment of registration, tuition, ~~technology,~~ and laboratory

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146 fees.

147 (17) Instructional materials assigned for use within dual
148 enrollment courses shall be made available free of charge to
149 dual enrollment students from ~~Florida~~ public high schools in
150 this state, home education programs pursuant to s. 1002.41, and
151 private schools pursuant to subsection (2) ~~free of charge.~~ ~~This~~
152 subsection does not prohibit a Florida College System
153 institution from providing instructional materials at no cost to
154 a home education student or student from a private school.
155 Instructional materials purchased by a district school board or
156 Florida College System institution board of trustees on behalf
157 of dual enrollment students are ~~shall be~~ the property of the
158 board against which the purchase is charged.

159 (22) The Department of Education shall develop an
160 electronic submission system for dual enrollment articulation
161 agreements and shall review, for compliance, each dual
162 enrollment articulation agreement submitted pursuant to
163 subsections (13), ~~subsection~~ (21), and (24). The Commissioner of
164 Education shall notify the district school superintendent and
165 the president of the postsecondary institution that is eligible
166 to participate in the dual enrollment program pursuant to s.
167 1011.62(1)(i) ~~Florida College System institution president~~ if
168 the dual enrollment articulation agreement does not comply with
169 statutory requirements and shall submit any dual enrollment
170 articulation agreement with unresolved issues of noncompliance
171 to the State Board of Education.

172 (23) A district school board ~~boards~~ and a Florida College
173 System ~~institution institutions~~ may enter into an additional
174 dual enrollment articulation ~~agreement agreements~~ with a state

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175 ~~university universities~~ for the purposes of this section. A
 176 ~~school district districts~~ may also enter into a dual enrollment
 177 ~~articulation agreement agreements~~ with an eligible independent
 178 ~~college or university colleges and universities~~ pursuant to s.
 179 1011.62(1)(i). By August 1 of each year, the district school
 180 board and the Florida College System institution shall complete
 181 and submit the dual enrollment articulation agreement with the
 182 state university and an eligible independent college or
 183 university, as applicable, to the Department of Education.

184 (24)(a) The dual enrollment program for a private school
 185 student consists of the enrollment of an eligible private school
 186 student in a postsecondary course creditable toward an associate
 187 degree, a career certificate, or a baccalaureate degree. In
 188 addition, the private school in which the student is enrolled
 189 must award credit toward high school completion for the
 190 postsecondary course under the dual enrollment program. To
 191 participate in the dual enrollment program, an eligible private
 192 school student shall:

193 1. Provide proof of enrollment in a private school pursuant
 194 to subsection (2).

195 2. Be responsible for his or her own transportation unless
 196 provided for otherwise.

197 3. Sign a private school articulation agreement pursuant to
 198 paragraph (b).

199 (b) Each postsecondary institution that is eligible to
 200 participate in the dual enrollment program pursuant to s.
 201 1011.62(1)(i) must enter into a private school articulation
 202 agreement with each private school student seeking enrollment in
 203 a dual enrollment course and the student's parent. By August 1

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204 of each year, the applicable postsecondary institution shall
 205 complete and submit the private school articulation agreement to
 206 the Department of Education. The articulation agreement must
 207 include, at a minimum:

208 1. A delineation of courses and programs available to a
 209 private school student who participates in a dual enrollment
 210 program. The postsecondary institution may add, revise, or
 211 delete courses and programs at any time.

212 2. The initial and continued eligibility requirements for
 213 private school student participation, not to exceed those
 214 required of other dual enrollment students.

215 3. The student's responsibilities for providing his or her
 216 own transportation.

217 4. A copy of the statement on transfer guarantees developed
 218 by the Department of Education under subsection (15)
 219 ~~Postsecondary institutions may enter into dual enrollment~~
 220 ~~articulation agreements with private secondary schools pursuant~~
 221 ~~to subsection (2).~~

222 Section 2. Paragraph (d) of subsection (19) of section
 223 1002.20, Florida Statutes, is amended to read:

224 1002.20 K-12 student and parent rights.—Parents of public
 225 school students must receive accurate and timely information
 226 regarding their child's academic progress and must be informed
 227 of ways they can help their child to succeed in school. K-12
 228 students and their parents are afforded numerous statutory
 229 rights including, but not limited to, the following:

230 (19) INSTRUCTIONAL MATERIALS.—
 231 (d) *Dual enrollment students.*—Instructional materials
 232 purchased by a district school board or Florida College System

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 233 institution board of trustees on behalf of ~~public school~~ dual
 234 enrollment students shall be made available free of charge to
 235 the dual enrollment students ~~free of charge~~, in accordance with
 236 s. 1007.271(17).

237 Section 3. Paragraph (i) of subsection (1) of section
 238 1011.62, Florida Statutes, is amended to read:

239 1011.62 Funds for operation of schools.—If the annual
 240 allocation from the Florida Education Finance Program to each
 241 district for operation of schools is not determined in the
 242 annual appropriations act or the substantive bill implementing
 243 the annual appropriations act, it shall be determined as
 244 follows:

245 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 246 OPERATION.—The following procedure shall be followed in
 247 determining the annual allocation to each district for
 248 operation:

249 (i) *Calculation of full-time equivalent membership with*
 250 *respect to dual enrollment instruction.*—Students enrolled in
 251 dual enrollment instruction pursuant to s. 1007.271 may be
 252 included in calculations of full-time equivalent student
 253 memberships for basic programs for grades 9 through 12 by a
 254 district school board. Instructional time for dual enrollment
 255 may vary from 900 hours; however, the full-time equivalent
 256 student membership value shall be subject to the provisions in
 257 s. 1011.61(4). Dual enrollment full-time equivalent student
 258 membership shall be calculated in an amount equal to the hours
 259 of instruction that would be necessary to earn the full-time
 260 equivalent student membership for an equivalent course if it
 261 were taught in the school district. Students in dual enrollment

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 262 courses may also be calculated as the proportional shares of
 263 full-time equivalent enrollments they generate for a Florida
 264 College System institution or university conducting the dual
 265 enrollment instruction. Early admission students shall be
 266 considered dual enrollments for funding purposes. Students may
 267 be enrolled in dual enrollment instruction provided by an
 268 eligible independent college or university and may be included
 269 in calculations of full-time equivalent student memberships for
 270 basic programs for grades 9 through 12 by a district school
 271 board. However, those provisions of law which exempt dual
 272 enrollment students ~~dual enrolled~~ and early admission students
 273 from payment of instructional materials and tuition and fees,
 274 including technology, registration, and laboratory fees, do
 275 ~~shall~~ not apply to students who select the option of enrolling
 276 in an eligible independent institution. An independent college
 277 or university that ~~which~~ is located and chartered in Florida, is
 278 not for profit, is accredited by the Commission on Colleges of
 279 the Southern Association of Colleges and Schools or the
 280 Accrediting Council for Independent Colleges and Schools, and
 281 confers degrees as defined in s. 1005.02 ~~is shall be~~ eligible
 282 for inclusion in the dual enrollment or early admission program.
 283 Students enrolled in dual enrollment instruction ~~are shall be~~
 284 exempt from the payment of tuition and fees, including
 285 technology, registration, and laboratory fees. ~~A~~ ~~No~~ student
 286 enrolled in college credit mathematics or English dual
 287 enrollment instruction ~~may not shall~~ be funded as a dual
 288 enrollment unless the student has successfully completed the
 289 relevant section of the entry-level examination required
 290 pursuant to s. 1008.30.

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291

Section 4. This act shall take effect July 1, 2015.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-18-15

Meeting Date

SB 874

Bill Number (if applicable)

Topic Dual Enrollment

Amendment Barcode (if applicable)

Name Dr. Barbara Hodges

Job Title Executive Director

Address 1211 N Westshore Blvd, Ste 612
Street

Phone 813-287-2820

Tampa
City

FL
State

33607
Zip

Email bhodges@fcis.org

Speaking: For Against Information

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

Representing Florida Association of Academic Nonpublic Schools (FAANS) - ^{President}

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

3-18-15
Meeting Date

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

SB 874
Bill Number (if applicable)

Topic Dual Enrollment

Amendment Barcode (if applicable)

Name William Hewlett III

Job Title Head of School

Address 3751 Sheridan St

Phone 954-557-3644

Hollywood FL 33021
City State Zip

Email hewlettb@shessharks.com

Speaking: For Against Information

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

Representing Florida Association Academic Non Public Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date

874
Bill Number (if applicable)

Topic DUAL ENROLLMENT PROGRAM

Amendment Barcode (if applicable)

Name DAVID HOLTZHOUSE

Job Title REGIONAL DIRECTOR ASSOC. OF CHRISTIAN SCHOOLS

Address 461 PLAZA DE STE C
Street

Phone 727-403-3304

DUNEDIN
City

FL
State

34698
Zip

Email holtzhouse@gmail.com

Speaking: For Against Information

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

Representing ASSOC OF CHRISTIAN SCHOOLS INTERNATIONAL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

3/18/2015

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

Meeting Date

874

Bill Number (if applicable)

Topic Dual Enrollment Program

Amendment Barcode (if applicable)

Name James Herzog

Job Title Associate Director for Education

Address 201 West Park Ave

Phone 850 205 6823

Street

Tallahassee FL 32301

Email jherzog@flacathconf.org

City

State

Zip

Speaking: For Against Information

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

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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3/18/15

Meeting Date

SB 874

Bill Number (if applicable)

Topic Deed Enrollment

Amendment Barcode (if applicable)

Name Michael S. Phillips

Job Title Executive Director of LegiMatters

Address 1859 Becker Dr.

Street

Phone 386-218-5310

Winter Park

City

Florida

State

32789

Zip

Email michael.phillips@fccpsa.org

Speaking: For Against Information

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

Representing Florida Coalition of Christian Private Schools Accreditation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-18-15

Meeting Date

SB 874

Bill Number (if applicable)

Topic SB 874 Dual Enrollment

Amendment Barcode (if applicable)

Name James Lawson

Job Title School Administrator

Address 2001 Williams Rd

Phone 863-602-5089

Street

Plant City

FL

State

33565

Zip

Email Jim.Lawson@fofca.com

Speaking: For Against Information

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

Representing Families of Faith Christian Academy

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

3/18/15
Meeting Date

SB 874
Bill Number (if applicable)

Topic DVA Enrollment

Amendment Barcode (if applicable)

Name HOWARD G. BURKE

Job Title Exec. Director

Address PO Box 10009

Phone 850-422-0065

Tallahassee FL 32302
City State Zip

Email clchq5@aol.com

Speaking: For Against Information

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

Representing FLORIDA Assoc. OF CHRISTIAN Colleges & Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

3/18/15

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

874

Meeting Date

Bill Number (if applicable)

Topic Dual Enrollment

Amendment Barcode (if applicable)

Name Steven Hicks

Job Title President McKay Coalition

Address 17831 Cranbrook Dr.

Phone 813-695-1949

Street

Lutz

FL

33549

Email _____

City

State

Zip

Speaking: For Against Information

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

Representing Private Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

- A special transportation environment as prescribed by a physician (*e.g.*, tinted windows, a dust-controlled atmosphere, or temperature control).
- An attendant, aide, or monitor.
- A shortened school day.
- Transportation to a school center located in another school district.
- A student who is enrolled during the 180-day school year in a career education course or dual enrollment course in a Florida College System institution or a state university and transported from one school center to another.
- An elementary school student whose grade level does not exceed grade 6 and who is subjected to hazardous walking conditions en route to or from school as provided by law or State Board of Education rule. The bill removes the requirement for the rule to limit the determination to less than 1 year.
- A student with a disability whose IEP specifies the need for an extended school year (education during the summer) that requires transportation as a related service.
- A student who generates full-time equivalent membership during the summer through participation in a nonresidential Department of Juvenile Justice education program.

Motor Vehicles for Student Transportation

The bill expands the category of students who are eligible for funding and may be transported to and from school using private passenger cars or boats by:

- Defining an isolated student as one who lives in a sparsely populated area when compared to other population areas within the district, or in a location that a school bus cannot traverse the road or route necessary to pick up the student.
- Adding a student who is in the custody of the Department of Children and Families.
- Adding a student who lacks a fixed, regular, and adequate nighttime residence, or whose primary nighttime residence is a public or private shelter designed to provide temporary residence or whose primary nighttime residence is a public or private place designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Funding Formula

The bill revises the funding formula to require that the membership count of students with disabilities be calculated first to determine the transportation dollar allocation for such students, and that any remaining funds, prorated by an adjusted student membership count, constitute the base transportation dollar allocation.

The bill provides for an effective date of July 1, 2015.

II. Present Situation:

Public K-12 Student Transportation

District school boards are required to provide transportation services for some students, and may provide additional transportation services. District school boards must use buses for regular transportation, but may use other motor vehicles in limited circumstances.

Duties & Discretion of District School Boards to Provide Transportation

Each district school board, after considering recommendations from the district school superintendent, is required to provide transportation for students to public schools or school-related activities that the students are required or expected to attend.³ Specifically, a district school board must provide:⁴

- Transportation for each student in prekindergarten disability programs⁵ and in kindergarten through grade 12 membership to a public school when, and only when, transportation is necessary to provide adequate educational facilities and opportunities that are not otherwise available and to transport students whose homes are more than a reasonable walking distance⁶ from the nearest appropriate school.
- Transportation for public elementary school students in membership whose grade level does not exceed grade 6, if such students are subjected to hazardous walking conditions while en route to or from school.⁷
- Necessary transportation to pregnant students or student parents, and the children of those students, when the district school board operates a teenage parent program (TAP).⁸

However, a district school board has the discretion, if it determines practical, to provide transportation for:⁹

- Public school students in membership in grades 7 through 12, if such students are subject to hazardous walking conditions while en route to or from school.
- Public school migrant, exceptional, nursery, and other public school students in membership below kindergarten; kindergarten through grade 12 students in membership in a public school; and adult students in membership in adult career, basic, and high school graduation programs in a public school when, and only when, transportation is necessary to provide adequate educational facilities and opportunities which otherwise would not be available.
- Transportation disadvantaged¹⁰ and for other school-age children.¹¹
- Other persons to events or activities in which the school district has agreed to participate or cosponsor.

³ Sections 1001.42(10) and 1006.21(2), F.S.

⁴ Section 1006.21(3), F.S. A district school board must also provide transportation to a student who utilizes the public-school option in the McKay Scholarship Program and selects a public school consistent with the district's school choice plan. s. 1002.39(5)(a)3., F.S.

⁵ *Id.* (e.g., the Voluntary Prekindergarten Education Program or School Readiness Program)

⁶ Defined by the State Board of Education in Rule 6A-3.001(3), F.A.C., as 2 miles between the home and school.

⁷ The district school board *may* provide transportation to students enrolled in grades 7 through 12 who are subjected to hazardous walking conditions. s. 1006.21(3)(b), F.S.

⁸ Section 1003.54(2), F.S.

⁹ Section 1006.21(3)(c), (d), (f), and (g) and (4), F.S. A district school board may provide transportation for charter schools. s. 1002.33(20)(c), F.S.

¹⁰ "Transportation disadvantaged" means "persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk [...]" s. 427.011(1), F.S.,

¹¹ Each district school board may enter into agreements with: counties or municipalities in the school district or any state agency identified to assist the transportation disadvantaged; regional workforce boards for providing transportation services to welfare transition program participants; or nonprofit corporations and civic association and groups to use schools buses to transport school-age children for activities (e.g., the Girl Scouts, 4-H Clubs, or the Y.M.C.A.). s. 1006.261(1), F.S.

- Welfare transition program participants.¹²

Motor Vehicles Used for Student Transportation

District school boards must use school buses¹³ for regular transportation, which is the scheduled, routine transportation of students¹⁴ to and from school or school-related activities that are part of a scheduled series or sequence of events to the same location.¹⁵

However, district school boards may use motor vehicles, other than school buses, if transportation is provided:¹⁶

- For physically handicapped or isolated students.
- For students who attend a specialized educational program.
- Through a public transit system.
- For trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions.

Student Transportation Funding

The Legislature annually allocates funds to each school district for transportation to public school programs of students in membership in kindergarten through grade 12, and in migrant and exceptional student programs below kindergarten based on eligibility criteria and the calculation of the transportation funding allocation.¹⁷

Eligible Student Membership

Each school district must determine and report the membership¹⁸ count of students who are transported for the following reasons:¹⁹

- Lives 2 miles or more from school.
- Has a disability or is enrolled in TAP.
- Enrolled in a state prekindergarten program.²⁰

¹² A welfare transition participant is an individual who is receiving temporary cash assistance. s. 414.0252(9), F.S.

¹³ “School bus” means a “motor vehicle regularly used for the transportation of prekindergarten disability program and kindergarten through grade 12 students of the public schools to and from school or to and from school activities, and owned, operated, rented, contracted, or leased by any district school board [...]” s. 1006.25(1), F.S.

¹⁴ “Students” means “[...] students enrolled in the public schools in prekindergarten disability programs and in kindergarten through grade 12.” s. 1006.22(1)(a), F.S.

¹⁵ Section 1006.22(1)(a), F.S.

¹⁶ Section 1006.22(1) and (2), F.S., (*e.g.*, a passenger car or multipurpose passenger vehicle or truck designed to transport fewer than 10 students or, a privately owned motor vehicle in limited circumstances).

¹⁷ Section 1011.68, F.S. This annual allocation includes charter schools. *Id.*

¹⁸ “Membership” means “any prekindergarten through grade 12 student enrolled in school during the survey week who is assigned to a bus, passenger car, multipurpose passenger vehicle, general purpose transportation (city bus or train) or privately owned motor vehicle or boat (for isolated or disabled students). See the Florida Department of Education’s *Student Transportation General Instructions* (2014-2015) available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/0077152-1415studenttransgeneralinstructions.pdf>.

¹⁹ Section 1011.68(1), F.S.

²⁰ For purposes of student transportation funding, prekindergarten programs serving students with disabilities and receiving funding through the Individuals with Disabilities Education Act or serving children of a parent enrolled in a Teenage Parent Program. Rule 6A-6.03026, F.A.C. A student enrolled in the Voluntary Prekindergarten Education Program may not be reported for transportation funding. s. 1002.71(9), F.S. See also, the Florida Department of Education’s *Student*

- Is a career education student²¹ or a dual enrollment student,²² or a student with a disability, who is transported from one school center²³ to another to participate in an instructional program or service.
- Has a disability and is transported from one designation to another in the state, one of which is a school center, and whose IEP identifies the need for the instructional program or service and transportation provided by the school district.
- Is an elementary school student who is enrolled in kindergarten through grade 6 and is subjected to hazardous walking conditions en route to or from school.²⁴ State Board of Education rules must, when appropriate, provide for the determination of membership for less than 1 year to accommodate the needs of students who require transportation only until such hazardous conditions are corrected.²⁵
- Is a pregnant student, a student parent, or the child of a student parent.

Funding Allocation

The total allocation of funds for each district is calculated annually using the following formula:

$T = B + EX$. The elements of this formula are defined as follows: T is the total dollar allocation for transportation. B is the base transportation dollar allocation prorated by an adjusted student membership count. The adjusted membership count shall be derived from a multiplicative index function in which the base student membership is adjusted by multiplying it by index numbers that individually account for the impact of the price level index, average bus occupancy, and the extent of rural population in the district. EX is the base transportation dollar allocation for disabled students prorated by an adjusted disabled student membership count. The base transportation dollar allocation for disabled students is the total state base disabled student membership count weighted for increased costs associated with transporting disabled students and multiplying it by an average per student cost for transportation as determined by the Legislature. The adjusted disabled student membership count shall be derived from a multiplicative index function in which the weighted base disabled student membership is adjusted by multiplying it by index numbers that individually account for the impact of the price level index, average bus occupancy, and the extent of rural population in the district. Each adjustment factor shall be designed to affect the base allocation by no more or less than 10 percent.²⁶

Transportation General Instructions (2014-2015) available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/0077152-1415studenttransgeneralinstructions.pdf>.

²¹ “Career education” relates to instruction through courses designed to introduce students to various occupations and job-preparatory instruction. s. 1003.01(4), F.S.

²² A “dual enrollment student” is a full-time equivalent public school student enrolled in a public secondary school program and a Florida College System institution or state university program. s. 1011.68(1)(d), F.S.

²³ “School center” is defined as a “public school center, Florida College System institution, state university, or other facility rented, leased, or owned and operated by the school district or another public agency.” *Id.*

²⁴ Section 1011.68(1)(e), F.S. The criteria for identifying hazardous walking conditions are specified in s. 1006.23(4), F.S.

²⁵ Section 1011.68(1)(e), F.S.

²⁶ Section 1011.68(2), F.S.

The funds are available for the following limited purposes:²⁷

- For transporting students to and from school using:
 - Local general purpose transportation systems;
 - Private passenger cars or boats when the transportation is for isolated students or students with disabilities;²⁸ and
- Purchasing transportation equipment and supplies.²⁹

III. Effect of Proposed Changes:

SB 1020 substantively revises the eligibility criteria for determining student membership for the annual allocation to each school district for transportation to public school programs and, revises the formula for calculating the allocation of transportation funds.

Student Membership Eligibility

The bill codifies³⁰ revisions to the criteria for existing, eligible student membership categories to include definitions and conditions that are prescribed in Department of Education rules and policies for transportation reporting and funding.³¹

Specifically, the bill removes students in membership in migrant prekindergarten programs and redefines other existing, eligible student membership categories to be:

- A student who lives 2 miles or more from school.
- A student enrolled in a prekindergarten program for students with disabilities, which generates full-time equivalent student membership.
- A student who is pregnant, a student parent, or the child of a student parent.
- A student with a disability whose individual educational plan (IEP) identifies a need for one or more of the following services:
 - Medical equipment, which includes wheelchairs, crutches, walkers, canes, tracheotomy equipment, and positioning or unique seating devices.
 - A special transportation environment as prescribed by a physician (*e.g.*, tinted windows, a dust-controlled atmosphere, or temperature control).
 - An attendant, aide, or monitor.
 - A shortened school day.
 - Transportation to a school center located in another school district.
- A student who is enrolled during the 180-day school year in a career education course or dual enrollment course in a Florida College System institution or a state university and transported from one school center to another.

²⁷ *Id.* at (4) and (5).

²⁸ The use of private passenger cars or boats may be authorized for students with disabilities or students living in isolated areas who require specialized transportation services because transportation by school bus would be impractical or is unavailable. Rules 6A-1.0451(5) and 6A-3.0171(11), F.A.C.

²⁹ The prices of the equipment and supplies may not exceed the lowest prices as determined by the Department of Education. ss. 1006.27(1) and 1011.68(4), F.S.

³⁰ Department of Education, Division of Finance and Operations, 2015 Agency Legislative Bill Analysis, received March 17, 2015 (on file with the Senate Committee on Education Pre-K – 12).

³¹ Rules 6A-1.0451, 6A-3.001, 6A-3.0171, and 6A-6.03026, F.A.C.; *see also*, Florida Department of Education, *Student Transportation General Instructions* (2014-2015) available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/0077152-1415studenttransgeneralinstructions.pdf>.

- An elementary school student whose grade level does not exceed grade 6 and who is subjected to hazardous walking conditions en route to or from school as provided by law or State Board of Education rule. The bill removes the requirement for the rule to limit the determination to less than 1 year.
- A student with a disability whose IEP specifies the need for an extended school year (education during the summer) that requires transportation as a related service.
- A student who generates full-time equivalent membership during the summer through participation in a nonresidential Department of Juvenile Justice education program.

Motor Vehicles for Student Transportation

The bill expands the category of students who are eligible for funding and may be transported to and from school using private passenger cars or boats by:

- Defining an isolated student as one who lives in a sparsely populated area when compared to other population areas within the district, or in a location that a school bus cannot traverse the road or route necessary to pick up the student.
- Adding a student who is in the custody of the Department of Children and Families.
- Adding a student who lacks a fixed, regular, and adequate nighttime residence, or whose primary nighttime residence is a public or private shelter designed to provide temporary residence or whose primary nighttime residence is a public or private place designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Funding Formula

The bill revises the funding formula to require that the membership count of students with disabilities be calculated first to determine the transportation dollar allocation for such students, and that any remaining funds, prorated by an adjusted student membership count, constitute the base transportation dollar allocation.

The bill provides for an effective date of July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1011.68 and reenacts section 1011.622 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Simmons

10-00655A-15

20151020__

1 A bill to be entitled
 2 An act relating to student transportation funding;
 3 amending s. 1011.68, F.S.; revising the membership of
 4 students that a school district reports for
 5 transportation funding purposes; revising the school
 6 transportation allocation formula used by each school
 7 district; revising the types of students eligible for
 8 transportation funds used for transportation to and
 9 from school in private passenger cars and boats;
 10 reenacting s. 1011.622, F.S., to incorporate the
 11 amendment made to s. 1011.68, F.S., in a reference
 12 thereto; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 1011.68, Florida Statutes, is amended to
 17 read:

18 1011.68 Funds for student transportation.—The annual
 19 allocation to each district for transportation to public school
 20 programs, including charter schools as provided in s.
 21 1002.33(17)(b), of students in membership in kindergarten
 22 through grade 12 and in ~~migrant and~~ exceptional student programs
 23 below kindergarten shall be determined as follows:

24 (1) Subject to the rules of the State Board of Education,
 25 each district shall determine the membership of students who are
 26 transported:

27 (a) By reason of being a student who lives living 2 miles
 28 or more from school.

29 (b) By reason of being a student enrolled in a

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

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30 prekindergarten program for students with disabilities ~~or~~
 31 ~~enrolled in a teenage parent program, which generates full-time~~
 32 equivalent student membership under s. 1011.61, regardless of
 33 distance to school.

34 (c) By reason of being a student who is pregnant, a student
 35 parent, or the child of a student parent as provided in s.
 36 1003.54 in a state prekindergarten program, regardless of
 37 distance from school.

38 (d) By reason of being a student with a disability,
 39 regardless of distance to school, whose individual educational
 40 plan (IEP) identifies the need for one or more of the following
 41 services:

42 1. Medical equipment, which includes wheelchairs, crutches,
 43 walkers, canes, tracheotomy equipment, and positioning or unique
 44 seating devices.

45 2. A special transportation environment in accordance with
 46 a physician's prescription. Such an environment may include, but
 47 is not limited to, tinted windows, a dust-controlled atmosphere,
 48 or temperature control.

49 3. An attendant, aide, or monitor.

50 4. A shortened school day.

51 5. Transportation to a school center located in an out-of-
 52 district school system. The term "school center" means a public
 53 school center, Florida College System institution, state
 54 university, or other facility rented, leased, or owned and
 55 operated by the school district or another public agency ~~By~~
 56 ~~reason of being career, dual enrollment, or students with~~
 57 ~~disabilities transported from one school center to another to~~
 58 ~~participate in an instructional program or service; or students~~

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59 ~~with disabilities, transported from one designation to another~~
60 ~~in the state, provided one designation is a school center and~~
61 ~~provided the student's individual educational plan (IEP)~~
62 ~~identifies the need for the instructional program or service and~~
63 ~~transportation to be provided by the school district.~~

64 (e) By reason of being a student who is enrolled during the
65 180-day school year in a career education course or a dual
66 enrollment course in a Florida College System institution or a
67 State University System institution pursuant to s. 1007.271 and
68 who is transported from one school center to another. The term A
69 "school center" means is defined as a public school center,
70 Florida College System institution, state university, or other
71 facility rented, leased, or owned and operated by the school
72 district or another public agency. A "dual enrollment student"
73 is defined as a public school student in membership in both a
74 public secondary school program and a Florida College System
75 institution or a state university program under a written
76 agreement to partially fulfill ss. 1003.435 and 1007.23 and
77 earning full-time equivalent membership under s. 1011.62(1)(i).

78 (f)(e) By reason of being an ~~With respect to~~ elementary
79 school student ~~students~~ whose grade level does not exceed grade
80 6 who is, by reason of being subjected to hazardous walking
81 conditions en route to or from school as provided in s. 1006.23
82 and by rule of the State Board of Education. Such rule ~~rules~~
83 shall, when appropriate, provide for the determination of
84 membership under this paragraph ~~for less than 1 year~~ to
85 accommodate the needs of students who require transportation
86 only until such hazardous conditions are corrected.

87 ~~(f) By reason of being a pregnant student or student~~

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88 ~~parent, and the child of a student parent as provided in s.~~
89 ~~1003.54, regardless of distance from school.~~

90 (g) By reason of being a student with a disability whose
91 IEP specifies the need for an extended school year education,
92 with transportation as a related service, during the summer.

93 (h) By reason of being a student who generates full-time
94 equivalent student membership during the summer under s. 1011.61
95 through participation in a nonresidential Department of Juvenile
96 Justice education program pursuant to s. 1003.52.

97 (2) A school district may report only students who generate
98 full-time equivalent membership during the summer under s.
99 1011.61 for student transportation funding during the summer,
100 unless a student meets the requirements of paragraph (1)(g).

101 (3) Students who are enrolled in the Florida School for the
102 Deaf and the Blind as authorized in s. 1002.36 are funded
103 through a specific appropriation in the General Appropriations
104 Act for the Florida School for the Deaf and the Blind and are
105 not eligible for student transportation funding under this
106 section.

107 (4)(2) The allocation for each district shall be calculated
108 annually in accordance with the following formula:

109
110 $T = B + EX + B$. The elements of this formula are defined as
111 follows:

112 (a) T is the total dollar allocation for transportation.

113 (b) EX is the transportation dollar allocation for students
114 with disabilities whom the school district reports under
115 paragraph (1)(d). The transportation dollar allocation for
116 students with disabilities is the students with disabilities

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117 membership count reported in paragraph (1) (d), weighted for
 118 increased costs associated with transporting students with
 119 disabilities, and multiplying that number by an average per
 120 student cost for transportation as determined by the Legislature
 121 ~~B is the base transportation dollar allocation prorated by an~~
 122 ~~adjusted student membership count. The adjusted students with~~
 123 ~~disabilities membership count shall be derived from a~~
 124 ~~multiplicative index function in which the base student~~
 125 ~~membership is adjusted by multiplying it by index numbers that~~
 126 ~~individually account for the impact of the price level index,~~
 127 ~~average bus occupancy, and the extent of rural population in the~~
 128 ~~district. Each adjustment factor shall be designed to affect the~~
 129 ~~base allocation by no more or less than 10 percent.~~

130 (c) B EX is the base transportation dollar allocation and
 131 represents the remaining funds after calculating the
 132 transportation dollar allocation for students with disabilities
 133 prorated by an adjusted student membership count ~~for disabled~~
 134 students ~~prorated by an adjusted disabled student membership~~
 135 count. The base transportation dollar allocation for disabled
 136 students is the total state base disabled student membership
 137 count weighted for increased costs associated with transporting
 138 disabled students and multiplying it by an average per student
 139 cost for transportation as determined by the Legislature. The
 140 adjusted ~~disabled student~~ membership count shall be derived from
 141 a multiplicative index function in which the ~~weighted base~~
 142 ~~disabled~~ student membership count reported in subsection (1) is
 143 adjusted by multiplying it by index numbers that individually
 144 account for the impact of the price level index, average bus
 145 occupancy, and the extent of rural population in the district.

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146 Each adjustment factor shall be designed to affect the base
 147 allocation by no more or less than 10 percent.
 148 ~~(3) The total allocation to each district for~~
 149 ~~transportation of students shall be the sum of the amounts~~
 150 ~~determined in subsection (2). If the funds appropriated for the~~
 151 ~~purpose of implementing this section are not sufficient to pay~~
 152 ~~the base transportation allocation and the base transportation~~
 153 ~~allocation for disabled students, the Department of Education~~
 154 ~~shall prorate the available funds on a percentage basis. If the~~
 155 ~~funds appropriated for the purpose of implementing this section~~
 156 ~~exceed the sum of the base transportation allocation and the~~
 157 ~~base transportation allocation for disabled students, the base~~
 158 ~~transportation allocation for disabled students shall be limited~~
 159 ~~to the amount calculated in subsection (2), and the remaining~~
 160 ~~balance shall be added to the base transportation allocation.~~
 161 ~~(5)(4) A ~~Ne~~ district may not ~~shall~~ use funds to purchase~~
 162 ~~transportation equipment and supplies at prices which exceed~~
 163 ~~those determined by the department to be the lowest which can be~~
 164 ~~obtained, as prescribed in s. 1006.27(1).~~
 165 ~~(6) (a) (5) Funds allocated or apportioned for the payment of~~
 166 ~~student transportation services may be used to pay for~~
 167 ~~transportation of students to and from school on local general~~
 168 ~~purpose transportation systems.~~
 169 ~~(b) Student transportation funds may ~~also~~ be used to pay~~
 170 ~~for transportation of students to and from school in private~~
 171 ~~passenger cars and boats when the transportation is for:~~
 172 1. An isolated student who lives in a sparsely populated
 173 area when compared to other population areas within the
 174 district, or in a location for which a school bus cannot

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175 traverse the road or route necessary to pick up the student;
176 2. A student with a disability as authorized by rule;
177 3. A student who is in the custody of the Department of
178 Children and Families; and
179 4. A student who lacks a fixed, regular, and adequate
180 nighttime residence, or whose primary nighttime residence is a
181 public or private shelter designed to provide temporary
182 residence or whose primary nighttime residence is a public or
183 private place not designed for, or ordinarily used as, a regular
184 sleeping accommodation for human beings isolated students, or
185 students with disabilities as defined by rule. Subject to the
186 rules of the State Board of Education, each school district
187 shall determine and report the number of assigned students using
188 general purpose transportation private passenger cars and boats.
189 The allocation per student must be equal to the allocation per
190 student riding a school bus.
191 (c) The allocation per student for general purpose
192 transportation, private passenger cars, and boats is equal to
193 the allocation per student riding a school bus.
194 (7)(6) Notwithstanding other provisions of this section, in
195 no case shall any student or students be counted for
196 transportation funding more than once per day. This provision
197 includes counting students for funding pursuant to trips in
198 school buses, passenger cars, or boats or general purpose
199 transportation.
200 Section 2. Section 1011.622, Florida Statutes, is reenacted
201 for the purpose of incorporating the amendment made by this act
202 to s. 1011.68, Florida Statutes, in a reference thereto.
203 Section 3. This act shall take effect July 1, 2015.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/18/15

Meeting Date

SB 1020

Bill Number (if applicable)

N/A

Amendment Barcode (if applicable)

Topic SB 1020 - Student Transportation Funding

Name Linda Champion

Job Title Deputy Commissioner

Address 385 W. Gaines Street

Phone 850-245-9120

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City

FL

State

32399

Zip

Email Linda.Champion@

fidoc.org

Speaking: For Against Information

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

Representing DOE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/18/15

Meeting Date

SB 1020

Bill Number (if applicable)

Topic SB 1020 - Student Transportation Funding

N/A

Amendment Barcode (if applicable)

Name Tanya Cooper

Job Title Director, Governmental Relations

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32399

City

State

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Speaking: For Against Information

Waive Speaking: In Support Against

Representing DOE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

The Florida Senate
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 Pre-K - 12

BILL: SB 1202

INTRODUCER: Senator Brandes

SUBJECT: Voter Registration

DATE: March 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carlton</u>	<u>Roberts</u>	<u>EE</u>	Favorable
2.	<u>Bailey</u>	<u>Klebacha</u>	<u>ED</u>	Pre-meeting
3.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 1202 designates the first week in May of each year as “Florida High School Senior Voter Registration Week.” The bill provides that each Supervisor of Elections may, in collaboration with the local school district, provide high school seniors with the opportunity to register to vote and provide instruction on the elections process, voter registration requirements, polling place processes, and the history of suffrage in the United States.

The bill takes effect July 1, 2015.

II. Present Situation:

The Department of State (Department) is required by s. 98.255, F.S., to adopt rules prescribing minimum standards for voter education. The standards shall, at a minimum, address: voter registration; balloting procedures, absentee and polling places; voter rights and responsibilities; distribution of sample ballots; and public service announcements.¹ Each Supervisor of Elections (Supervisor) is required to implement the minimum voter education standards, and shall conduct additional nonpartisan education efforts as necessary to ensure that voters have a working knowledge of the voting process.² The Supervisors are required to provide a detailed description of their voter education programs to the Department.³

The Department adopted Rule 1S-2.033(3)(a), F.A.C., which requires a county supervisor of elections to conduct at least once a year a high school voter registration/education program in each public high school in the county. The program must be developed in cooperation with the

¹ Section 98.255, F.S.

² *Id.*

³ *Id.*

local school board and be designed for maximum effectiveness in reaching and educating high school students who are eligible to pre-register or register.⁴

Currently, s. 97.0583, F.S., requires each qualifying educational institution to provide each student enrolled in the institution the opportunity to register to vote or to update a voter registration record on each campus at least once a year. Qualifying educational institutions are also encouraged to provide voter registration services at other times and places, such as upon application for financial aid, during admissions, at registration, upon issuance of student identifications, and at new-student orientation.⁵

For purposes of this law, a “[q]ualifying educational institution means any public or private educational institution receiving state financial assistance which has, as its primary mission, the provision of education or training to students who are at least 18 years of age, provided such institution has more than 200 students enrolled in classes with the institution and provided that the recognized student government organization has requested this designation in writing and has filed the request with the office of the supervisor of elections in the county in which the institution is located.”⁶

III. Effect of Proposed Changes:

SB 1202 designates the first week in May of each year as “Florida High School Senior Voter Registration Week.” The bill also provides that each Supervisor may, in collaboration with the local school district, provide high school seniors with the opportunity to register to vote and provide instruction on the elections process, voter registration requirements, polling place processes, and the history of suffrage in the United States.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁴ Rule IS-2.033(3), F.A.C.

⁵ Section 97.0583, F.S.

⁶ Section 97.021(32), F.S.

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 98.255 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Brandes

22-01256-15

20151202__

A bill to be entitled

An act relating to voter registration; amending s. 98.255, F.S.; designating a specified period each year during which supervisors of elections are authorized to provide certain students with the opportunity to register to vote at school and with instruction on the elections process; providing an effective date.

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

Section 1. Subsection (4) is added to section 98.255, Florida Statutes, to read:

98.255 Voter education programs.—

(4) The first week in May of each year is designated as "Florida High School Senior Voter Registration Week" in this state. During Florida High School Senior Voter Registration Week, each supervisor of elections may, in collaboration with the local school district, provide high school seniors with:

(a) The opportunity to register to vote at school.

(b) Instruction on the elections process, including, but not limited to, voter registration requirements, polling place processes, and the history of suffrage in the United States.

Section 2. This act shall take effect July 1, 2015.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-18-15

Meeting Date

1202

Bill Number (if applicable)

Topic voter Registration SB. 1202

Amendment Barcode (if applicable)

Name Joshua Rodak

Job Title Armwood HS ought to be a law

Address 12225 Langshaw Dr

Phone 813-270-5458

Street

Thonotosassa

City

FL

State

33592

Zip

Email joshuarodak@yahoo.com

Speaking: For Against Information

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

Representing Armwood High school Ought to be a law

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3-18-15

Meeting Date

1202

Bill Number (if applicable)

Topic Voter Registration S.B. 1202

Amendment Barcode (if applicable)

Name Chase Cabre

Job Title Armwood Hs Ought to be a Law

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33512

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Email chascabre@aol.com

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

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

Representing Armwood Hs Ought to be a Law

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

Lobbyist registered with Legislature: [] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
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3/18/15
Meeting Date

1202
Bill Number (if applicable)

Topic SB1202

Amendment Barcode (if applicable)

Name Alyssa Newby

Job Title Student (Armwood High)

Address 12000 U.S. Route 92
Street

Phone _____

Seffner Florida 33584
City State Zip

Email _____

Speaking: For Against Information

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

Representing Armwood High, Ought To Be A Law

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

March 17, 15
Meeting Date

5.B1202
Bill Number (if applicable)

Topic Senate Bill 1202

Amendment Barcode (if applicable)

Name Karla Cerritos

Job Title Student

Address 12000 U.S. Highway 92
Street

Phone (813) 506-1697

Seffner
City

Florida
State

33584
Zip

Email cerritos-karla@yahoo.com

Speaking: For Against Information

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

Representing Armwood High School - "Ought to be a law"

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: SB 1262

INTRODUCER: Senator Legg

SUBJECT: Education

DATE: March 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Graf</u>	<u>Klebacha</u>	<u>ED</u>	<u>Pre-meeting</u>
2.	<u> </u>	<u> </u>	<u>AED</u>	<u> </u>
3.	<u> </u>	<u> </u>	<u>FP</u>	<u> </u>

I. Summary:

SB 1262 deletes obsolete deadlines and streamlines communication and reporting of information by the Florida Department of Education (department) and the Commission for Independent Education (commission). Specifically, the bill:

- Provides clarification regarding the use of an individual education plan (IEP) by requiring that the IEP and the electronic IEP system developed by the department be available for statewide use and deletes an obsolete, July 1, 2007, deadline.
- Deletes obsolete, December 31, 2013, deadline for reporting of student data by the commission to the department.
- Streamlines the Commissioner of Education’s authority in personnel discipline proceedings regarding certified Florida educators.

The bill takes effect July 1, 2015.

II. Present Situation:

Individual Education Plans

Federal law requires states to make a free appropriate public education available to all children with disabilities residing in the state between the ages of 3 and 21, including children with disabilities who have been suspended or expelled from school.¹ As the state educational agency, the Florida Department of Education (DOE) must exercise general supervision over all educational programs for children with disabilities in the state, including all programs administered by other state or local agencies, and ensure that the programs meet the educational standards of the state educational agency.²

¹ 20 U.S.C. s. 1400 et. seq., *as amended* by Pub. L. No. 108-446; 34 C.F.R. s. 300.17.

² 34 C.F.R. s. 300.149.

For each eligible student or child with a disability served by a school district, or other state agency that provides special education and related services either directly, by contract, or through other arrangements, an individual educational plan (IEP) or individual family support plan must be developed, reviewed, and revised.³ In developing an IEP, the IEP team is required to consider a child's strengths, concerns of the parents for enhancing education, results of the initial evaluation or most recent evaluation of the child, and the academic, developmental, and functional needs of the child, as well as special factors.⁴

States receiving Individuals with Disabilities Education (IDEA) funds must comply with detailed procedural requirements, including identifying, evaluating, and making placements for students with disabilities and for developing an individualized education program for each student.⁵ States must also provide students with disabilities and their parents with certain procedural safeguards, including: notice of any proposal or refusal to change the student's identification, evaluation, or educational placement; the opportunity to present a complaint and to have an impartial due process hearing; and the right to keep the student in his or her current educational placement pending administrative or judicial review proceedings.⁶ A student with a disability and his or her parents also have the right to bring a civil action in state court, if they are aggrieved by the decision of the state administrative hearing officer relating to a due process hearing or alternative placement.⁷

Commission for Independent Education

The Commission for Independent Education (CIE or commission), established in DOE, consists of seven members who are residents of this state.⁸ The Governor appoints the members of the commission who are subject to confirmation by the Senate.⁹ CIE is responsible for exercising independently all powers, duties, and functions concerning independent postsecondary educational institutions¹⁰ in consumer protection, program improvement, and licensure of institutions under its purview.¹¹ The commission is also responsible for authorizing the granting of diplomas and degrees by independent postsecondary educational institutions under its jurisdiction.¹² The department serves as the administrative agent of the commission by providing services, including payroll, procurement, and legal counsel.¹³

³ Rule 6A-6.03028(3), F.A.C.

⁴ 20 U.S.C. s. 1414(d)(3)(A) and (B).

⁵ 20 U.S.C. § 1412. See <http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CTopicalArea%2C12%2C>. (last visited March 15, 2013.)

⁶ 20 U.S.C. § 1415 (b), (c), (d), (e),(f), and (j). There is an exception to keeping a student in his or her current placement if it involves an alternative educational setting.

⁷ 20 U.S.C. § 1415(i)(2)

⁸ Section 1005.21(1)-(2), F.S.

⁹ Section 1005.21(2), F.S.; Florida Department of Education, *Commission Members*, <http://www.fldoe.org/policy/cie/commission-members.shtml> (last visited March 12, 2015).

¹⁰ Independent postsecondary educational institution means "any postsecondary educational institution that operates in this state or makes application to operate in this state, and is not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government." Section 1005.02(11), F.S.

¹¹ Section 1005.21(1)-(2), F.S.

¹² Section 1005.21(1), F.S.

¹³ *Id.*

Personnel Discipline

DOE must investigate expeditiously any legally sufficient complaint that may result in the revocation or suspension of a certificate or any other appropriate penalty specified in law.¹⁴ The department must prioritize investigation of a legally sufficient complaint that “involves misconduct by any certificated personnel which affects the health, safety, or welfare of a student” over other pending complaints.¹⁵ DOE may contract with the Department of Business and Professional Regulation for conducting the investigations.¹⁶ The department general counsel and staff must review the findings of such investigations and advise the Commissioner of Education (commissioner) about probable cause or lack thereof.¹⁷ Unless the complaint involves a felony or crime of moral turpitude, the commissioner may enter into a deferred prosecution agreement with a certified educator in lieu of finding probable cause. The commissioner must dismiss a complaint if probable cause does not exist to commence prosecution.¹⁸

III. Effect of Proposed Changes:

SB 1262 deletes obsolete deadlines and streamlines communication and reporting of information by the Florida Department of Education (DOE or department) and the Commission for Independent Education (CIE or commission).

Individual Education Plans

The bill provides clarification regarding the use of an individual education plan (IEP) by requiring that the IEP and the electronic IEP system developed by the department be available for statewide use and deletes an obsolete deadline. Current law requires the IEP and the electronic IEP system be available for potential statewide use no later than July 1, 2007.¹⁹

Commission for Independent Education

The bill deletes obsolete deadline for reporting of student data (e.g., retention rates, transfer rates, completion rates, graduation rates, and employment and earnings) by the commission to the department. Specifically, the bill deletes December 31, 2013 as the deadline for submitting student data for 2012-2013 academic year but maintains October 1 as the deadline for reporting such data.

Personnel Discipline

The bill modifies the Commissioner of Education’s authority to enter into a deferred prosecution agreement with a certified educator, who is investigated, in lieu of finding probable cause by authorizing the commissioner to also issue to the educator, a letter of guidance in lieu of a

¹⁴ Section 1012.796(1), F.S.

¹⁵ Section 1012.796(1)(b), F.S.

¹⁶ Section 1012.796(2), F.S.

¹⁷ Section 1012.796(3), F.S.

¹⁸ *Id.*

¹⁹ Section 1003.576, F.S.

finding of probable cause. Current law authorizes the commissioner to enter into a deferred prosecution agreement with a certified educator in lieu of finding probable cause.²⁰

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.576, 1005.22, and 1012.796.

²⁰ Section 1012.796(3), F.S.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Legg

17-00964A-15

20151262__

A bill to be entitled

An act relating to education; amending s. 1003.576, F.S.; requiring the Department of Education to have an operating electronic IEP system in place for statewide use; amending s. 1005.22, F.S.; requiring the Commission for Independent Education to report certain data to the department annually by a certain date regarding institutions licensed by the commission; amending s. 1012.796, F.S.; authorizing the Commissioner of Education to issue a letter of guidance in response to a complaint against a teacher or administrator in lieu of a probable cause determination; providing an effective date.

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

Section 1. Section 1003.576, Florida Statutes, is amended to read:

1003.576 Individual education plans for exceptional students.—The Department of Education must develop and have an operating electronic IEP system in place for ~~potential~~ statewide use ~~no later than July 1, 2007~~. The statewide system shall be developed collaboratively with school districts and must include input from school districts currently developing or operating electronic IEP systems.

Section 2. Paragraph (i) of subsection (1) of section 1005.22, Florida Statutes, is amended to read:

1005.22 Powers and duties of commission.—

(1) The commission shall:

Page 1 of 3

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

17-00964A-15

20151262__

(i) Serve as a central agency for collecting and distributing current information regarding institutions licensed by the commission. The commission shall annually collect, and all institutions licensed by the commission shall annually report, student-level data from the prior year for each student who receives state funds, in a format prescribed by the Department of Education. At a minimum, data from the prior year must include retention rates, transfer rates, completion rates, graduation rates, employment and placement rates, and earnings of graduates. By October 1 of each year ~~December 31, 2013~~, the commission shall report the data for the ~~2012-2013~~ academic year to the Department of Education. ~~By October 1 of each year thereafter, the commission shall report the data to the department.~~

Section 3. Subsection (3) of section 1012.796, Florida Statutes, is amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(3) The department staff shall advise the commissioner concerning the findings of the investigation. The department general counsel or members of that staff shall review the investigation and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause if, in his or her judgment, such agreements are in the best interests of the department, the certificateholder, and the public. Such

Page 2 of 3

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

17-00964A-15

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59 deferred prosecution agreements shall become effective when
60 filed with the clerk of the Education Practices Commission.
61 However, a deferred prosecution agreement ~~may shall~~ not be
62 entered into if there is probable cause to believe that a felony
63 or an act of moral turpitude, as defined by rule of the State
64 Board of Education, has occurred. Upon finding no probable
65 cause, the commissioner shall dismiss the complaint. In lieu of
66 a finding of probable cause, the commissioner may also issue a
67 letter of guidance to the educator.

68 Section 4. This act shall take effect July 1, 2015.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-18-2015

Meeting Date

1262

Bill Number (if applicable)

Topic Education

Amendment Barcode (if applicable)

Name David Ash

Job Title _____

Address 3926 Shumard Oak Blvd

Phone 850-509-8916

Street

Tallahassee

FL

State

32311

Zip

Email _____

City

Speaking: For Against Information

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

Representing FL Consortium of Public Charter Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
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 Pre-K - 12

BILL: SB 1264

INTRODUCER: Senator Legg

SUBJECT: Digital Classrooms

DATE: March 10, 2015

REVISED: _____

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

I. Summary:

SB 1264 provides a mechanism for comparing the status of digital readiness of school districts and public schools, which is independently verified, based on technology infrastructure standards and targets identified by the Agency for State Technology (AST or agency) or a professional organization that the agency contracts with (contracted organization).

Specifically, the bill requires the AST, or a contracted organization, to consult with the Department of Education (DOE or department) to identify technology infrastructure standards and targets for the implementation of digital classrooms in Florida. The bill also specifies certain requirements for the agency, contracted organization, DOE, school districts, and charter schools to successfully implement state and local digital classrooms plans to improve student performance outcomes.

The bill takes effect July 1, 2015.

II. Present Situation:

Florida Digital Classrooms Allocation

In 2014, the Legislature elevated policy and funding for technology-enhanced classroom teaching and learning by creating the Florida digital classrooms allocation (allocation) to support efforts and strategies of school districts and public schools in integrating technology into classroom instruction to improve student performance outcomes.¹ In response to the 2014 legislation that created the allocation,² the Department of Education (DOE or department)

¹ Section 1011.62(12)(a), F.S.

² Sections 5 and 27, ch. 2014-56, L.O.F.

adopted a Strategic Technology Plan, establishing the general parameters for digital classrooms which are used by the by the district school boards to adopt their district digital classrooms plan.³ For the 2014-2015 fiscal year, the Legislature appropriated \$40 million to school districts to support digital classrooms.⁴ At a minimum, \$250,000 was provided to each school district.⁵ The remaining balance was allocated based on each district's share of the state's total unweighted student enrollment.⁶

State Digital Classrooms Plan

The Office of Technology and Information Services, within DOE, is responsible for developing a 5-year strategic plan (state plan) that must:⁷

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

DOE must update the state plan annually by January 1.⁸

Technology Integration Matrix

To assist with integrating technology into curriculum, DOE has prepared a Technology Integration Matrix (TIM)⁹ for teachers to use technology to enhance learning by:¹⁰

- Providing a framework for defining and evaluating technology integration;
- Setting a clear vision for effective teaching with technology;

³ Florida Department of Education, *FDOE Digital Classrooms Plan*, <http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.stml> (last visited March 6, 2015); see ss. 1001.20(4) and 1011.62(12)(b), F.S. The Department of Education (DOE) has provided to school districts, technical assistance memo and guidance document regarding digital classrooms. Florida Department of Education, *Digital Classrooms Plan (DCP) and Allocation*, <http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.stml> (last visited March 9, 2015).

⁴ Specific Appropriation 96, s. 2, ch. 2014-51, LO.F.

⁵ *Id.*

⁶ *Id.*

⁷ Section 1001.20(4)(a)1., F.S.

⁸ Section 1001.20(4)(a)1., F.S.

⁹ Florida Department of Education, *Presentation to the Florida Senate Appropriations Subcommittee on Education* (March 4, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_2873.pdf, at 115 of 120.

¹⁰ Florida Department of Education, *The Technology Integration Matrix*, <http://fcit.usf.edu/matrix/index.php> (last visited March 10, 2015). The five interdependent characteristics of meaningful learning environments are: active, constructive, goal directed (i.e., reflective), authentic, and collaborative. The five levels of technology integration (i.e., entry, adoption, adaptation, infusion, and transformation) with each of the five characteristics of meaningful learning environments. Together, the five levels of technology integration and the five characteristics of meaningful learning environments create a matrix of 25 cells to set a clear vision for effective teaching with technology. Florida Department of Education, *The Technology Integration Matrix* (March 9, 2015), available at <http://fcit.usf.edu/matrix/matrix.php>.

- Giving teachers and administrators a common language for setting goals; and
- Helping target professional development resources effectively.

District Digital Classrooms Plan

The 2014 legislation required each district school board to adopt a district digital classrooms plan (DCP) that meets the unique needs of students, schools, and personnel and submit the district DCP for approval to DOE.¹¹ By permitting the customization of district digital classrooms plan to local needs, the legislation promoted local control of targeted and purposeful technology enhancements in Florida's classrooms. At a minimum, the district DCPs must be updated annually to include the following:¹²

- Measurable student performance outcomes, including the outcomes for students with disabilities.
- Digital learning and technology infrastructure purchases and operational activities including, but not limited to, connectivity, broadband access, wireless capacity, Internet speed, and data security, all of which must meet or exceed the minimum requirements and protocols established by the department.
- Professional development purchases and operational activities including, but not limited to, using technology in the classroom and improving digital literacy and competency.
- Digital tool purchases and operational activities including, but not limited to, competency-based credentials that measure and demonstrate digital competency and certifications; third-party assessments that demonstrate acquired knowledge and use of digital applications; and devices that meet or exceed the minimum requirements and protocols established by the department.
- Online assessment-related purchases and operational activities including, but not limited to, expanding the capacity to administer assessments and compatibility with minimum assessment requirements and protocols established by the department.

Each district superintendent must certify to the Commissioner of Education (commissioner) that “the district school board has approved a comprehensive district digital classrooms plan that supports the fidelity of implementation of the Florida digital classrooms allocation.”¹³ In addition, each district's DCP must include a formal verification of the district superintendent's approval of the DCP for each charter school in the district.¹⁴ DOE must approve the DCPs before distributing the allocation funds to the school districts.¹⁵

For the 2014-2015 school year, the deadline for submitting district DCPs was October 1, 2014.¹⁶ All 67 district school boards have submitted their district DCP and DOE has approved the district DCPs.¹⁷ For the 2015-2016 school year and each year thereafter, the district school boards must submit their district DCPs annually by March 1.¹⁸

¹¹ Section 1011.62(12)(b), F.S.

¹² *Id.*

¹³ Section 1011.62(12)(c), F.S.

¹⁴ Section 1011.62(12)(b)5(c), F.S.

¹⁵ *Id.*

¹⁶ Section 1011.62(12)(b), F.S.

¹⁷ Florida Department of Education, *Approved Districts' Digital Classroom Plans*, <http://www.fldoe.org/about-us/division-of-technology-info-services/dcp.shtml> (last visited March 6, 2015).

¹⁸ Section 1011.62(12)(b), F.S.

In addition to submitting DCPs, beginning in the 2015-2016 fiscal year, each district school board must report to the department its use of allocation funds and student performance outcomes.¹⁹ The department may contract with an independent third-party entity to conduct an annual independent verification of the district's use of allocation funds in accordance with the district's DCP.²⁰ If an independent third-party verification is not conducted, the Auditor General must, during scheduled operational audits of school districts, verify compliance of the use of allocation funds in accordance with the district's DCP.²¹

Annually, by October 1, beginning in the 2015-2016 fiscal year, the commissioner must provide to the Governor, President of the Senate, and Speaker of the House of Representatives, a summary of each district's use of funds, student performance outcomes, and progress toward meeting statutory requirements and timelines.²²

III. Effect of Proposed Changes:

SB 1264 provides a mechanism for comparing the status of digital readiness of school districts and public schools, which is independently verified, based on technology infrastructure standards and targets identified by the Agency for State Technology (AST or agency) or a professional organization that the agency contracts with (contracted organization).

Specifically, the bill requires the AST, or a contracted organization, to consult with the Department of Education (DOE or department) to identify technology infrastructure standards and targets for the implementation of digital classrooms in Florida. This provision will likely facilitate a collaboration between AST, the agency that establishes the standards for the most efficient use of state's information technology resources,²³ and DOE, the department that is familiar with public schools' instructional needs. The bill also specifies certain requirements for the agency, contracted organization, DOE, school districts, and charter schools to successfully implement state and local digital classrooms plans to improve student performance outcomes.

Requirements for the Agency for State Technology

The Agency for State Technology (AST) was established in 2014 by the Legislature to oversee the state's essential technology projects. AST is responsible for establishing standards and processes for information technology (IT).²⁴ The agency is responsible for establishing technology architecture standards to provide the most efficient use of the state's IT resources which must include, but not be limited to, performance measurements and metrics that

¹⁹ Section 1011.62(12)(e), F.S.

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ Section 282.0051(2), F.S. The Agency for State Technology is responsible for developing and publishing "information technology policy for the management of the state's information technology resources." Section 282.0051(1), F.S.

²⁴ Section 10, ch. 2014-221, L.O.F.; Agency for State Technology, *About Us*, <http://www.ast.myflorida.com/about.asp> (lasted visited March 9, 2015) Information technology means "equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form." Section 282.0041, F.S.

objectively reflect the status of an IT project based on a defined and documented scope, cost, and schedule.²⁵

In addition to identifying the technology infrastructure standards and targets, the bill requires AST, or a contracted organization, to:

- Perform retrospective analyses of DOE's 5-year strategic plan for establishing Florida digital classrooms and the districts' and charter schools' digital classrooms plans for the 2014-2015 and 2015-2016 school years to determine the status of technology infrastructure. The retrospective analyses will likely provide the state, an independent assessment of the districts' and schools' technology infrastructure status and needs. Currently, technology readiness data are self-reported by the school districts. In addition, the retrospective analyses will also likely assist with identifying gaps in technology infrastructure relative to the identified standards and targets.
- Provide prospective planning guidance and technical assistance to the department, school districts, and public schools regarding identified gaps in technology infrastructure and recommended improvements to meet the standards and targets identified by AST or a contracted organization. The guidance and technical assistance will likely help DOE, school districts, and public schools to make strategic and purposeful investments in technology infrastructure.
- Submit a report annually, by October 1, to the Governor, President of the Senate, and Speaker of the House of Representatives, summarizing the status of technology infrastructure and recommending strategies for improving cost efficiencies and maximizing the state's and school districts' investments in technology to establish digital classrooms. The annual report, which AST must provide to the Commissioner of Education (commissioner) by September 1 of each year, will likely help to inform the state about the school districts' and public schools' technology infrastructure status and progress toward meeting the technology infrastructure standards and targets that are identified by AST or a contracted organization in consultation with DOE. Additionally, the recommendations regarding cost efficiencies may likely help inform strategic budgetary investments in technology infrastructure.

Requirements for the Department of Education

The bill specifies requirements for DOE regarding incorporating the identified technology infrastructure standards and targets in the department's 5-year strategic plan (state plan) and providing access to statewide procurement service agreements:

- DOE must include the identified technology infrastructure standards and targets in the state plan for successful implementation of digital classrooms to improve student performance outcomes. In addition to the components that must be included in the state plan, which are specified in law,²⁶ the bill clarifies that the state plan must also identify minimum technology infrastructure requirements in consultation with AST. The minimum technology infrastructure requirements will likely help the school districts and public schools plan for technology investments strategically and allocate funds purposefully.

²⁵ Section 282.0051(2)-(3), F.S.

²⁶ Section 1001.20(4)(a)1., F.S.

- DOE must coordinate with AST to facilitate school districts' access to statewide procurement service agreements. Access to competitively procured service agreements may result in cost savings and efficiencies for the school districts.

Requirements for School Districts

Beginning in the 2016-2017 school year, each school district must undergo retrospective and prospective analyses and annual independent verification of its use of Florida digital classrooms allocation funds (digital classrooms funds) in order of the district to be eligible to receive the digital classrooms funds. An independent assessment of the districts' use of digital classrooms funds will likely help inform the state about school districts' technology needs and investments to improve student performance outcomes. Access to such information will also likely assist the state with budgetary decisions concerning school districts' and public schools' technology preparedness to integrate technology in classroom teaching and learning and administer computer-based assessments.

Requirements for Submitting Digital Classrooms Plans

The bill also makes modifications to the format and deadline for submitting digital classrooms plans. Specifically,

- DOE must develop a streamlined format for charter schools to use for submitting their digital classrooms plan. This process may result in creating a precise accountability measurement tool matching the charter school's mission, program, goals, students served, methods of assessment and ways to measure success of charter schools.²⁷
- The commissioner must implement an online, web-based portal for school districts and charter schools to submit their digital classrooms plan. The online submission system may result in a cost-effective method for the school districts to report their digital classrooms plan information timely to the department.
- District school boards must submit their digital classrooms plan annually to DOE by September 1, instead of the March 1 deadline which is the current statutory deadline. The September 1 deadline will likely assist the districts with budgetary planning by taking into considerations allocation funds appropriated for the next school year.

Finally, the bill clarifies that the annual report the commissioner must provide to the Governor, President of the Senate, and Speaker of the House of Representatives, by October 1 of each year, include a summary of each district's:

- Student performance goals and outcomes; and
- Use of funds in support of such goals and outcomes.

The clarification emphasizes that improving student performance outcomes should be the goal that drives technology integration in classroom teaching and learning.

The bill takes effect July 1, 2015.

²⁷ Florida Department of Education, *General Information* (March 9, 2015), available at <http://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml>.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.20 and 1011.62.

This bill creates section 282.0052 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.



335586

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
	.	
	.	
	.	

The Committee on Education Pre-K - 12 (Legg) recommended the following:

Senate Amendment

Delete lines 49 - 55
and insert:

(b) Perform retrospective analyses of the state 5-year strategic plan developed pursuant to s. 1001.20 and school district digital classrooms plan adopted pursuant to s. 1011.62(12) for the 2014-2015 and 2015-2016 school years to determine the status of technology infrastructure and digital readiness of school districts relative to the standards and



335586

11 targets identified under paragraph (a). The digital readiness of
12 school districts must be assessed using the digital readiness
13 scorecard established under s. 1001.20(4)(a).



829512

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
	.	
	.	
	.	

The Committee on Education Pre-K - 12 (Legg) recommended the following:

Senate Amendment

Between lines 119 and 120
insert:

4. Responsible for consulting with the Agency for State Technology to establish uniform definitions of technology infrastructure components which must be incorporated into the department's 5-year strategic plan. The uniform definitions must be incorporated by each charter school that seeks Florida digital classrooms allocation funds and by each district school



829512

11 board in technology information annually submitted to the
12 department which includes, but is not limited to, digital
13 classroom plans and technology resources inventory.

14 5. Responsible for consulting with the Agency for State
15 Technology to create a digital readiness scorecard to compare
16 the digital readiness of school districts within the state. The
17 scorecard must use the uniform definitions identified under this
18 section and technology infrastructure standards and targets
19 identified under s. 282.0052(1)(a). At a minimum, the scorecard
20 must include the student-to-device ratio, the percentage of
21 schools within each district that meet bandwidth standards, the
22 percentage of classrooms within each district that meet wireless
23 standards, the refresh rate of devices, network capacity,
24 information storage capacity, and information security services.

By Senator Legg

17-01068A-15

20151264__

1 A bill to be entitled
 2 An act relating to digital classrooms; creating s.
 3 282.0052, F.S.; establishing requirements for digital
 4 classrooms technology infrastructure planning by the
 5 Agency for State Technology or a contracted
 6 organization; requiring the agency or contracted
 7 organization to annually submit a report to the
 8 Governor and the Legislature; prescribing report
 9 requirements; requiring the agency to annually update
 10 the Commissioner of Education on the status of
 11 technology infrastructure; amending s. 1001.20, F.S.;
 12 requiring the Office of Technology and Information
 13 Services of the Department of Education to consult
 14 with the Agency for State Technology in developing the
 15 5-year strategic plan for Florida digital classrooms;
 16 removing an obsolete date; revising requirements for
 17 the 5-year strategic plan; amending s. 1011.62, F.S.;
 18 revising the date by which district school boards must
 19 annually submit a digital classrooms plan to the
 20 Department of Education; requiring a charter school to
 21 submit the school's digital classrooms plan to the
 22 applicable school district; specifying required format
 23 for the plan; specifying conditions for a school
 24 district to maintain eligibility for Florida digital
 25 classrooms allocation funds; requiring the
 26 Commissioner of Education to implement an online
 27 portal for electronic submission of digital classrooms
 28 plans by a specified date; requiring a charter school
 29 to annually report to the department regarding the use

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30 of specified funds; revising requirements for the
 31 commissioner's annual report to the Governor and the
 32 Legislature regarding the digital classrooms plan;
 33 providing an effective date.
 34
 35 Be It Enacted by the Legislature of the State of Florida:
 36
 37 Section 1. Section 282.0052, Florida Statutes, is created
 38 to read:
 39 282.0052 Digital classrooms technology infrastructure
 40 planning.—
 41 (1) The Agency for State Technology, or an independent
 42 third-party professional organization that the agency contracts
 43 with, shall:
 44 (a) Consult with the Department of Education to identify
 45 technology infrastructure standards and targets for the
 46 successful implementation of digital classrooms, pursuant to s.
 47 1011.62(12), in public schools within the state beginning in the
 48 2016-2017 school year.
 49 (b) Perform retrospective analyses of the state 5-year
 50 strategic plan developed pursuant to s. 1001.20 and the school
 51 district and charter school digital classrooms plans adopted
 52 pursuant to s. 1011.62(12) for the 2014-2015 and 2015-2016
 53 school years to determine the status of technology
 54 infrastructure relative to the standards and targets identified
 55 under paragraph (a).
 56 (c) Provide prospective planning guidance and technical
 57 assistance to the Department of Education, school districts, and
 58 public schools regarding identified gaps in technology

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59 infrastructure and recommended improvements to meet the
60 standards and targets identified under paragraph (a).

61 (d) Summarize and report, by October 1 of each year, to the
62 Governor, the President of the Senate, and the Speaker of the
63 House of Representatives:

64 1. The status of technology infrastructure of school
65 districts and public schools within the state.

66 2. Recommendations for improving cost efficiencies and
67 maximizing investments in technology by the state and school
68 districts to establish digital classrooms.

69 (2) The Agency for State Technology must provide the status
70 of technology infrastructure information to the Commissioner of
71 Education by September 1 of each year.

72 Section 2. Paragraph (a) of subsection (4) of section
73 1001.20, Florida Statutes, is amended to read:

74 1001.20 Department under direction of state board.—

75 (4) The Department of Education shall establish the
76 following offices within the Office of the Commissioner of
77 Education which shall coordinate their activities with all other
78 divisions and offices:

79 (a) *Office of Technology and Information Services.*—

80 1. Responsible for developing a 5-year strategic plan, in
81 consultation with the Agency for State Technology, to establish
82 technology infrastructure standards and targets for the
83 successful implementation of digital classrooms to improve
84 student performance outcomes under s. 1011.62(12) ~~for~~
85 establishing Florida digital classrooms by October 1, 2014, and
86 annually updating the plan by January 1 ~~each year thereafter.~~
87 The Florida digital classrooms plan shall be provided to each

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88 school district and published on the department's website. The
89 plan must:

90 a. Describe how technology will be integrated into
91 classroom teaching and learning to assist the state in improving
92 student performance outcomes and enable all students in Florida
93 to be digital learners with access to digital tools and
94 resources.

95 b. Identify minimum technology infrastructure requirements,
96 which ~~that~~ include specifications for hardware, software,
97 devices, networking, security, and bandwidth capacity and
98 guidelines for the ratio of students per device. The Office of
99 Technology and Information Services shall consult with the
100 Agency for State Technology in identifying minimum technology
101 infrastructure requirements.

102 c. Establish minimum requirements for professional
103 development opportunities and training to assist district
104 instructional personnel and staff with the integration of
105 technology into classroom teaching.

106 d. Identify the types of digital tools and resources that
107 can assist district instructional personnel and staff in the
108 management, assessment, and monitoring of student learning and
109 performance.

110 2. Responsible for making budget recommendations to the
111 commissioner, providing data collection and management for the
112 system, assisting school districts in securing Internet access
113 and telecommunications services, including those eligible for
114 funding under the Schools and Libraries Program of the federal
115 Universal Service Fund, and coordinating services with other
116 state, local, and private agencies.

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117 3. Responsible for coordinating with the Agency for State
 118 Technology to facilitate school districts' access to statewide
 119 procurement service agreements.

120 Section 3. Paragraphs (b) through (e) of subsection (12) of
 121 section 1011.62, Florida Statutes, are amended to read:

122 1011.62 Funds for operation of schools.—If the annual
 123 allocation from the Florida Education Finance Program to each
 124 district for operation of schools is not determined in the
 125 annual appropriations act or the substantive bill implementing
 126 the annual appropriations act, it shall be determined as
 127 follows:

128 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

129 (b) Each district school board shall adopt a district
 130 digital classrooms plan that meets the unique needs of students,
 131 schools, and personnel and submit the plan for approval to the
 132 Department of Education. In addition, each district school board
 133 must, at a minimum, seek input from the district's
 134 instructional, curriculum, and information technology staff to
 135 develop the district digital classrooms plan. The district's
 136 plan must be within the general parameters established in the
 137 Florida digital classrooms plan pursuant to s. 1001.20. In
 138 addition, if the district participates in federal technology
 139 initiatives and grant programs, the district digital classrooms
 140 plan must include a plan for meeting requirements of such
 141 initiatives and grant programs. Funds allocated under this
 142 subsection must be used to support implementation of district
 143 digital classrooms plans. By September ~~October 1, 2014,~~ and by
 144 ~~March 1~~ of each year ~~thereafter~~, on a date determined by the
 145 department, each district school board shall submit to the

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146 department, in a format prescribed by the department, a digital
 147 classrooms plan. At a minimum, such plan must include, and be
 148 annually updated to reflect, the following:

149 1. Measurable student performance outcomes. Outcomes
 150 related to student performance, including outcomes for students
 151 with disabilities, must be tied to the efforts and strategies to
 152 improve outcomes related to student performance by integrating
 153 technology in classroom teaching and learning. Results of the
 154 outcomes shall be reported at least annually for the current
 155 school year and subsequent 3 years and be accompanied by an
 156 independent evaluation and validation of the reported results.

157 2. Digital learning and technology infrastructure purchases
 158 and operational activities. Such purchases and activities must
 159 be tied to the measurable outcomes under subparagraph 1.,
 160 including, but not limited to, connectivity, broadband access,
 161 wireless capacity, Internet speed, and data security, all of
 162 which must meet or exceed minimum requirements and protocols
 163 established by the department. For each year that the district
 164 uses funds for infrastructure, a third-party, independent
 165 evaluation of the district's technology inventory and
 166 infrastructure needs must accompany the district's plan.

167 3. Professional development purchases and operational
 168 activities. Such purchases and activities must be tied to the
 169 measurable outcomes under subparagraph 1., including, but not
 170 limited to, using technology in the classroom and improving
 171 digital literacy and competency.

172 4. Digital tool purchases and operational activities. Such
 173 purchases and activities must be tied to the measurable outcomes
 174 under subparagraph 1., including, but not limited to,

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175 competency-based credentials that measure and demonstrate
176 digital competency and certifications; third-party assessments
177 that demonstrate acquired knowledge and use of digital
178 applications; and devices that meet or exceed minimum
179 requirements and protocols established by the department.

180 5. Online assessment-related purchases and operational
181 activities. Such purchases and activities must be tied to the
182 measurable outcomes under subparagraph 1., including, but not
183 limited to, expanding the capacity to administer assessments and
184 compatibility with minimum assessment protocols and requirements
185 established by the department.

186 (c) The Legislature shall annually provide in the General
187 Appropriations Act the FEFP allocation for implementation of the
188 Florida digital classrooms plan to be calculated in an amount up
189 to 1 percent of the base student allocation multiplied by the
190 total K-12 full-time equivalent student enrollment included in
191 the FEFP calculations for the legislative appropriation or as
192 provided in the General Appropriations Act. Each school district
193 shall be provided a minimum of \$250,000, with the remaining
194 balance of the allocation to be distributed based on each
195 district's proportion of the total K-12 full-time equivalent
196 student enrollment. Distribution of funds for the Florida
197 digital classrooms allocation shall begin following submittal of
198 each district's digital classrooms plan, which must include
199 formal verification of the superintendent's approval of the
200 digital classrooms plan of each charter school in the district,
201 and approval of the plan by the department. A charter school
202 shall submit the school's digital classrooms plan, in a
203 streamlined format prescribed by the department, to the

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204 applicable school district. Prior to the distribution of the
205 Florida digital classrooms allocation funds, each district
206 school superintendent shall certify to the Commissioner of
207 Education that the district school board has approved a
208 comprehensive district digital classrooms plan that supports the
209 fidelity of implementation of the Florida digital classrooms
210 allocation. District allocations shall be recalculated during
211 the fiscal year consistent with the periodic recalculation of
212 the FEFP. School districts shall provide a proportionate share
213 of the digital classrooms allocation to each charter school in
214 the district, as required for categorical programs in s.
215 1002.33(17)(b). A school district may use a competitive process
216 to distribute funds for the Florida digital classrooms
217 allocation to the schools within the school district. Beginning
218 in the 2016-2017 school year, to be eligible to receive Florida
219 digital classrooms allocation funds, a school district must
220 undergo retrospective and prospective analyses pursuant to s.
221 282.0052 and an annual independent verification of its use of
222 Florida digital classrooms allocation funds pursuant to
223 paragraph (e).

224 (d) To facilitate the implementation of the district
225 digital classrooms plans and charter school digital classrooms
226 plans, the commissioner shall support statewide, coordinated
227 partnerships and efforts of this state's education practitioners
228 in the field, including, but not limited to, superintendents,
229 principals, and teachers, to identify and share best practices,
230 corrective actions, and other identified needs. By August 1,
231 2016, the commissioner shall implement an online, web-based
232 portal for school districts and charter schools to submit their

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233 digital classrooms plan.

234 (e) Beginning in the 2015-2016 fiscal year and each year
235 thereafter, each district school board and charter school shall
236 report to the department its use of funds provided through the
237 Florida digital classrooms allocation and student performance
238 outcomes in accordance with the district's digital classrooms
239 plan. The department may contract with an independent third-
240 party entity to conduct an annual independent verification of
241 the district's use of Florida digital classrooms allocation
242 funds in accordance with the district's digital classrooms plan.
243 In the event an independent third-party verification is not
244 conducted, the Auditor General shall, during scheduled
245 operational audits of the school districts, verify compliance of
246 the use of Florida digital classrooms allocation funds in
247 accordance with the district's digital classrooms plan. No later
248 than October 1 of each year, beginning in the 2015-2016 fiscal
249 year, the commissioner shall provide to the Governor, the
250 President of the Senate, and the Speaker of the House of
251 Representatives a summary of each district's student performance
252 goals and outcomes, use of funds, in support of such student
253 performance goals and outcomes, and progress toward meeting
254 statutory requirements and timelines.

255 Section 4. This act shall take effect July 1, 2015.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/18/15

Meeting Date

1264

Bill Number (if applicable)

Topic SB 1264 ~~0000~~

Amendment Barcode (if applicable)

Name Sara Clements

Job Title Legislative Director

Address 215 S. Monroe Street
Street

Phone 850-391-0329

Tallahassee FL 32301
City State Zip

Email Sara@afloridapromise.org

Speaking: For Against Information

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

Representing Foundation for Florida's Future

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

3-18-2015

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

Meeting Date

SB# 1264
~~1264~~
Bill Number (if applicable)

Topic

~~Right to Life Partnership Program~~
Digital Classrooms

Amendment Barcode (if applicable)

Name

David Ash

Job Title

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Street

Tallahassee FL 32311

Email

david@dlcconsultingllc.com

City

State

Zip

Speaking:

For

Against

Information

Waive Speaking:

In Support

Against

(The Chair will read this information into the record.)

Representing

Florida Consortium of Public Charter Schools

Appearing at request of Chair:

Yes

No

Lobbyist registered with Legislature:

Yes

No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

3-18-15

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

Meeting Date

1264

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name JAMES TAYLOR

Job Title EXECUTIVE DIRECTOR

Address PARK

Phone (407) 718-2780

Street

City

TALLAHASSEE

FL

State

32

Zip

Email James.Taylor@FLTECH

Council.com

Speaking: For Against Information

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

Representing THE FLORIDA TECHNOLOGY COUNCIL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: PCS/SB 1552 (346014)

INTRODUCER: Committee on Education Pre-K – 12

SUBJECT: Parent and Student Rights

DATE: March 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hand	Klebacha	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

PCS/SB 1552 requires the disclosure of financial information to parents regarding costs associated with the education of their children, expands K-12 public school choice enrollment options, and modifies charter school requirements and options.

Specifically, the bill:

- Requires school district to provide parents with a fiscal transparency notification regarding the estimated amount of funding associated with the education of his or her child.
- Expands the scope of public school choice options available to parents:
 - Authorizes school and classroom choice options beyond school district boundaries, provided the receiving district or school has not reached capacity and the parent provides transportation.
 - Allows a student to transfer to another classroom teacher, in specified circumstances.
 - Creates options for students to receive customized instruction while receiving health care services in children’s hospitals.
- Specifies charter school requirements and options:
 - Modifies charter school requirements related to application processes, contract renewal and termination, operations, performance and fiscal accountability, student reporting, and governing board conflict of interest disclosure and reporting.
 - Authorizes the replication of high performing charter school in the attendance zone of a school in need of intervention, to meet capacity needs, or to meet district identified innovative choice options.
 - Authorizes an entity that successfully operates a system of charter schools to apply to the State Board of Education for status as a high-performing charter school system.
 - Creates the Charter School District Pilot Program authorizing the State Board of Education to enter into a performance contract with district school boards to provide principals of participating school with increased autonomy and authority.

- Creates the Florida Institute for Charter School Innovation at the Florida State University to provide technical assistance to charter school applicants and improve charter school accountability, quality, and innovation.

The bill takes effect July 1, 2015.

II. Present Situation:

There is a range of information and school choice options available to parents, from academic progress information, multiple school choice options, and notifications about and limits to certain types of teachers that may be assigned a student.¹ Charter schools are public schools of choice available to serve the unique needs of students.²

Educational Transparency

Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed about ways that the parents can help their child to succeed in school.³

For purposes of exceptional student education (ESE), district school boards must provide parents, at the initial individual education plan (IEP) team meeting, the amount of state appropriations that the school district receives for each of the five ESE support levels for a full-time student.⁴

Public School Educational Choice Options

Parents of public school students may seek school choice options such as controlled open enrollment, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, Advanced International Certificate of Education, credit by examination or demonstration of competency, the School for Deaf and the Blind, the Florida Virtual School, and the public school options for the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.⁵

Controlled Open Enrollment

Controlled open enrollment is a public education delivery system that gives school districts the option of making student school assignments using a parent's indicated preferential public school choice as a significant factor.⁶

¹ Section 1002.20(6), F.S.

² Section 1002.33, F.S.

³ Section 1002.20, F.S.

⁴ Section 1003.57(1)(j), F.S.

⁵ Section 1002.20(6), F.S.

⁶ Section 1002.31(1), F.S.; Implementation of the plan by a district school board is optional. Section 1002.31(2), F.S.

Each district school board offering the controlled open enrollment must to adopt by rule a controlled open enrollment plan (plan) and post the plan on the district's website.⁷ The plan must:⁸

- Adhere to federal desegregation requirements.
- Include an application process required to participate in controlled open enrollment that allows parents to declare school preferences, including placement of siblings within the same school.
- Provide a lottery procedure to determine student assignment and establish an appeals process for hardship cases.
- Afford parents of students in multiple session schools preferred access to controlled open enrollment.
- Maintain socioeconomic, demographic, and racial balance.
- Address the availability of transportation.

Notification and Ability to Change Teachers

Each district school board must adopt and implement a plan to assist teachers who teach out-of-field and prioritize professional development activities for such teachers.⁹ If a teacher is assigned a class that is outside the field in which the teacher is certified or has demonstrated sufficient subject matter expertise, parents of all students in that class must be notified, in writing, of such assignment.¹⁰

Public school students are prohibited from being taught by a classroom teacher who received a performance evaluation rating of “needs improvement” or “unsatisfactory” if the student was taught by a classroom teacher that received a performance rating of “needs improvement” or “unsatisfactory” in the previous school year.¹¹

Charter Schools

Charter schools are nonsectarian, public schools that operate under a performance contract with a sponsor, which is typically a school district.¹² Charter schools are exempt from many laws and regulations applicable to traditional public schools to encourage the use of innovative learning methods.¹³ One of the guiding principles of charter schools is to “meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state’s public school system.”¹⁴ The terms and conditions for the operation of the school are set forth in a performance contract or “charter.”¹⁵

⁷ Section 1002.31(3), F.S.

⁸ Section 1002.31(3), F.S.

⁹ Section 1012.42(1), F.S. The district school board must require the teacher to participate in a certification or staff development program that is designed to provide the teacher with the necessary competencies to perform assigned duties. *Id.*

¹⁰ Section 1012.42(2), F.S.

¹¹ Section 1012.2315(6), F.S. For elementary school students, this probation applies to any subject, while the prohibition for middle school and high school students are limited to teachers who receive the performance evaluations in the same subject area. *Id.* A parent may provide written consent to exempt extracurricular courses from this prohibition. *Id.*

¹² Section 1002.33(5)(a), (6)(h), (7) and (9)(a), F.S.

¹³ Section 1002.33(2)(b)3, and (16), F.S.

¹⁴ Section 1002.33(2)(a)1, F.S.

¹⁵ Section 1002.33(6)(h), F.S.

Florida law tasks sponsors with authorizing new charter schools and providing continuing oversight of each charter school in the school district.¹⁶ The law establishes several processes designed to enable the sponsor to perform these roles, including:

- Authority to review and approve or deny charter school applications.¹⁷
- Authority to enforce the terms and conditions of the charter agreement.¹⁸
- Annual reporting of student achievement and financial information by each charter school to the sponsor.¹⁹
- Sponsor monitoring of annual financial audits²⁰ and monthly financial statements submitted by charter schools in the school district.²¹
- Interventions for remedying unsatisfactory academic performance and financial instability.²²
- Authority to close charter schools for academic or financial failure; poor management; violations of law; or child health, safety, and welfare violations.²³

The law establishes an application process for establishing a new charter school.²⁴ An applicant must submit a charter school application to the sponsor.²⁵ The sponsor must review and approve or deny the application.²⁶ The law requires sponsors and applicants to use a standard charter school application and application evaluation instrument.²⁷ The standard application is designed to enable the sponsor to evaluate the applicant's educational plan, organizational plan, financial viability, and business plan.²⁸

Charter school sponsors evaluate a variety of factors when considering an application to open a charter school.²⁹ The standard application requires the applicant to:³⁰

- List each proposed member of the charter school's governing board and his or her background and qualifications.
- Indicate if the governing board will contract with a management company, summarize the company's history operating charter schools, and list other charter schools managed by the company and student achievement and financial performance data of such schools.

Among other oversight processes, charter schools must submit monthly financial statements for review by the sponsor.³¹ If a financial statement reveals a deteriorating financial condition, the

¹⁶ Section 1002.33(6), F.S.

¹⁷ Section 1002.33(6), F.S.

¹⁸ Section 1002.33(6)(h) and (7), F.S.

¹⁹ Section 1002.33(9)(k), F.S.

²⁰ Sections 218.39(1)(e) and (f), 1002.33(9)(j)1. and 2., F.S.

²¹ Section 1002.33(9)(g), F.S.

²² Section 1002.33(9)(n), F.S.

²³ Section 1002.33(8), F.S.

²⁴ Section 1002.33(6)(a), F.S.

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Section 1002.33(6)(a), (7), (8), (9), F.S.

³⁰ *Id.*

³¹ Sections 1002.33(9)(g)3, and 1002.345(1)(b)-(f), F.S.; rule 6A-10081, F.A.C. A high-performing charter school may submit quarterly rather than monthly financial statements. Section 1002.331(2)(c), F.S.

sponsor and charter school governing board must develop a corrective action plan.³² The sponsor may choose to terminate or not renew the charter school's charter if financial deficiencies noted in the corrective action plan are not corrected within one year or if the school exhibits one or more financial emergency conditions for two consecutive years.³³

High-Performing Charter Schools

A charter school is a high-performing charter school if it:³⁴

- Received at least two school grades of “A” and no school grade below “B,” during each of the previous 3 school years.
- Received an unqualified opinion on each annual financial audit in the most recent 3 fiscal years for which such audits are available.
- Did not receive a financial audit that revealed one or more of the financial emergency conditions in the most recent 3 fiscal years for which such audits are available. However, this requirement is deemed met for a charter school-in-the-workplace if there is a finding in an audit that the school has the monetary resources available to cover any reported deficiency or that the deficiency does not result in a deteriorating financial condition.

A high-performing charter school is authorized to:³⁵

- Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may not exceed the current facility capacity.
- Expand grade levels within kindergarten through grade 12 to add grade levels not already served if any annual enrollment increase resulting from grade level expansion is within the limit established its contract.
- Submit a quarterly, rather than a monthly, financial statement to the sponsor.
- Consolidate under a single charter the charters of multiple high-performing charter schools operated in the same school district by the charter schools' governing board regardless of the renewal cycle.
- Receive a modification of its charter to a term of 15 years or a 15-year charter renewal. The charter may be modified or renewed for a shorter term at the option of the high-performing charter school.

A virtual charter school is not eligible for designation as a high-performing charter school, nor may a high-performing charter school be replicated as a virtual charter school.³⁶

High Performing Charter School Systems

A high-performing charter school system means an entity³⁷ that:³⁸

³² *Id.*

³³ Section 1002.345(5), F.S.

³⁴ Section 1002.331(1), F.S.

³⁵ Section 1002.331(2), F.S.

³⁶ Sections 1002.331(1)(c) and (6), F.S.

³⁷ Entity means a municipality or other public entity that is authorized by law to operate a charter school; a private, nonprofit corporation with tax-exempt status under s. 501(c)(3) of the Internal Revenue Code; or a private, for-profit education management corporation. Section 1002.332(1)(a), F.S.

³⁸ Section 1002.332(1)(b), F.S.

- Operated at least three high-performing charter schools in the state during each of the previous 3 school years.
- Operated a system of charter schools in which at least 50 percent of the charter schools were high-performing charter schools pursuant to s 1002.331 and no charter school earned a school grade of “D” or “F” in any of the previous 3 school years, regardless of whether the entity currently operates the charter school.³⁹
- Did not receive a financial audit that revealed one or more emergency conditions set forth in s. 218.503(1) for any charter school assumed or established by the entity in the most recent 3 fiscal years for which such audits are available.⁴⁰

A high performing charter school system may replicate its high-performing charter schools pursuant to s. 1002.331(3), F.S.⁴¹

III. Effect of Proposed Changes:

PCS/SB 1552 requires the disclosure of financial information to parents regarding costs associated with the education of their children, expands K-12 public school choice enrollment options, and modifies charter school requirements and options.

Educational Transparency

The bill requires a school district to provide a fiscal transparency notification to parents of the estimated amount of funding allocated to a student similar to their child, based upon grade level and level of support. This notification may be included in the student handbook or similar publication.

Public School Educational Choice Options

The bill establishes a public school parental choice policy that authorizes a parent to choose to enroll his or her child in and transport his or her child to any public school that has not reached capacity, including charter schools, in the school district or state. The application process will assign the students on a first-come, first-served basis based on the date and time complete applications are received by the school district.

The bill defines capacity to mean a school in which the capital outlay full-time equivalent (FTE) enrollment exceeds 95 percent of the space and occupant design capacity of its nonrelocatable facilities. If a school’s initial design incorporated relocatable or modular instructional space, the term “capacity” must mean a school in which the capital outlay FTE enrollment exceeds 95 percent of the space and occupant design capacity of its core facilities.

The bill requires each district school board to establish a transfer process for a parent to request his or child be transferred to another classroom teacher, if the receiving teacher has unfilled

³⁹ Limited exceptions exist, such as if the entity assumed operating a charter school with a school grade of “F.” Section 1002.332(1)(b).

⁴⁰ Section 218.503(1), F.S., relates to a determination of a financial emergency for charter schools, among other entities.

⁴¹ Section 1002.332(2)(b), F.S.

classroom capacity. An explanation of the transfer process must be made available in the student handbook or a similar publication.

The bill allows a parent that receives notification that his or her student is taught by an out of field classroom teacher, may request that the child be transferred to another classroom teacher. The school district must grant the request, if an in-field teacher has available space.

Students Receiving Hospitalized Program Services

The bill enables customized instruction for students receiving hospitalized program services in children's hospitals. The bill allows for students receiving hospitalized program services to meet the following criteria, including but not limited to:

- Public school student in Pre-K – 12 grade who is deemed eligible for hospitalized program services who is considered a student with a disability.
- Follow the IEP requirements, but upon request of the student's parent, the IEP may be modified to accommodate the student's use of hospitalized program services in a children's hospital.
- Modified IEP to reduce the course load to core courses.⁴²
- Student may be excused or exempted from physical education classes or instruction based on the IEP or orders from the student's medical doctor.
- Student's IEP may allow the student to receive instruction beyond the normal school hours, school day, or school year of the school district.
- Student admitted to a children's hospital for hospitalized program services must continue to receive education instruction.
- Be provided with a certified teacher or partner with the Florida Virtual School.
- Provide adequate educational space for the student.

Charter Schools

The bill modifies charter school requirements related to application processes, contract renewal and termination, operations, performance and fiscal accountability, student reporting, and governing board conflict of interest disclosure and reporting, high performing charter school replication. The bill creates a Charter School District Pilot Program, and the Florida Institute for Charter School Innovation at the Florida State University.

Charter School Applications and Contracts

The bill modifies charter school accountability provisions to require:

- Each charter school to disclose in the application the name of each applicant, governing board member, and proposed management company, if any; the name and sponsor of any charter school currently or previously operated by such parties; and the academic and financial history of such charter schools.
- A sponsor to consider the past history in deciding to approve or deny the application.
- A charter school governing board to be independent of any management company.

⁴² Section 1002.20(19)(a), F.S.

- A charter school to submit monthly financial statements for the first year of operation and include a full accounting of the costs of operation and sources of income that will enable the sponsor to begin monitoring the school's financial health earlier in time.
- A charter school to prepare and submit a plan with the specific actions the school will take if the school's financial statement indicates that the school is not financially viable.
- Background screening⁴³ for a person, or an officer of an entity who submits a charter school application. A person may not receive approval of a charter application until the person's screening is completed and the results have been submitted to the sponsor.
- A charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility no later than 30 calendar days before the first day of school.
- A sponsor to automatically renew a high-performing charter contract for the same terms and length of the current term if the charter school governing board and sponsor have not executed the renewal before the term of the charter agreement is scheduled to expire.
- The charter school's reading curriculum in the charter contract to eligible to receive the reading allocation.

Charter Termination or Nonrenewal

The bill clarifies the causes for nonrenewal or termination can also include when a charter school is closed voluntarily by the operator. Specifically, the bill requires the governing board of a charter school that closes voluntarily to notify the sponsor and DOE in writing within 7 calendar days of its decision to cease operations. The notice must state the reasons for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and the reversion of public funds specified in law.

Charter School Operations

The bill allows charter schools to have double-sessions if providing the equivalent of 810 hours and if contained in the charter contract that is approved by the district school board. The bill updates the capital outlay eligibility prohibition of the charter school's annual audit identifying a statutorily defined financial emergency, rather than utilizing an undefined term of financial stability.

Charter School Performance Accountability

The bill delays a charter school's termination if the school earns two consecutive grades of "F" until all school grade appeals are final, unless an exception applies. The sponsor must notify in writing the charter school's governing board, the charter school principal, and the department when a charter is terminated. The bill specifies that procedures regarding reversion of public funds and property purchased with public funds apply to "double F" terminations, as well as, voluntary closures.

Student Reporting

The bill aligns charter school and district reporting requirements regarding student suspensions and withdrawals, including the involuntary withdrawal of a student.

⁴³ A background check similar to an instructional or noninstructional personnel hired or contracted to fill positions. Section 1012.32, F.S.

Charter School Governing Board Independence

The bill establishes that an individual may not serve as a member of a governing board of a charter school or charter school cooperative organization if he or she or an immediate family member receives a pension or any compensation from the charter school, or if the individual's partner is an owner or principal with an entity or independent contractor with whom the charter school does business with or contracts, for professional services, goods, or facilities. Members of the governing board of a charter school may not be appointed, removed, or replaced by an entity or component unit of an entity, which the charter school has entered into any contract.

High Performing Charter Schools

The bill removes the restriction on replication of high performing charter schools in the attendance zone of a school in need of intervention or to meet district identified innovative choice options.

High Performing Charter School Systems

The bill allows an entity that successfully operates a system of charter schools outside the state to apply to the State Board of Education (SBE) for status as a high-performing charter school system. The bill required the SBE to adopt rules prescribing a process for determining whether an entity meets applicable requirements. The SBE, to the extent practicable, must develop a rubric for the approval of such entities which aligns with the priorities of the federal Charter Schools Program Grants for Replication and Expansion of High-Quality Charter Schools. For the first three years of operation, each charter school established by such an entity shall receive a reduction in administrative fees as authorized under s. 1002.33(20)(a)3., F.S.⁴⁴

Charter School District Pilot Program

The bill creates a program within the Department of Education to provide the principal of a participating school with increased autonomy and authority to operate his or her school in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a charter proposal, enter into a performance contract with up to six district school boards to establish such districts as charter school districts.

Professional Development

The principal at each school must complete the professional development offered through the William Cecil Golden Professional Development Program for School Leaders.⁴⁵ This training must be completed before a school may participate in the Charter School District Pilot Program.

⁴⁴ A school district is allowed to withhold a total administrative fee of up to 2 percent for enrollment up to and include 250 students per school for high-performing charter schools. Section 1002.20(a)3., F.S.

⁴⁵ Section 1013.21, F.S.

Terms of Charter and Reporting

The state board authorizes a charter school district's charter for a period of 3 years commencing with the award of the charter and may be renewed upon action of the state board. The charter school district must submit an annual report to the state board and the state board will annually report on the implementation of the Charter School District Pilot Program. After completion of the program's first 3-year term, the Commissioner of Education will submit to the President of the Senate, and the Speaker of the House of Representatives, by December 1, a full evaluation of the effectiveness of the program.

Florida Institute for Charter School Innovation

The bill establishes the Florida Institute for Charter School Innovation at Florida State University in order to:

- Advance charter school accountability, quality, and innovation;
- Provide support and technical assistance to charter school applicants;
- Connect aspiring teachers to opportunities to experience teaching in schools of choice; and
- To conduct research and develop and promote best practices for charter school authorization, financing, management, operations, and instructional practices.

The institute is responsible for providing technical assistance and support to charter school applicants with innovative charter school concepts. In effect, an applicant would be supported by the institute by acquiring the financial and operational knowledge and skills needed to operate a charter school.

The bill requires the President of Florida State University to appoint a director for the institute to be responsible for the management, development, and executing of the Institute's mission. The institute must submit a written report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Among other things, the report must include research findings, expenditures of state funds, and recommendations for improving the institute's ability to fulfill its mission and changes to statewide charter school policy. The bill requires the institute to provide an annual financial audit conducted by an independent certified public accountant to the Auditor General, the Board of Governors of the State University System, and the State Board of Education.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.20, 1002.31, 1002.33, 1002.451, 1006.15, 1011.61, 1011.69, 1012.28, 1012.42, 1012.986, and 1013.62.

The bill creates the following sections of the Florida Statutes: 1003.3101, 1003.5711, 1004.6491, and 1011.6202.

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.



244742

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
	.	
	.	
	.	

The Committee on Education Pre-K - 12 (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete lines 227 - 234

and insert:

(g) Define the term "capacity" as determined by the school district. When determining the capacity of each school in the district, the school district shall incorporate the specifications, plans, elements, and commitments contained in the school district educational facilities plan and the long-term work programs required under s. 1013.35 in its



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11 determination.

12

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

14 And the title is amended as follows:

15 Delete lines 19 - 21

16 and insert:

17 come, first-served basis; requiring that the public

18 school parental choice plan define the term

19 "capacity"; authorizing a parent to



457936

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
	.	
	.	
	.	

The Committee on Education Pre-K - 12 (Benacquisto) recommended the following:

Senate Amendment

Delete lines 1394 - 1395
and insert:
when combined, comprising not less than the equivalent of 810
net hours per student per school year and using instructional
calendars that may extend beyond



750288

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
	.	
	.	
	.	

The Committee on Education Pre-K - 12 (Benacquisto) recommended the following:

Senate Amendment

Delete lines 1712 - 1715
and insert:
is currently enrolled. If space is available in a classroom
taught by an in-field teacher, the school district shall grant
the parent's request and transfer the student to the in-field
classroom teacher within a reasonable period of time, not to
exceed 2 weeks. An explanation of the transfer



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Proposed Committee Substitute by the Committee on Education Pre-K - 12

A bill to be entitled

An act relating to student choice; amending s. 1002.20, F.S.; conforming a provision to changes made by the act; providing the right of a parent to know the average amount of money expended for the education of his or her child; requiring the Department of Education to provide each school district with such information and requiring the school districts to provide notification to parents; authorizing the information to be published in the student handbook or a similar publication; amending s. 1002.31, F.S.; deleting the definition of the term "controlled open enrollment" and deleting provisions relating to controlled open enrollment; requiring each district school board to establish a public school parental choice policy that allows students to attend any public school that has not reached capacity in their district; requiring assignments to be made on a first-come, first-served basis; defining the term "capacity" for the purposes of a district school board public school parental choice plan; authorizing a parent to enroll his or her child in any public school that has not reached capacity in the state; amending s. 1002.33, F.S.; revising required contents of charter school applications; requiring a charter school to submit quarterly financial statements for the first year of operation with specified information included;



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requiring a charter school to submit a plan to become financially viable under certain circumstances; conforming provisions regarding the appeal process for denial of a high-performing charter school application; specifying that the reading curriculum and instructional strategies in a charter school's charter satisfy the research-based reading plan requirement and that charter schools are eligible for the research-based reading allocation; requiring a person or officer of an entity who submits a charter school application to undergo background screening; prohibiting a sponsor from approving a charter school application until completion, receipt, and review of the results of such screening; requiring a charter to document that the governing board is independent of a management company or cooperative; revising charter provisions relating to long-term charters; revising the deadline by which a charter school must have a certificate of occupancy or temporary certificate of occupancy; revising conditions for nonrenewal or termination of a charter; requiring the sponsor to review monthly financial statements; requiring the sponsor to notify specified parties of a charter's termination under certain circumstances; requiring a charter school's governing board to appoint a representative to provide information and assistance to parents; requiring the governing board to hold a certain number of meetings that are noticed, open, and accessible to the public per school year; requiring a



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57 charter school with space available to be open to any
58 student in the state; revising requirements for the
59 funding of charter schools; prohibiting the district
60 school board from delaying payment to a charter school
61 under specified circumstances; requiring the
62 Department of Education to include a standard
63 application form when providing information to the
64 public on how to form, operate, and enroll in a
65 charter school; prohibiting an employee of a
66 management company or cooperative from being a member
67 of a charter school governing board; prohibiting
68 specified conflicts of interests on the part of
69 members of the governing board of a charter school or
70 charter school cooperative organization; amending s.
71 1002.331, F.S.; providing an exception to the
72 prohibition on a high-performing charter school
73 establishing more than one charter school in this
74 state under specified circumstances; conforming
75 provisions and a cross-reference to changes made by
76 the act; amending s. 1002.332, F.S.; authorizing
77 certain out-of-state entities to apply for designation
78 as a high-performing charter school system; requiring
79 the State Board of Education to adopt by rule
80 eligibility criteria for such designation; requiring
81 that charter schools established by such entities
82 receive a reduction in certain administrative fees;
83 amending s. 1002.451, F.S.; conforming a provision to
84 changes made by the act; creating s. 1003.3101, F.S.;
85 requiring each district school board to establish a



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86 classroom teacher transfer process for parents,
87 approve or deny a request within a certain timeframe,
88 and post an explanation of the transfer process in the
89 student handbook or a similar publication; creating s.
90 1003.5711, F.S.; providing that certain students who
91 are deemed eligible for hospitalized program services
92 are considered students with a disability; authorizing
93 an individual education plan to be modified to
94 accommodate such services; requiring the student to
95 continue to receive educational instruction; requiring
96 a school district to provide the student with a
97 certified teacher or to partner with the Florida
98 Virtual School for instructional services under
99 certain circumstances; requiring the department to
100 transfer funds for the student; requiring a children's
101 hospital to provide adequate educational space for
102 each student; requiring the hospital and school
103 district to enter in an agreement; creating s.
104 1004.6491, F.S.; establishing the Florida Institute
105 for Charter School Innovation; specifying requirements
106 for the institute; requiring an annual report to the
107 Governor and the Legislature; requiring a report on
108 the institute's annual financial audit to the Auditor
109 General, the Board of Governors of the State
110 University System, and the State Board of Education;
111 amending s. 1006.15, F.S.; conforming provisions to
112 changes made by the act; amending s. 1011.61, F.S.;
113 revising the definition of the term "full-time
114 student" for the purposes of the Florida Education



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115 Finance Program; creating s. 1011.6202, F.S.; creating
116 the Charter School District Pilot Program; providing a
117 procedure for a school district to participate in the
118 pilot program; providing requirements for
119 participating school districts and schools; exempting
120 participating school districts from certain laws and
121 rules; providing that charter school districts must
122 comply with certain laws and rules; requiring
123 principals of participating schools to complete a
124 specific professional development program; providing
125 the authorization period of a charter; providing for
126 renewal and revocation of a charter; providing for
127 reporting and rulemaking; amending s. 1011.69, F.S.;
128 requiring district school boards participating in the
129 pilot program to allocate a specified percentage of
130 certain funds to participating schools; amending s.
131 1012.28, F.S.; providing additional authority and
132 responsibilities of the principal of a participating
133 school in a charter school district; amending s.
134 1012.42, F.S.; authorizing a parent who receives
135 notification that a teacher is teaching outside his or
136 her field to request that his or her child be
137 transferred to another classroom teacher within the
138 school and grade in which the child is currently
139 enrolled; amending s. 1012.986, F.S.; specifying the
140 contents of a specific professional development
141 program for certain school principals; amending s.
142 1013.62, F.S.; revising eligibility requirements for
143 charter school capital outlay funding; specifying



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144 applicability of certain reporting requirements to
145 charter schools and public schools; providing an
146 effective date.
147

148 Be It Enacted by the Legislature of the State of Florida:
149

150 Section 1. Paragraph (a) of subsection (6) of section
151 1002.20, Florida Statutes, is amended, and subsection (25) is
152 added to that section, to read:

153 1002.20 K-12 student and parent rights.—Parents of public
154 school students must receive accurate and timely information
155 regarding their child's academic progress and must be informed
156 of ways they can help their child to succeed in school. K-12
157 students and their parents are afforded numerous statutory
158 rights including, but not limited to, the following:

159 (6) EDUCATIONAL CHOICE.—

160 (a) *Public school choices*.—Parents of public school
161 students may seek whatever public school choice options that are
162 applicable and available to students in their school districts.
163 These options may include public school parental choice
164 ~~controlled open enrollment~~, single-gender programs, lab schools,
165 virtual instruction programs, charter schools, charter technical
166 career centers, magnet schools, alternative schools, special
167 programs, auditory-oral education programs, advanced placement,
168 dual enrollment, International Baccalaureate, International
169 General Certificate of Secondary Education (pre-AICE), Advanced
170 International Certificate of Education, CAPE digital tools, CAPE
171 industry certifications, collegiate high school programs, early
172 admissions, credit by examination or demonstration of



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173 competency, the New World School of the Arts, the Florida School
174 for the Deaf and the Blind, and the Florida Virtual School.
175 These options may also include the public school choice options
176 of the Opportunity Scholarship Program and the McKay
177 Scholarships for Students with Disabilities Program.

178 (25) FISCAL TRANSPARENCY.—A parent has the right to know
179 the average amount of money estimated to be expended from all
180 sources, state, local, and federal, for the education of his or
181 her child, including operating and capital outlay expenses. The
182 department shall annually provide each district the estimated
183 amount of funding allocated for a student in the district by
184 grade level and level of support. Each district must notify
185 parents of the estimated amount of funding allocated for a
186 student similar to their child, based upon grade level and level
187 of support. The fiscal transparency notification may be included
188 in the student handbook or a similar publication.

189 Section 2. Subsections (1), (2), and (3) of section
190 1002.31, Florida Statutes, are amended to read:

191 1002.31 ~~Controlled open enrollment.~~ Public school parental
192 choice.—

193 ~~(1) As used in this section, "controlled open enrollment"~~
194 ~~means a public education delivery system that allows school~~
195 ~~districts to make student school assignments using parents'~~
196 ~~indicated preferential school choice as a significant factor.~~

197 (1)(2) Each district school board shall establish a public
198 school parental choice policy that authorizes a parent to choose
199 to enroll his or her child in and transport his or her child to
200 any public school that has not reached capacity, including
201 charter schools, in the district. This policy may offer



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202 ~~controlled open enrollment within the public schools which is in~~
203 ~~addition to the existing choice programs, such as virtual~~
204 ~~instruction programs, magnet schools, alternative schools,~~
205 ~~special programs, CAPE digital tools, CAPE industry~~
206 ~~certifications, advanced placement, collegiate high school~~
207 ~~programs, and dual enrollment.~~

208 ~~(2)(3) Each district school board offering controlled open~~
209 ~~enrollment shall adopt by rule and post on its website a public~~
210 ~~school parental choice controlled open enrollment plan which~~
211 ~~must:~~

212 (a) Adhere to federal desegregation requirements.

213 (b) Include an application process required to participate
214 in public school parental choice ~~controlled open enrollment~~ that
215 allows parents to declare school preferences, including
216 placement of siblings within the same school.

217 (c) Assign students on a first-come, first-served basis
218 based upon the date and time complete applications are received
219 by the school district ~~Provide a lottery procedure to determine~~
220 ~~student assignment and establish an appeals process for hardship~~
221 ~~eases.~~

222 (d) Afford parents of students in multiple session schools
223 preferred access to ~~controlled open enrollment.~~

224 (e) Maintain socioeconomic, demographic, and racial
225 balance.

226 (f) Address the availability of transportation.

227 (g) Define the term "capacity" as a school in which the
228 capital outlay FTE enrollment exceeds 95 percent of the space
229 and occupant design capacity of its nonrelocatable facilities.
230 However, if a school's initial design incorporated relocatable



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231 or modular instructional space, the term "capacity" shall mean a
232 school in which the capital outlay FTE enrollment exceeds 95
233 percent of the space and occupant design capacity of its core
234 facilities.

235 (3) A parent may choose to enroll his or her child in and
236 transport his or her child to any public school that has not
237 reached capacity, including charter schools, in any school
238 district in the state. The school district shall accept the
239 student and report the student for purposes of the district's
240 funding pursuant to the Florida Education Finance Program.

241 Section 3. Paragraphs (a), (b), and (c) of subsection (6),
242 paragraphs (a), (b), and (d) of subsection (7), paragraphs (e),
243 (f), and (g) of subsection (8), paragraphs (g), (n), and (p) of
244 subsection (9), paragraph (a) of subsection (10), paragraphs (b)
245 and (e) of subsection (17), subsection (21), and paragraph (c)
246 of subsection (26) of section 1002.33, Florida Statutes, are
247 amended, paragraphs (h) and (i) are added to subsection (8) of
248 that section, a new subsection (27) is added to that section,
249 and present subsections (27) and (28) are redesignated as
250 subsections (28) and (29), respectively, to read:

251 1002.33 Charter schools.—

252 (6) APPLICATION PROCESS AND REVIEW.—Charter school
253 applications are subject to the following requirements:

254 (a) A person or entity wishing to open a charter school
255 shall prepare and submit an application on a model application
256 form prepared by the Department of Education which:

257 1. Demonstrates how the school will use the guiding
258 principles and meet the statutorily defined purpose of a charter
259 school.



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260 2. Provides a detailed curriculum plan that illustrates how
261 students will be provided services to attain the Sunshine State
262 Standards.

263 3. Contains goals and objectives for improving student
264 learning and measuring that improvement. These goals and
265 objectives must indicate how much academic improvement students
266 are expected to show each year, how success will be evaluated,
267 and the specific results to be attained through instruction.

268 4. Describes the reading curriculum and differentiated
269 strategies that will be used for students reading at grade level
270 or higher and a separate curriculum and strategies for students
271 who are reading below grade level. A sponsor shall deny an
272 application ~~a charter~~ if the school does not propose a reading
273 curriculum that is consistent with effective teaching strategies
274 that are grounded in scientifically based reading research, but
275 the sponsor may not require the school to implement any
276 curriculum adopted by the school district.

277 5. Contains an annual financial plan for each year
278 requested by the charter for operation of the school for up to 5
279 years. This plan must contain anticipated fund balances based on
280 revenue projections, a spending plan based on projected revenues
281 and expenses, and a description of controls that will safeguard
282 finances and projected enrollment trends.

283 6. Discloses the name of each applicant, governing board
284 member, and proposed management company or cooperative, if any;
285 the name and sponsor of any charter school currently operated or
286 previously operated by such parties; and the academic and
287 financial history of such charter schools, which the sponsor
288 shall consider in deciding to approve or deny the application.



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289 7. Documents that the governing board is independent of any
290 management company or cooperative and may, at its sole
291 discretion, terminate a contract with the management company or
292 cooperative at any time.

293 ~~8.6-~~ Contains additional information a sponsor may require,
294 which shall be attached as an addendum to the charter school
295 application described in this paragraph.

296 ~~9.7-~~ For the establishment of a virtual charter school,
297 documents that the applicant has contracted with a provider of
298 virtual instruction services pursuant to s. 1002.45(1)(d).

299 (b) A sponsor shall receive and review all applications for
300 a charter school using an evaluation instrument developed by the
301 Department of Education. A sponsor shall receive and consider
302 charter school applications received on or before August 1 of
303 each calendar year for charter schools to be opened at the
304 beginning of the school district's next school year, or to be
305 opened at a time agreed to by the applicant and the sponsor. A
306 sponsor may not refuse to receive a charter school application
307 submitted before August 1 and may receive an application
308 submitted later than August 1 if it chooses. In order to
309 facilitate greater collaboration in the application process, an
310 applicant may submit a draft charter school application on or
311 before May 1 with an application fee of \$500. If a draft
312 application is timely submitted, the sponsor shall review and
313 provide feedback as to material deficiencies in the application
314 by July 1. The applicant shall then have until August 1 to
315 resubmit a revised and final application. The sponsor may
316 approve the draft application. Except as provided for a draft
317 application, a sponsor may not charge an applicant for a charter



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318 any fee for the processing or consideration of an application,
319 and a sponsor may not base its consideration or approval of a
320 final application upon the promise of future payment of any
321 kind. Before approving or denying any final application, the
322 sponsor shall allow the applicant, upon receipt of written
323 notification, at least 7 calendar days to make technical or
324 nonsubstantive corrections and clarifications, including, but
325 not limited to, corrections of grammatical, typographical, and
326 like errors or missing signatures, if such errors are identified
327 by the sponsor as cause to deny the final application.

328 1. In order to facilitate an accurate budget projection
329 process, a sponsor shall be held harmless for FTE students who
330 are not included in the FTE projection due to approval of
331 charter school applications after the FTE projection deadline.
332 In a further effort to facilitate an accurate budget projection,
333 within 15 calendar days after receipt of a charter school
334 application, a sponsor shall report to the Department of
335 Education the name of the applicant entity, the proposed charter
336 school location, and its projected FTE.

337 2. In order to ensure fiscal responsibility, an application
338 for a charter school shall include a full accounting of expected
339 assets, a projection of expected sources and amounts of income,
340 including income derived from projected student enrollments and
341 from community support, and an expense projection that includes
342 full accounting of the costs of operation, including start-up
343 costs. To ensure continued financial responsibility, a charter
344 school shall submit quarterly financial statements for the first
345 year of operation which include a full accounting of the costs
346 of operation and sources of income. If a school's financial



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347 statement indicates that the school is not financially viable,
348 the school must also prepare and submit a plan that describes
349 specific actions the school will take to become viable.

350 3.a. A sponsor shall by a majority vote approve or deny an
351 application no later than 60 calendar days after the application
352 is received, unless the sponsor and the applicant mutually agree
353 in writing to temporarily postpone the vote to a specific date,
354 at which time the sponsor shall by a majority vote approve or
355 deny the application. If the sponsor fails to act on the
356 application, an applicant may appeal to the State Board of
357 Education as provided in paragraph (c). If an application is
358 denied, the sponsor shall, within 10 calendar days after such
359 denial, articulate in writing the specific reasons, based upon
360 good cause, supporting its denial of the charter application and
361 shall provide the letter of denial and supporting documentation
362 to the applicant and to the Department of Education.

363 b. An application submitted by a high-performing charter
364 school identified pursuant to s. 1002.331 may be denied by the
365 sponsor only if the sponsor demonstrates by clear and convincing
366 evidence that:

367 (I) The application does not materially comply with the
368 requirements in paragraph (a);

369 (II) The charter school proposed in the application does
370 not materially comply with the requirements in paragraphs
371 (9) (a)-(f);

372 (III) The proposed charter school's educational program
373 does not substantially replicate that of the applicant or one of
374 the applicant's high-performing charter schools;

375 (IV) The applicant has made a material misrepresentation or



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376 false statement or concealed an essential or material fact
377 during the application process; or

378 (V) The proposed charter school's educational program and
379 financial management practices do not materially comply with the
380 requirements of this section.

381
382 Material noncompliance is a failure to follow requirements or a
383 violation of prohibitions applicable to charter school
384 applications, which failure is quantitatively or qualitatively
385 significant either individually or when aggregated with other
386 noncompliance. An applicant is considered to be replicating a
387 high-performing charter school if the proposed school is
388 substantially similar to at least one of the applicant's high-
389 performing charter schools and the organization or individuals
390 involved in the establishment and operation of the proposed
391 school are significantly involved in the operation of replicated
392 schools.

393 c. If the sponsor denies an application submitted by a
394 high-performing charter school, the sponsor must, within 10
395 calendar days after such denial, state in writing the specific
396 reasons, based upon the criteria in sub-subparagraph b.,
397 supporting its denial of the application and must provide the
398 letter of denial and supporting documentation to the applicant
399 and to the Department of Education. The applicant may appeal the
400 sponsor's denial of the application ~~directly~~ to the State Board
401 of Education pursuant to paragraph (c) and must provide the
402 sponsor with a copy of the appeal ~~sub-subparagraph (e)3.b.~~

403 4. For budget projection purposes, the sponsor shall report
404 to the Department of Education the approval or denial of a



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405 charter application within 10 calendar days after such approval
406 or denial. In the event of approval, the report to the
407 Department of Education shall include the final projected FTE
408 for the approved charter school.

409 5. Upon approval of a charter application, the initial
410 startup shall commence with the beginning of the public school
411 calendar for the district in which the charter is granted unless
412 the sponsor allows a waiver of this subparagraph for good cause.

413 6. A person, or an officer of an entity, who submits an
414 application pursuant to this subsection must undergo background
415 screening in the same manner as instructional and
416 noninstructional personnel hired or contracted to fill positions
417 in a charter school or as members of the governing board of a
418 charter school undergo background screening under s. 1012.32.
419 Notwithstanding any other provision of this subsection, a person
420 may not receive approval of a charter application until the
421 person's screening is completed and the results have been
422 submitted to, and reviewed by, the sponsor.

423 (c)1. An applicant may appeal any denial of that
424 applicant's application or failure to act on an application to
425 the State Board of Education ~~within no later than~~ 30 calendar
426 days after receipt of the sponsor's decision or failure to act
427 and shall notify the sponsor of its appeal. Any response of the
428 sponsor shall be submitted to the State Board of Education
429 within 30 calendar days after notification of the appeal. Upon
430 receipt of notification from the State Board of Education that a
431 charter school applicant is filing an appeal, the Commissioner
432 of Education shall convene a meeting of the Charter School
433 Appeal Commission to study and make recommendations to the State



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434 Board of Education regarding its pending decision about the
435 appeal. The commission shall forward its recommendation to the
436 state board at least 7 calendar days before the date on which
437 the appeal is to be heard. An appeal regarding the denial of an
438 application submitted by a high-performing charter school
439 pursuant to s. 1002.331 shall be conducted by the State Board of
440 Education in accordance with this paragraph, except that the
441 commission shall not convene to make recommendations regarding
442 the appeal. However, the Commissioner of Education shall review
443 the appeal and make a recommendation to the state board.

444 2. The Charter School Appeal Commission or, in the case of
445 an appeal regarding an application submitted by a high-
446 performing charter school, the State Board of Education may
447 reject an appeal submission for failure to comply with
448 procedural rules governing the appeals process. The rejection
449 shall describe the submission errors. The appellant shall have
450 15 calendar days after notice of rejection in which to resubmit
451 an appeal that meets the requirements set forth in State Board
452 of Education rule. An appeal submitted subsequent to such
453 rejection is considered timely if the original appeal was filed
454 within 30 calendar days after receipt of notice of the specific
455 reasons for the sponsor's denial of the ~~charter~~ application.

456 3.a. The State Board of Education shall by majority vote
457 accept or reject the decision of the sponsor no later than 90
458 calendar days after an appeal is filed in accordance with State
459 Board of Education rule. The State Board of Education shall
460 remand the application to the sponsor with its written decision
461 that the sponsor approve or deny the application. The sponsor
462 shall implement the decision of the State Board of Education.



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463 The decision of the State Board of Education is not subject to
464 the provisions of the Administrative Procedure Act, chapter 120.

465 b. If an appeal concerns an application submitted by a
466 high-performing charter school identified pursuant to s.
467 1002.331, the State Board of Education shall determine whether
468 the sponsor's denial of the application complies with the
469 requirements in sub-subparagraph (b)3.b. sponsor has shown, by
470 clear and convincing evidence, that:

471 ~~(I) The application does not materially comply with the~~
472 ~~requirements in paragraph (a);~~

473 ~~(II) The charter school proposed in the application does~~
474 ~~not materially comply with the requirements in paragraphs~~
475 ~~(9)(a)-(f);~~

476 ~~(III) The proposed charter school's educational program~~
477 ~~does not substantially replicate that of the applicant or one of~~
478 ~~the applicant's high-performing charter schools;~~

479 ~~(IV) The applicant has made a material misrepresentation or~~
480 ~~false statement or concealed an essential or material fact~~
481 ~~during the application process; or~~

482 ~~(V) The proposed charter school's educational program and~~
483 ~~financial management practices do not materially comply with the~~
484 ~~requirements of this section.~~

485
486 The State Board of Education shall approve or reject the
487 sponsor's denial of an application no later than 90 calendar
488 days after an appeal is filed in accordance with State Board of
489 Education rule. The State Board of Education shall remand the
490 application to the sponsor with its written decision that the
491 sponsor approve or deny the application. The sponsor shall



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492 implement the decision of the State Board of Education. The
493 decision of the State Board of Education is not subject to the
494 Administrative Procedure Act, chapter 120.

495 (7) CHARTER.—The major issues involving the operation of a
496 charter school shall be considered in advance and written into
497 the charter. The charter shall be signed by the governing board
498 of the charter school and the sponsor, following a public
499 hearing to ensure community input.

500 (a) The charter shall address and criteria for approval of
501 the charter shall be based on:

502 1. The school's mission, the students to be served, and the
503 ages and grades to be included.

504 2. The focus of the curriculum, the instructional methods
505 to be used, any distinctive instructional techniques to be
506 employed, and identification and acquisition of appropriate
507 technologies needed to improve educational and administrative
508 performance which include a means for promoting safe, ethical,
509 and appropriate uses of technology which comply with legal and
510 professional standards.

511 a. The charter shall ensure that reading is a primary focus
512 of the curriculum and that resources are provided to identify
513 and provide specialized instruction for students who are reading
514 below grade level. The curriculum and instructional strategies
515 for reading must be consistent with the Next Generation Sunshine
516 State Standards and grounded in scientifically based reading
517 research. For purposes of determining eligibility for the
518 research-based reading instruction allocation, the reading
519 curriculum and instructional strategies specified in the charter
520 satisfy the research-based reading plan requirement under s.



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521 1011.62(9).

522 b. In order to provide students with access to diverse
523 instructional delivery models, to facilitate the integration of
524 technology within traditional classroom instruction, and to
525 provide students with the skills they need to compete in the
526 21st century economy, the Legislature encourages instructional
527 methods for blended learning courses consisting of both
528 traditional classroom and online instructional techniques.
529 Charter schools may implement blended learning courses which
530 combine traditional classroom instruction and virtual
531 instruction. Students in a blended learning course must be full-
532 time students of the charter school and receive the online
533 instruction in a classroom setting at the charter school.
534 Instructional personnel certified pursuant to s. 1012.55 who
535 provide virtual instruction for blended learning courses may be
536 employees of the charter school or may be under contract to
537 provide instructional services to charter school students. At a
538 minimum, such instructional personnel must hold an active state
539 or school district adjunct certification under s. 1012.57 for
540 the subject area of the blended learning course. The funding and
541 performance accountability requirements for blended learning
542 courses are the same as those for traditional courses.

543 3. The current incoming baseline standard of student
544 academic achievement, the outcomes to be achieved, and the
545 method of measurement that will be used. The criteria listed in
546 this subparagraph shall include a detailed description of:

547 a. How the baseline student academic achievement levels and
548 prior rates of academic progress will be established.

549 b. How these baseline rates will be compared to rates of



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550 academic progress achieved by these same students while
551 attending the charter school.

552 c. To the extent possible, how these rates of progress will
553 be evaluated and compared with rates of progress of other
554 closely comparable student populations.

555
556 The district school board is required to provide academic
557 student performance data to charter schools for each of their
558 students coming from the district school system, as well as
559 rates of academic progress of comparable student populations in
560 the district school system.

561 4. The methods used to identify the educational strengths
562 and needs of students and how well educational goals and
563 performance standards are met by students attending the charter
564 school. The methods shall provide a means for the charter school
565 to ensure accountability to its constituents by analyzing
566 student performance data and by evaluating the effectiveness and
567 efficiency of its major educational programs. Students in
568 charter schools shall, at a minimum, participate in the
569 statewide assessment program created under s. 1008.22.

570 5. In secondary charter schools, a method for determining
571 that a student has satisfied the requirements for graduation in
572 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

573 6. A method for resolving conflicts between the governing
574 board of the charter school and the sponsor.

575 7. The admissions procedures and dismissal procedures,
576 including the school's code of student conduct.

577 8. The ways by which the school will achieve a
578 racial/ethnic balance reflective of the community it serves or



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579 within the racial/ethnic range of other public schools in the
580 same school district.

581 9. The financial and administrative management of the
582 school, including a reasonable demonstration of the professional
583 experience or competence of those individuals or organizations
584 applying to operate the charter school or those hired or
585 retained to perform such professional services and the
586 description of clearly delineated responsibilities and the
587 policies and practices needed to effectively manage the charter
588 school. A description of internal audit procedures and
589 establishment of controls to ensure that financial resources are
590 properly managed must be included. Both public sector and
591 private sector professional experience shall be equally valid in
592 such a consideration. The charter must document that the
593 governing board is independent of any management company or
594 cooperative and may, at its sole discretion, terminate the
595 contract with the management company or cooperative at any time.

596 10. The asset and liability projections required in the
597 application which are incorporated into the charter and shall be
598 compared with information provided in the annual report of the
599 charter school.

600 11. A description of procedures that identify various risks
601 and provide for a comprehensive approach to reduce the impact of
602 losses; plans to ensure the safety and security of students and
603 staff; plans to identify, minimize, and protect others from
604 violent or disruptive student behavior; and the manner in which
605 the school will be insured, including whether or not the school
606 will be required to have liability insurance, and, if so, the
607 terms and conditions thereof and the amounts of coverage.



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608 12. The term of the charter which shall provide for
609 cancellation of the charter if insufficient progress has been
610 made in attaining the student achievement objectives of the
611 charter and if it is not likely that such objectives can be
612 achieved before expiration of the charter. The initial term of
613 ~~the a charter is either shall be for 4 years or 5 years. In~~
614 ~~order to facilitate access to long-term financial resources for~~
615 ~~charter school construction,~~ Charter schools that are operated
616 by a municipality or other public entity, as provided by law, or
617 a private, not-for-profit corporation granted 501(c) (3) status
618 by the Internal Revenue Service are eligible for up to a 15-year
619 charter, subject to approval by the district school board. A
620 charter lab school is also eligible for a charter for a term of
621 up to 15 years. ~~In addition, to facilitate access to long-term~~
622 ~~financial resources for charter school construction, charter~~
623 ~~schools that are operated by a private, not-for-profit, s.~~
624 ~~501(e) (3) status corporation are eligible for up to a 15-year~~
625 ~~charter, subject to approval by the district school board.~~ Such
626 long-term charters remain subject to annual review and may be
627 terminated during the term of the charter, but only according to
628 ~~the provisions set forth in~~ subsection (8) or paragraph (9) (n).

629 13. Termination or nonrenewal of the charter pursuant to
630 subsection (8) or paragraph (9) (n).

631 ~~14.13.~~ The facilities to be used and their location. The
632 sponsor shall ~~may not~~ require a charter school to have a
633 certificate of occupancy or a temporary certificate of occupancy
634 for such a facility no later than 30 ~~earlier than 15~~ calendar
635 days before the first day of school.

636 15.14. The qualifications to be required of the teachers



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637 and the potential strategies used to recruit, hire, train, and
638 retain qualified staff to achieve best value.

639 ~~16.15.~~ The governance structure of the school, including
640 the status of the charter school as a public or private employer
641 as required in paragraph (12) (i).

642 ~~17.16.~~ A timetable for implementing the charter which
643 addresses the implementation of each element thereof and the
644 date by which the charter shall be awarded in order to meet this
645 timetable.

646 ~~18.17.~~ In the case of an existing public school that is
647 being converted to charter status, alternative arrangements for
648 current students who choose not to attend the charter school and
649 for current teachers who choose not to teach in the charter
650 school after conversion in accordance with the existing
651 collective bargaining agreement or district school board rule in
652 the absence of a collective bargaining agreement. However,
653 alternative arrangements shall not be required for current
654 teachers who choose not to teach in a charter lab school, except
655 as authorized by the employment policies of the state university
656 which grants the charter to the lab school.

657 ~~19.18.~~ Full disclosure of the identity of all relatives
658 employed by the charter school who are related to the charter
659 school owner, president, chairperson of the governing board of
660 directors, superintendent, governing board member, principal,
661 assistant principal, or any other person employed by the charter
662 school who has equivalent decisionmaking authority. For the
663 purpose of this subparagraph, the term "relative" means father,
664 mother, son, daughter, brother, sister, uncle, aunt, first
665 cousin, nephew, niece, husband, wife, father-in-law, mother-in-



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666 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
667 stepfather, stepmother, stepson, stepdaughter, stepbrother,
668 stepsister, half brother, or half sister.

669 ~~20.19.~~ Implementation of the activities authorized under s.
670 1002.331 by the charter school when it satisfies the eligibility
671 requirements for a high-performing charter school. A high-
672 performing charter school shall notify its sponsor in writing by
673 March 1 if it intends to increase enrollment or expand grade
674 levels the following school year. The written notice shall
675 specify the amount of the enrollment increase and the grade
676 levels that will be added, as applicable.

677 (b)1. A charter may be renewed provided that a program
678 review demonstrates that the criteria in paragraph (a) have been
679 successfully accomplished and that none of the grounds for
680 nonrenewal established by paragraph (8) (a) has been documented.
681 ~~In order to facilitate long-term financing for charter school~~
682 ~~construction,~~ Charter schools operating for a minimum of 3 years
683 and demonstrating exemplary academic programming and fiscal
684 management are eligible for a 15-year charter renewal. Such
685 long-term charter is subject to annual review and may be
686 terminated during the term of the charter.

687 2. The 15-year charter renewal that may be granted pursuant
688 to subparagraph 1. shall be granted to a charter school that has
689 received a school grade of "A" or "B" pursuant to s. 1008.34 in
690 3 of the past 4 years and is not in a state of financial
691 emergency or deficit position as defined by this section. Such
692 long-term charter is subject to annual review and may be
693 terminated during the term of the charter pursuant to subsection
694 (8).



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695 ~~(d)1. Each charter school's governing board must appoint a~~
696 ~~representative to facilitate parental involvement, provide~~
697 ~~access to information, assist parents and others with questions~~
698 ~~and concerns, and resolve disputes. The representative must~~
699 ~~reside in the school district in which the charter school is~~
700 ~~located and may be a governing board member, charter school~~
701 ~~employee, or individual contracted to represent the governing~~
702 ~~board. If the governing board oversees multiple charter schools~~
703 ~~in the same school district, the governing board must appoint a~~
704 ~~separate individual representative for each charter school in~~
705 ~~the district. The representative's contact information must be~~
706 ~~provided annually in writing to parents and posted prominently~~
707 ~~on the charter school's website if a website is maintained by~~
708 ~~the school. The sponsor may not require that governing board~~
709 ~~members reside in the school district in which the charter~~
710 ~~school is located if the charter school complies with this~~
711 ~~paragraph.~~

712 ~~2. Each charter school's governing board must hold at least~~
713 ~~two public meetings per school year in the school district. The~~
714 ~~meetings must be noticed, open, and accessible to the public,~~
715 ~~and attendees must be provided an opportunity to receive~~
716 ~~information and provide input regarding the charter school's~~
717 ~~operations. The appointed representative and charter school~~
718 ~~principal or director, or his or her equivalent, must be~~
719 ~~physically present at each meeting.~~

720 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.-

721 (e) When a charter is not renewed or is terminated or when
722 a charter school is closed voluntarily by the operator, the
723 school shall be dissolved under the provisions of law under



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724 which the school was organized, and any unencumbered public
725 funds, except for capital outlay funds and federal charter
726 school program grant funds, from the charter school shall revert
727 to the sponsor. Capital outlay funds provided pursuant to s.
728 1013.62 and federal charter school program grant funds that are
729 unencumbered shall revert to the department to be redistributed
730 among eligible charter schools. In the event a charter school is
731 dissolved or is otherwise terminated, all district school board
732 property and improvements, furnishings, and equipment purchased
733 with public funds shall automatically revert to full ownership
734 by the district school board, subject to complete satisfaction
735 of any lawful liens or encumbrances. Any unencumbered public
736 funds from the charter school, district school board property
737 and improvements, furnishings, and equipment purchased with
738 public funds, or financial or other records pertaining to the
739 charter school, in the possession of any person, entity, or
740 holding company, other than the charter school, shall be held in
741 trust upon the district school board's request, until any appeal
742 status is resolved.

743 (f) If a charter is not renewed or is terminated or a
744 charter school is closed voluntarily by the operator, the
745 charter school is responsible for all debts of the charter
746 school. The district may not assume the debt from any contract
747 made between the governing body of the school and a third party,
748 except for a debt that is previously detailed and agreed upon in
749 writing by both the district and the governing body of the
750 school and that may not reasonably be assumed to have been
751 satisfied by the district.

752 (g) If a charter is not renewed or is terminated, a student



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753 who attended the school may apply to, and shall be enrolled in,
754 another public school. Normal application deadlines shall be
755 disregarded under such circumstances.

756 (h) The governing board of a charter school that closes
757 voluntarily shall notify the sponsor and the department in
758 writing within 7 calendar days of its decision to cease
759 operations. The notice must state the reasons for the closure
760 and acknowledge that the governing board agrees to follow the
761 procedures for dissolution and reversion of public funds
762 specified in this subsection and paragraph (9)(o).

763 (i) For a high-performing charter school that is having the
764 charter agreement renewed, the charter contract, as that
765 contract exists on the day the term of the contract is to
766 terminate, must be automatically renewed for the length of the
767 current term if the charter school governing board and sponsor
768 have not executed the renewal before the term of the charter
769 agreement is scheduled to expire.

770 (9) CHARTER SCHOOL REQUIREMENTS.—

771 (g)1. In order to provide financial information that is
772 comparable to that reported for other public schools, charter
773 schools are to maintain all financial records that constitute
774 their accounting system:

775 a. In accordance with the accounts and codes prescribed in
776 the most recent issuance of the publication titled "Financial
777 and Program Cost Accounting and Reporting for Florida Schools";
778 or

779 b. At the discretion of the charter school's governing
780 board, a charter school may elect to follow generally accepted
781 accounting standards for not-for-profit organizations, but must



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782 reformat this information for reporting according to this
783 paragraph.

784 2. Charter schools shall provide annual financial report
785 and program cost report information in the state-required
786 formats for inclusion in district reporting in compliance with
787 s. 1011.60(1). Charter schools that are operated by a
788 municipality or are a component unit of a parent nonprofit
789 organization may use the accounting system of the municipality
790 or the parent but must reformat this information for reporting
791 according to this paragraph.

792 3. A charter school shall, upon execution of the contract,
793 provide the sponsor with a concise, uniform, monthly financial
794 statement summary sheet that contains a balance sheet and a
795 statement of revenue, expenditures, and changes in fund balance.
796 The balance sheet and the statement of revenue, expenditures,
797 and changes in fund balance shall be in the governmental funds
798 format prescribed by the Governmental Accounting Standards
799 Board. A high-performing charter school pursuant to s. 1002.331
800 may provide a quarterly financial statement in the same format
801 and requirements as the uniform monthly financial statement
802 summary sheet. The sponsor shall review each monthly financial
803 statement, to identify the existence of any conditions
804 identified in s. 1002.345 (1)(a).

805 4. A charter school shall maintain and provide financial
806 information as required in this paragraph. The financial
807 statement required in subparagraph 3. must be in a form
808 prescribed by the Department of Education.

809 (n)1. The director and a representative of the governing
810 board of a charter school that has earned a grade of "D" or "F"



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811 pursuant to s. 1008.34 shall appear before the sponsor to
812 present information concerning each contract component having
813 noted deficiencies. The director and a representative of the
814 governing board shall submit to the sponsor for approval a
815 school improvement plan to raise student performance. Upon
816 approval by the sponsor, the charter school shall begin
817 implementation of the school improvement plan. The department
818 shall offer technical assistance and training to the charter
819 school and its governing board and establish guidelines for
820 developing, submitting, and approving such plans.

821 2.a. If a charter school earns three consecutive grades of
822 "D," two consecutive grades of "D" followed by a grade of "F,"
823 or two nonconsecutive grades of "F" within a 3-year period, the
824 charter school governing board shall choose one of the following
825 corrective actions:

826 (I) Contract for educational services to be provided
827 directly to students, instructional personnel, and school
828 administrators, as prescribed in state board rule;

829 (II) Contract with an outside entity that has a
830 demonstrated record of effectiveness to operate the school;

831 (III) Reorganize the school under a new director or
832 principal who is authorized to hire new staff; or

833 (IV) Voluntarily close the charter school.

834 b. The charter school must implement the corrective action
835 in the school year following receipt of a third consecutive
836 grade of "D," a grade of "F" following two consecutive grades of
837 "D," or a second nonconsecutive grade of "F" within a 3-year
838 period.

839 c. The sponsor may annually waive a corrective action if it



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840 determines that the charter school is likely to improve a letter
841 grade if additional time is provided to implement the
842 intervention and support strategies prescribed by the school
843 improvement plan. Notwithstanding this sub-subparagraph, a
844 charter school that earns a second consecutive grade of "F" is
845 subject to subparagraph 4.

846 d. A charter school is no longer required to implement a
847 corrective action if it improves by at least one letter grade.
848 However, the charter school must continue to implement
849 strategies identified in the school improvement plan. The
850 sponsor must annually review implementation of the school
851 improvement plan to monitor the school's continued improvement
852 pursuant to subparagraph 5.

853 e. A charter school implementing a corrective action that
854 does not improve by at least one letter grade after 2 full
855 school years of implementing the corrective action must select a
856 different corrective action. Implementation of the new
857 corrective action must begin in the school year following the
858 implementation period of the existing corrective action, unless
859 the sponsor determines that the charter school is likely to
860 improve a letter grade if additional time is provided to
861 implement the existing corrective action. Notwithstanding this
862 sub-subparagraph, a charter school that earns a second
863 consecutive grade of "F" while implementing a corrective action
864 is subject to subparagraph 4.

865 3. A charter school with a grade of "D" or "F" that
866 improves by at least one letter grade must continue to implement
867 the strategies identified in the school improvement plan. The
868 sponsor must annually review implementation of the school



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869 improvement plan to monitor the school's continued improvement
870 pursuant to subparagraph 5.

871 4. A charter school's charter is automatically terminated
872 if the school earns two consecutive grades of "F" after all
873 school grade appeals are final. ~~The sponsor shall terminate a~~
874 ~~charter if the charter school earns two consecutive grades of~~
875 ~~"F" unless:~~

876 a. The charter school is established to turn around the
877 performance of a district public school pursuant to s.
878 1008.33(4)(b)3. Such charter schools shall be governed by s.
879 1008.33;

880 b. The charter school serves a student population the
881 majority of which resides in a school zone served by a district
882 public school that earned a grade of "F" in the year before the
883 charter school opened and the charter school earns at least a
884 grade of "D" in its third year of operation. The exception
885 provided under this sub-subparagraph does not apply to a charter
886 school in its fourth year of operation and thereafter; or

887 c. The state board grants the charter school a waiver of
888 termination. The charter school must request the waiver within
889 15 days after the department's official release of school
890 grades. The state board may waive termination if the charter
891 school demonstrates that the Learning Gains of its students on
892 statewide assessments are comparable to or better than the
893 Learning Gains of similarly situated students enrolled in nearby
894 district public schools. The waiver is valid for 1 year and may
895 only be granted once. Charter schools that have been in
896 operation for more than 5 years are not eligible for a waiver
897 under this sub-subparagraph.



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898
899 The sponsor shall notify in writing the charter school's
900 governing board, the charter school principal, and the
901 department when a charter is terminated under this subparagraph.
902 A charter terminated under this subparagraph is governed by the
903 requirements of paragraphs (8)(e)-(g) and paragraph (o) of this
904 subsection.

905 5. The director and a representative of the governing board
906 of a graded charter school that has implemented a school
907 improvement plan under this paragraph shall appear before the
908 sponsor at least once a year to present information regarding
909 the progress of intervention and support strategies implemented
910 by the school pursuant to the school improvement plan and
911 corrective actions, if applicable. The sponsor shall communicate
912 at the meeting, and in writing to the director, the services
913 provided to the school to help the school address its
914 deficiencies.

915 6. Notwithstanding any provision of this paragraph except
916 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
917 at any time pursuant to subsection (8).

918 (p)1. Each charter school shall maintain a website that
919 enables the public to obtain information regarding the school;
920 the school's academic performance; the names of the governing
921 board members; the programs at the school; any management
922 companies, cooperatives, service providers, or education
923 management corporations associated with the school; the school's
924 annual budget and its annual independent fiscal audit; the
925 school's grade pursuant to s. 1008.34; and, on a quarterly
926 basis, the minutes of governing board meetings.



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927 2. Each charter school's governing board shall appoint a
928 representative to facilitate parental involvement, provide
929 access to information, assist parents and others with questions
930 and concerns, and resolve disputes. The representative must
931 reside in the school district in which the charter school is
932 located and may be a governing board member, charter school
933 employee, or individual contracted to represent the governing
934 board. If the governing board oversees multiple charter schools
935 in the same school district, the governing board must appoint a
936 separate individual representative for each charter school in
937 the district. The representative's contact information must be
938 provided annually, in writing, to parents and posted prominently
939 on the charter school's website. The sponsor may not require
940 that governing board members reside in the school district in
941 which the charter school is located if the charter school
942 complies with this paragraph.

943 3. Each charter school's governing board must hold at least
944 two public meetings per school year in the school district where
945 the charter school is located. The meetings must be noticed,
946 open, and accessible to the public, and attendees must be
947 provided an opportunity to receive information and provide input
948 regarding the charter school's operations. The appointed
949 representative and charter school principal or director, or his
950 or her equivalent, must be physically present at each meeting.

951 (10) ELIGIBLE STUDENTS.—

952 (a) A charter school shall be open to any student covered
953 in an interdistrict agreement or residing in the school district
954 in which the charter school is located; however, in the case of
955 a charter lab school, the charter lab school shall be open to



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956 any student eligible to attend the lab school as provided in s.
957 1002.32 or who resides in the school district in which the
958 charter lab school is located. A charter school with space
959 available must be open to any student in the state, pursuant to
960 s. 1002.31(2). Any eligible student shall be allowed
961 interdistrict transfer to attend a charter school when based on
962 good cause. Good cause shall include, but is not limited to,
963 geographic proximity to a charter school in a neighboring school
964 district.

965 (17) FUNDING.—Students enrolled in a charter school,
966 regardless of the sponsorship, shall be funded as if they are in
967 a basic program or a special program, the same as students
968 enrolled in other public schools in the school district. Funding
969 for a charter lab school shall be as provided in s. 1002.32.

970 (b) The basis for the agreement for funding students
971 enrolled in a charter school shall be the sum of the school
972 district's operating funds from the Florida Education Finance
973 Program as provided in s. 1011.62 and the General Appropriations
974 Act, including gross state and local funds, discretionary
975 lottery funds, and funds from the school district's current
976 operating discretionary millage levy; divided by total funded
977 weighted full-time equivalent students in the school district;
978 multiplied by the weighted full-time equivalent students for the
979 charter school. Charter schools whose students or programs meet
980 the eligibility criteria in law are entitled to their
981 proportionate share of categorical program funds included in the
982 total funds available in the Florida Education Finance Program
983 by the Legislature, including transportation, the research-based
984 reading allocation, and the Florida digital classrooms



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985 allocation. Total funding for each charter school shall be
986 recalculated during the year to reflect the revised calculations
987 under the Florida Education Finance Program by the state and the
988 actual weighted full-time equivalent students reported by the
989 charter school during the full-time equivalent student survey
990 periods designated by the Commissioner of Education.

991 (e) District school boards shall make timely and efficient
992 payment and reimbursement to charter schools, including
993 processing paperwork required to access special state and
994 federal funding for which they may be eligible. The district
995 school board may distribute funds to a charter school for up to
996 3 months based on the projected full-time equivalent student
997 membership of the charter school. Thereafter, the results of
998 full-time equivalent student membership surveys shall be used in
999 adjusting the amount of funds distributed monthly to the charter
1000 school for the remainder of the fiscal year. The payment shall
1001 be issued no later than 10 working days after the district
1002 school board receives a distribution of state or federal funds.
1003 If a warrant for payment is not issued within 10 working days
1004 after receipt of funding by the district school board, the
1005 school district shall pay to the charter school, in addition to
1006 the amount of the scheduled disbursement, interest at a rate of
1007 1 percent per month calculated on a daily basis on the unpaid
1008 balance from the expiration of the 10 working days until such
1009 time as the warrant is issued. The district school board may not
1010 delay payment to a charter school of any portion of the funds
1011 provided in paragraph (b) based on the timing of receipt of
1012 local funds by the district school board.

1013 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.-



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1014 (a) The Department of Education shall provide information
1015 to the public, directly and through sponsors, on how to form and
1016 operate a charter school and how to enroll in a charter school
1017 once it is created. This information shall include a standard
1018 ~~model~~ application form, standard charter contract, standard
1019 application evaluation instrument, and standard charter renewal
1020 contract, which shall include the information specified in
1021 subsection (7) and shall be developed by consulting and
1022 negotiating with both school districts and charter schools
1023 before implementation. The charter and charter renewal contracts
1024 shall be used by charter school sponsors.

1025 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.-

1026 (c) An employee of the charter school, or his or her
1027 spouse, or an employee of a management company, cooperative, or
1028 charter management organization, or his or her spouse, may not
1029 be a member of the governing board of the charter school.

1030 (27) CONFLICTS OF INTEREST AND ETHICS.-An individual may
1031 not serve as a member of a governing board of a charter school,
1032 an education management corporation, or charter school
1033 cooperative organization if he or she or an immediate family
1034 member receives a pension or any compensation from the charter
1035 school, or if the individual's partner is an owner or principal
1036 with an entity or independent contractor with whom the charter
1037 school does business or contracts, directly or indirectly, for
1038 professional services, goods, or facilities. An individual may
1039 not serve as a governing board member if an immediate family
1040 member is an employee of the school. Members of the governing
1041 board of a charter school may not be appointed, removed, or
1042 replaced by an entity or component unit of an entity, which the



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1043 charter school has entered into any contract with.

1044 Section 4. Paragraph (e) of subsection (2), paragraph (b)
1045 of subsection (3), and subsection (5) of section 1002.331,
1046 Florida Statutes, are amended to read:

1047 1002.331 High-performing charter schools.—

1048 (2) A high-performing charter school is authorized to:

1049 (e) Receive a modification of its charter to a term of 15
1050 years or a 15-year charter renewal. The charter may be modified
1051 or renewed for a shorter term at the option of the high-
1052 performing charter school. The charter must be consistent with
1053 s. 1002.33(7)(a)20. ~~s. 1002.33(7)(a)19.~~ and (10)(h) and (i), is
1054 subject to annual review by the sponsor, and may be terminated
1055 during its term pursuant to s. 1002.33(8).

1056

1057 A high-performing charter school shall notify its sponsor in
1058 writing by March 1 if it intends to increase enrollment or
1059 expand grade levels the following school year. The written
1060 notice shall specify the amount of the enrollment increase and
1061 the grade levels that will be added, as applicable. If a charter
1062 school notifies the sponsor of its intent to expand, the sponsor
1063 shall modify the charter within 90 days to include the new
1064 enrollment maximum and may not make any other changes. The
1065 sponsor may deny a request to increase the enrollment of a high-
1066 performing charter school if the commissioner has declassified
1067 the charter school as high-performing. If a high-performing
1068 charter school requests to consolidate multiple charters, the
1069 sponsor shall have 40 days after receipt of that request to
1070 provide an initial draft charter to the charter school. The
1071 sponsor and charter school shall have 50 days thereafter to



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1072 negotiate and notice the charter contract for final approval by
1073 the sponsor.

1074 (3)

1075 (b) A high-performing charter school may not establish more
1076 than one charter school within the state under paragraph (a) in
1077 any year. A subsequent application to establish a charter school
1078 under paragraph (a) may not be submitted unless each charter
1079 school established in this manner achieves high-performing
1080 charter school status. The limits set forth in this paragraph do
1081 not apply to charter schools established by a high-performing
1082 charter school in the attendance zone of a school identified as
1083 in need of intervention and support pursuant to s. 1008.33(3)(b)
1084 or to meet needs for innovative choice options identified by the
1085 district school board.

1086

1087 (5) The Commissioner of Education, upon request by a
1088 charter school, shall verify that the charter school meets the
1089 criteria in subsection (1) and provide a letter to the charter
1090 school and the sponsor stating that the charter school is a
1091 high-performing charter school pursuant to this section. The
1092 commissioner shall annually determine whether a high-performing
1093 charter school under subsection (1) continues to meet the
1094 criteria in that subsection. Such high-performing charter school
1095 shall maintain its high-performing status unless the
1096 commissioner determines that the charter school no longer meets
1097 the criteria in subsection (1), at which time the commissioner
1098 shall send a letter to the charter school and its sponsor
1099 providing notification that the charter school has been
1100 declassified of its declassification as a high-performing
1101 charter school.



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1101 Section 5. Present subsection (2) of section 1002.332,
1102 Florida Statutes, is redesignated as subsection (3), and a new
1103 subsection (2) is added to that section, to read:

1104 1002.332 High-performing charter school system.—

1105 (2) An entity that successfully operates a system of
1106 charter schools outside the state may apply to the State Board
1107 of Education for status as a high-performing charter school
1108 system. The state board shall adopt rules prescribing a process
1109 for determining whether the entity meets the requirements of
1110 this subsection by reviewing student demographic and performance
1111 data and fiscal accountability of all schools operated by the
1112 entity. To the extent practicable, the state board shall develop
1113 a rubric for the approval of such entities which aligns with the
1114 priorities of the federal Charter Schools Program Grants for
1115 Replication and Expansion of High-Quality Charter Schools in the
1116 Federal Register, Volume 76, No. 133. An entity classified as a
1117 high-performing charter school system pursuant to this
1118 subsection may submit an application in the same manner as
1119 specified in s. 1002.331(3) to establish and operate a new
1120 charter school in this state. For the first 3 school years of
1121 operation, each charter school established by such an entity
1122 shall receive a reduction in administrative fees as authorized
1123 under s. 1002.33(20)(a)3.

1124 Section 6. Paragraph (c) of subsection (1) of section
1125 1002.451, Florida Statutes, is amended to read:

1126 1002.451 District innovation school of technology program.—

1127 (1) DISTRICT INNOVATION SCHOOL OF TECHNOLOGY.—

1128 (c) An innovation school of technology must be open to any
1129 student covered in an interdistrict agreement or residing in the



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1130 school district in which the innovation school of technology is
1131 located. An innovation school of technology shall enroll an
1132 eligible student who submits a timely application if the number
1133 of applications does not exceed the capacity of a program,
1134 class, grade level, or building. If the number of applications
1135 exceeds capacity, all applicants shall have an equal chance of
1136 being admitted through a public random selection process.
1137 However, a district may give enrollment preference to students
1138 who identify the innovation school of technology as the
1139 student's preferred choice pursuant to the district's public
1140 school parental choice ~~controlled open enrollment~~ plan.

1141 Section 7. Section 1003.3101, Florida Statutes, is created
1142 to read:

1143 1003.3101 Additional school choice options.—Each district
1144 school board shall establish a transfer process for a parent to
1145 request his or her child be transferred to another classroom
1146 teacher. A school must grant or deny the transfer within 2 weeks
1147 after receiving a request. If a request for transfer is denied,
1148 the school shall notify the parent and specify the reasons for a
1149 denial. An explanation of the transfer process must be made
1150 available in the student handbook or a similar publication.

1151 Section 8. Section 1003.5711, Florida Statutes, is created
1152 to read:

1153 1003.5711 Instruction for students receiving hospitalized
1154 program services.—

1155 (1) A public school student in prekindergarten through
1156 grade 12 who is deemed eligible for hospitalized program
1157 services in this state is considered a student with a
1158 disability.



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1159 (a) If the student has an individual education plan (IEP),
1160 the IEP must be followed, but upon request of the student's
1161 parent, the IEP may be modified to accommodate the student's use
1162 of hospitalized program services in a children's hospital
1163 pursuant to this section.

1164 (b) The student's IEP may be modified to reduce the
1165 student's course load to core courses identified in s.
1166 1002.20(19)(a). The student may be excused or exempted from
1167 physical education classes or instruction based on the IEP or
1168 orders from the student's medical doctor. The student's IEP may
1169 allow the student to receive instruction beyond the normal
1170 school hours, school day, or school year of the school district.

1171 (2) A student who is admitted to a children's hospital for
1172 hospitalized program services must continue to receive
1173 educational instruction.

1174 (a) If a student is expected to be absent from school and
1175 admitted to the children's hospital for hospitalized program
1176 services for at least 15 consecutive days, no later than the
1177 fifth day of the student's hospital stay, the school district in
1178 which the student is or was most recently enrolled may choose to
1179 provide a certified teacher to the children's hospital to
1180 provide instruction to the student. If that school district
1181 declines to provide a certified teacher, the school district in
1182 which the children's hospital is located must provide a
1183 certified teacher to provide the student with instruction, or
1184 must partner with the Florida Virtual School for instructional
1185 services as authorized in this section. Such school district
1186 shall also provide the student's instructional materials and
1187 other necessary educational support and services identified in



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1188 the IEP.

1189 (b) A student in prekindergarten through grade 6 shall be
1190 taught in person by the certified teacher. A student in grades 7
1191 through 12 shall be taught in person by the certified teacher,
1192 or the student may choose to utilize instruction from the
1193 Florida Virtual School. If the Florida Virtual School is used by
1194 any student, at least one certified teacher from the Florida
1195 Virtual School must be present at the hospital to assist with
1196 online learning.

1197 (3) If a school district other than the one in which the
1198 student was previously enrolled provides the hospitalized
1199 program services, the Department of Education must transfer the
1200 funds from the school district in which the student was
1201 previously enrolled to the school district in which the
1202 children's hospital providing hospitalized program services is
1203 located. This transfer shall occur no later than each subsequent
1204 quarterly FEEP payment.

1205 (4) The children's hospital providing the hospitalized
1206 program services is responsible for providing adequate
1207 educational space for each student, but is not required to
1208 comply with chapter 1013. The hospital and applicable school
1209 district must enter into an agreement to implement this section.
1210 The agreement may be student-specific or address all students as
1211 necessary.

1212 (5) The intent of this section is to supplement existing
1213 laws, rules, and regulations concerning hospitalized students
1214 that use hospitalized program services at a children's hospital.

1215 Section 9. Section 1004.6491, Florida Statutes, is created
1216 to read:



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1217 1004.6491 Florida Institute for Charter School Innovation.-
1218 (1) There is established the Florida Institute for Charter
1219 School Innovation within the Florida State University. The
1220 purpose of the institute is to advance charter school
1221 accountability, quality, and innovation; provide support and
1222 technical assistance to charter school applicants; connect
1223 aspiring teachers to opportunities to experience teaching in
1224 schools of choice; and conduct research and develop and promote
1225 best practices for charter school authorization, financing,
1226 management, operations, and instructional practices.
1227 (2) The institute shall:
1228 (a) Conduct research to inform both policy and practice
1229 related to charter school accountability, financing, management,
1230 operations, and instructional practices.
1231 (b) Partner with state-approved teacher preparation
1232 programs in this state to provide opportunities for aspiring
1233 teachers to experience teaching in schools of choice.
1234 (c) Provide technical assistance and support to charter
1235 school applicants with innovative charter school concepts.
1236 (3) The President of the Florida State University shall
1237 appoint a director of the institute. The director is responsible
1238 for overall management of the institute and for developing and
1239 executing the work of the institute consistent with this
1240 section. The director may engage individuals in other state
1241 universities with accredited colleges of education to
1242 participate in the institute.
1243 (4) By each October 1, the institute shall provide a
1244 written report to the Governor, the President of the Senate, and
1245 the Speaker of the House of Representatives which outlines its



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1246 activities in the preceding year, reports significant research
1247 findings, details expenditures of state funds, and provides
1248 specific recommendations for improving the institute's ability
1249 to fulfil its mission and for changes to statewide charter
1250 school policy.
1251 (5) Within 180 days after completion of the institute's
1252 fiscal year, the institute shall provide to the Auditor General,
1253 the Board of Governors of the State University System, and the
1254 State Board of Education a report on the results of an annual
1255 financial audit conducted by an independent certified public
1256 accountant in accordance with s. 11.45.
1257 Section 10. Paragraphs (c), (d), and (e) of subsection (3)
1258 of section 1006.15, Florida Statutes, are amended to read:
1259 1006.15 Student standards for participation in
1260 interscholastic and intrascholastic extracurricular student
1261 activities; regulation.-
1262 (3)
1263 (c) An individual home education student is eligible to
1264 participate at the public school to which the student would be
1265 assigned according to district school board attendance area
1266 policies or which the student could choose to attend pursuant to
1267 ~~public school parental choice district or interdistrict~~
1268 ~~controlled open enrollment~~ provisions, or may develop an
1269 agreement to participate at a private school, in the
1270 interscholastic extracurricular activities of that school,
1271 provided the following conditions are met:
1272 1. The home education student must meet the requirements of
1273 the home education program pursuant to s. 1002.41.
1274 2. During the period of participation at a school, the home



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1275 education student must demonstrate educational progress as
1276 required in paragraph (b) in all subjects taken in the home
1277 education program by a method of evaluation agreed upon by the
1278 parent and the school principal which may include: review of the
1279 student's work by a certified teacher chosen by the parent;
1280 grades earned through correspondence; grades earned in courses
1281 taken at a Florida College System institution, university, or
1282 trade school; standardized test scores above the 35th
1283 percentile; or any other method designated in s. 1002.41.

1284 3. The home education student must meet the same residency
1285 requirements as other students in the school at which he or she
1286 participates.

1287 4. The home education student must meet the same standards
1288 of acceptance, behavior, and performance as required of other
1289 students in extracurricular activities.

1290 5. The student must register with the school his or her
1291 intent to participate in interscholastic extracurricular
1292 activities as a representative of the school before the
1293 beginning date of the season for the activity in which he or she
1294 wishes to participate. A home education student must be able to
1295 participate in curricular activities if that is a requirement
1296 for an extracurricular activity.

1297 6. A student who transfers from a home education program to
1298 a public school before or during the first grading period of the
1299 school year is academically eligible to participate in
1300 interscholastic extracurricular activities during the first
1301 grading period provided the student has a successful evaluation
1302 from the previous school year, pursuant to subparagraph 2.

1303 7. Any public school or private school student who has been



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1304 unable to maintain academic eligibility for participation in
1305 interscholastic extracurricular activities is ineligible to
1306 participate in such activities as a home education student until
1307 the student has successfully completed one grading period in
1308 home education pursuant to subparagraph 2. to become eligible to
1309 participate as a home education student.

1310 (d) An individual charter school student pursuant to s.
1311 1002.33 is eligible to participate at the public school to which
1312 the student would be assigned according to district school board
1313 attendance area policies or which the student could choose to
1314 attend, pursuant to district or interdistrict public school
1315 parental choice ~~controlled open-enrollment~~ provisions, in any
1316 interscholastic extracurricular activity of that school, unless
1317 such activity is provided by the student's charter school, if
1318 the following conditions are met:

1319 1. The charter school student must meet the requirements of
1320 the charter school education program as determined by the
1321 charter school governing board.

1322 2. During the period of participation at a school, the
1323 charter school student must demonstrate educational progress as
1324 required in paragraph (b).

1325 3. The charter school student must meet the same residency
1326 requirements as other students in the school at which he or she
1327 participates.

1328 4. The charter school student must meet the same standards
1329 of acceptance, behavior, and performance that are required of
1330 other students in extracurricular activities.

1331 5. The charter school student must register with the school
1332 his or her intent to participate in interscholastic



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1333 extracurricular activities as a representative of the school
1334 before the beginning date of the season for the activity in
1335 which he or she wishes to participate. A charter school student
1336 must be able to participate in curricular activities if that is
1337 a requirement for an extracurricular activity.

1338 6. A student who transfers from a charter school program to
1339 a traditional public school before or during the first grading
1340 period of the school year is academically eligible to
1341 participate in interscholastic extracurricular activities during
1342 the first grading period if the student has a successful
1343 evaluation from the previous school year, pursuant to
1344 subparagraph 2.

1345 7. Any public school or private school student who has been
1346 unable to maintain academic eligibility for participation in
1347 interscholastic extracurricular activities is ineligible to
1348 participate in such activities as a charter school student until
1349 the student has successfully completed one grading period in a
1350 charter school pursuant to subparagraph 2. to become eligible to
1351 participate as a charter school student.

1352 (e) A student of the Florida Virtual School full-time
1353 program may participate in any interscholastic extracurricular
1354 activity at the public school to which the student would be
1355 assigned according to district school board attendance area
1356 policies or which the student could choose to attend, pursuant
1357 to district or interdistrict public school parental choice
1358 ~~controlled open enrollment~~ policies, if the student:

1359 1. During the period of participation in the
1360 interscholastic extracurricular activity, meets the requirements
1361 in paragraph (a).



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1362 2. Meets any additional requirements as determined by the
1363 board of trustees of the Florida Virtual School.

1364 3. Meets the same residency requirements as other students
1365 in the school at which he or she participates.

1366 4. Meets the same standards of acceptance, behavior, and
1367 performance that are required of other students in
1368 extracurricular activities.

1369 5. Registers his or her intent to participate in
1370 interscholastic extracurricular activities with the school
1371 before the beginning date of the season for the activity in
1372 which he or she wishes to participate. A Florida Virtual School
1373 student must be able to participate in curricular activities if
1374 that is a requirement for an extracurricular activity.

1375 Section 11. Subsection (1) of section 1011.61, Florida
1376 Statutes, is amended to read:

1377 1011.61 Definitions.—Notwithstanding the provisions of s.
1378 1000.21, the following terms are defined as follows for the
1379 purposes of the Florida Education Finance Program:

1380 (1) A “full-time equivalent student” in each program of the
1381 district is defined in terms of full-time students and part-time
1382 students as follows:

1383 (a) A “full-time student” is one student on the membership
1384 roll of one school program or a combination of school programs
1385 listed in s. 1011.62(1)(c) for the school year or the equivalent
1386 for:

1387 1. Instruction in a standard school, comprising not less
1388 than 900 net hours for a student in or at the grade level of 4
1389 through 12, or not less than 720 net hours for a student in or
1390 at the grade level of kindergarten through grade 3 or in an



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1391 authorized prekindergarten exceptional program;

1392 2. Instruction in an alternative charter school that is
1393 operating with two or more instructional sessions per day,
1394 comprising not less than the equivalent of 810 net hours per
1395 session and using instructional calendars that may extend beyond
1396 180 days, as authorized in the charter contract that is approved
1397 by the district school board;

1398 3. Instruction in a ~~double-session school~~ or a school
1399 utilizing an experimental school calendar approved by the
1400 Department of Education, comprising not less than the equivalent
1401 of 810 net hours in grades 4 through 12 or not less than 630 net
1402 hours in kindergarten through grade 3; or

1403 ~~4.3-~~ Instruction comprising the appropriate number of net
1404 hours set forth in subparagraph 1. or subparagraph 2. for
1405 students who, within the past year, have moved with their
1406 parents for the purpose of engaging in the farm labor or fish
1407 industries, if a plan furnishing such an extended school day or
1408 week, or a combination thereof, has been approved by the
1409 commissioner. Such plan may be approved to accommodate the needs
1410 of migrant students only or may serve all students in schools
1411 having a high percentage of migrant students. The plan described
1412 in this subparagraph is optional for any school district and is
1413 not mandated by the state.

1414 (b) A "part-time student" is a student on the active
1415 membership roll of a school program or combination of school
1416 programs listed in s. 1011.62(1)(c) who is less than a full-time
1417 student.

1418 (c)1. A "full-time equivalent student" is:

1419 a. A full-time student in any one of the programs listed in



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1420 s. 1011.62(1)(c); or

1421 b. A combination of full-time or part-time students in any
1422 one of the programs listed in s. 1011.62(1)(c) which is the
1423 equivalent of one full-time student based on the following
1424 calculations:

1425 (I) A full-time student in a combination of programs listed
1426 in s. 1011.62(1)(c) shall be a fraction of a full-time
1427 equivalent membership in each special program equal to the
1428 number of net hours per school year for which he or she is a
1429 member, divided by the appropriate number of hours set forth in
1430 subparagraph (a)1. or subparagraph (a)2. The difference between
1431 that fraction or sum of fractions and the maximum value as set
1432 forth in subsection (4) for each full-time student is presumed
1433 to be the balance of the student's time not spent in a special
1434 program and shall be recorded as time in the appropriate basic
1435 program.

1436 (II) A prekindergarten student with a disability shall meet
1437 the requirements specified for kindergarten students.

1438 (III) A full-time equivalent student for students in
1439 kindergarten through grade 12 in a full-time virtual instruction
1440 program under s. 1002.45 or a virtual charter school under s.
1441 1002.33 shall consist of six full-credit completions or the
1442 prescribed level of content that counts toward promotion to the
1443 next grade in programs listed in s. 1011.62(1)(c). Credit
1444 completions may be a combination of full-credit courses or half-
1445 credit courses. Beginning in the 2016-2017 fiscal year, the
1446 reported full-time equivalent students and associated funding of
1447 students enrolled in courses requiring passage of an end-of-
1448 course assessment under s. 1003.4282 to earn a standard high



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1449 school diploma shall be adjusted if the student does not pass
1450 the end-of-course assessment. However, no adjustment shall be
1451 made for a student who enrolls in a segmented remedial course
1452 delivered online.

1453 (IV) A full-time equivalent student for students in
1454 kindergarten through grade 12 in a part-time virtual instruction
1455 program under s. 1002.45 shall consist of six full-credit
1456 completions in programs listed in s. 1011.62(1)(c)1. and 3.
1457 Credit completions may be a combination of full-credit courses
1458 or half-credit courses. Beginning in the 2016-2017 fiscal year,
1459 the reported full-time equivalent students and associated
1460 funding of students enrolled in courses requiring passage of an
1461 end-of-course assessment under s. 1003.4282 to earn a standard
1462 high school diploma shall be adjusted if the student does not
1463 pass the end-of-course assessment. However, no adjustment shall
1464 be made for a student who enrolls in a segmented remedial course
1465 delivered online.

1466 (V) A Florida Virtual School full-time equivalent student
1467 shall consist of six full-credit completions or the prescribed
1468 level of content that counts toward promotion to the next grade
1469 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1470 participating in kindergarten through grade 12 part-time virtual
1471 instruction and the programs listed in s. 1011.62(1)(c) for
1472 students participating in kindergarten through grade 12 full-
1473 time virtual instruction. Credit completions may be a
1474 combination of full-credit courses or half-credit courses.
1475 Beginning in the 2016-2017 fiscal year, the reported full-time
1476 equivalent students and associated funding of students enrolled
1477 in courses requiring passage of an end-of-course assessment



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1478 under s. 1003.4282 to earn a standard high school diploma shall
1479 be adjusted if the student does not pass the end-of-course
1480 assessment. However, no adjustment shall be made for a student
1481 who enrolls in a segmented remedial course delivered online.

1482 (VI) Each successfully completed full-credit course earned
1483 through an online course delivered by a district other than the
1484 one in which the student resides shall be calculated as 1/6 FTE.

1485 (VII) A full-time equivalent student for courses requiring
1486 passage of a statewide, standardized end-of-course assessment
1487 under s. 1003.4282 to earn a standard high school diploma shall
1488 be defined and reported based on the number of instructional
1489 hours as provided in this subsection until the 2016-2017 fiscal
1490 year. Beginning in the 2016-2017 fiscal year, the FTE for the
1491 course shall be assessment-based and shall be equal to 1/6 FTE.
1492 The reported FTE shall be adjusted if the student does not pass
1493 the end-of-course assessment. However, no adjustment shall be
1494 made for a student who enrolls in a segmented remedial course
1495 delivered online.

1496 (VIII) For students enrolled in a school district as a
1497 full-time student, the district may report 1/6 FTE for each
1498 student who passes a statewide, standardized end-of-course
1499 assessment without being enrolled in the corresponding course.

1500 2. A student in membership in a program scheduled for more
1501 or less than 180 school days or the equivalent on an hourly
1502 basis as specified by rules of the State Board of Education is a
1503 fraction of a full-time equivalent membership equal to the
1504 number of instructional hours in membership divided by the
1505 appropriate number of hours set forth in subparagraph (a)1.;
1506 however, for the purposes of this subparagraph, membership in



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1507 programs scheduled for more than 180 days is limited to students
1508 enrolled in:

- 1509 a. Juvenile justice education programs.
- 1510 b. The Florida Virtual School.
- 1511 c. Virtual instruction programs and virtual charter schools
1512 for the purpose of course completion and credit recovery
1513 pursuant to ss. 1002.45 and 1003.498. Course completion applies
1514 only to a student who is reported during the second or third
1515 membership surveys and who does not complete a virtual education
1516 course by the end of the regular school year. The course must be
1517 completed no later than the deadline for amending the final
1518 student enrollment survey for that year. Credit recovery applies
1519 only to a student who has unsuccessfully completed a traditional
1520 or virtual education course during the regular school year and
1521 must re-take the course in order to be eligible to graduate with
1522 the student's class.

1523
1524 The full-time equivalent student enrollment calculated under
1525 this subsection is subject to the requirements in subsection
1526 (4).

1527
1528 The department shall determine and implement an equitable method
1529 of equivalent funding for experimental schools and for schools
1530 operating under emergency conditions, which schools have been
1531 approved by the department to operate for less than the minimum
1532 school day.

1533 Section 12. Section 1011.6202, Florida Statutes, is created
1534 to read:

1535 1011.6202 Charter School District Pilot Program.—The



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1536 Charter School District Pilot Program is created within the
1537 Department of Education. The purpose of the pilot program is to
1538 provide the principal of a participating school with increased
1539 autonomy and authority to operate his or her school in a way
1540 that produces significant improvements in student achievement
1541 and school management while complying with constitutional
1542 requirements. The State Board of Education may, upon approval of
1543 a charter proposal, enter into a performance contract with up to
1544 six district school boards to establish such districts as
1545 charter school districts.

1546 (1) CHARTER SCHOOL DISTRICT.—A charter school district is a
1547 school district in the state that has submitted, and the state
1548 board has approved, a charter proposal that exchanges statutory
1549 and rule exemption for an agreement to meet performance goals
1550 established in the charter proposal. A charter school district
1551 shall be chartered for 3 years. At the end of the 3 years, the
1552 performance of all participating schools in the charter school
1553 district shall be evaluated.

1554 (2) CHARTER PROPOSAL.—

1555 (a) The proposal to become a charter school district must:

1556 1. Identify three middle or high schools whose principals
1557 will have fiscal and administrative autonomy.

1558 2. Describe the current financial and administrative
1559 management of each participating school; identify the areas in
1560 which each school principal will have increased fiscal and
1561 administrative autonomy, including the authority and
1562 responsibilities provided in s. 1012.28(8); and identify the
1563 areas in which each participating school will continue to follow
1564 district school board fiscal and administrative policies.



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1565 3. Explain the methods used to identify the educational
1566 strengths and needs of the participating school's students and
1567 identify how student achievement can be improved.

1568 4. Establish performance goals for student achievement, as
1569 defined in s. 1008.34(1), and explain how increased principal
1570 autonomy will help participating schools improve student
1571 achievement and school management.

1572 5. Provide each participating school's mission and a
1573 description of its student population.

1574 (b) The state board shall establish criteria, which must
1575 include the criteria listed in paragraph (a), for the approval
1576 of a school district charter proposal.

1577 (c) A school district must submit the charter proposal to
1578 the state board for approval by December 1 in order to begin
1579 participation in the subsequent school year. By February 28 of
1580 the school year in which the proposal is submitted, the state
1581 board shall notify the district school board in writing whether
1582 the charter proposal has been approved.

1583 (3) EXEMPTION FROM LAWS.—

1584 (a) With the exception of those laws listed in paragraph
1585 (b), a charter school district is exempt from the provisions in
1586 chapters 1000-1013, including s. 1001.42(4)(f), relating to the
1587 opening date for schools, and rules of the state board that
1588 implement these exempt provisions.

1589 (b) A charter school district shall comply with the
1590 provisions in chapters 1000-1013, and rules of the state board
1591 that implement these provisions, pertaining to the following:

1592 1. Those laws relating to the election of district school
1593 board members, public meetings and public records requirements,



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1594 financial disclosure, and conflicts of interest.

1595 2. Those laws relating to the student assessment program
1596 and school grading system, including chapter 1008.

1597 3. Those laws relating to the provision of services to
1598 students with disabilities.

1599 4. Those laws relating to civil rights, including s.
1600 1000.05, relating to discrimination.

1601 5. Those laws relating to student health, safety, and
1602 welfare.

1603 6. Those laws relating to the election and compensation of
1604 district school board members and the election or appointment
1605 and compensation of district school superintendents.

1606 7. Section 1003.03, governing maximum class size, except
1607 that the calculation for compliance pursuant to s. 1003.03 is
1608 the average at the school level.

1609 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
1610 compensation and salary schedules.

1611 9. Section 1012.33(5), relating to workforce reductions for
1612 annual contracts for instructional personnel. This subparagraph
1613 does not apply to at-will employees.

1614 10. Section 1012.335, relating to annual contracts for
1615 instructional personnel hired on or after July 1, 2011. This
1616 subparagraph does not apply to at-will employees.

1617 11. Section 1012.34, relating to personnel evaluation
1618 procedures and criteria.

1619 12. Those laws pertaining to educational facilities,
1620 including chapter 1013, except that s. 1013.20, relating to
1621 covered walkways for relocatables, and s. 1013.21, relating to
1622 the use of relocatable facilities exceeding 20 years of age, are



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1623 eligible for exemption.

1624 13. Those laws pertaining to charter school districts,
1625 including this section.

1626 (4) PROFESSIONAL DEVELOPMENT.—Each charter school district
1627 shall require the principal of each participating school to
1628 complete the professional development provided through the
1629 William Cecil Golden Professional Development Program for School
1630 Leaders under s. 1012.986. The professional development must be
1631 completed before a school may participate in the Charter School
1632 District Pilot Program.

1633 (5) TERM OF CHARTER.—The state board shall authorize a
1634 charter school district's charter for a period of 3 years
1635 commencing with award of the charter. The charter may be renewed
1636 upon action of the state board. The state board may revoke a
1637 charter if the charter school district fails to meet the
1638 requirements of this section during the 3-year period.

1639 (6) REPORTING.—Each charter school district shall submit an
1640 annual report to the state board. The state board shall annually
1641 report on the implementation of the Charter School District
1642 Pilot Program. Upon completion of the program's first 3-year
1643 term, the Commissioner of Education shall submit to the
1644 President of the Senate and the Speaker of the House of
1645 Representatives by December 1 a full evaluation of the
1646 effectiveness of the program.

1647 (7) RULEMAKING.—The State Board of Education shall adopt
1648 rules to administer this section.

1649 Section 13. Subsection (2) of section 1011.69, Florida
1650 Statutes, is amended to read:

1651 1011.69 Equity in School-Level Funding Act.—



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1652 (2) Beginning in the 2003-2004 fiscal year, district school
1653 boards shall allocate to schools within the district an average
1654 of 90 percent of the funds generated by all schools and
1655 guarantee that each school receives at least 80 percent, except
1656 schools participating in the Charter School District Pilot
1657 Program under s. 1011.6202 are guaranteed to receive at least 90
1658 percent, of the funds generated by that school based upon the
1659 Florida Education Finance Program as provided in s. 1011.62 and
1660 the General Appropriations Act, including gross state and local
1661 funds, discretionary lottery funds, and funds from the school
1662 district's current operating discretionary millage levy. Total
1663 funding for each school shall be recalculated during the year to
1664 reflect the revised calculations under the Florida Education
1665 Finance Program by the state and the actual weighted full-time
1666 equivalent students reported by the school during the full-time
1667 equivalent student survey periods designated by the Commissioner
1668 of Education. If the district school board is providing programs
1669 or services to students funded by federal funds, any eligible
1670 students enrolled in the schools in the district shall be
1671 provided federal funds.

1672 Section 14. Subsection (8) is added to section 1012.28,
1673 Florida Statutes, to read:

1674 1012.28 Public school personnel; duties of school
1675 principals.—

1676 (8) The principal of a participating school in a charter
1677 school district approved under s. 1011.6202 has the following
1678 additional authority and responsibilities:

1679 (a) In addition to the authority provided in subsection
1680 (6), the authority to select qualified instructional personnel



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1681 for placement or to refuse to accept the placement or transfer
1682 of instructional personnel by the district school
1683 superintendent. Placement of instructional personnel at a
1684 participating school in a charter school district does not
1685 affect the employee's status as a school district employee.

1686 (b) The authority to deploy financial resources to school
1687 programs at the principal's discretion to help improve student
1688 achievement, as defined in s. 1008.34(1), and meet performance
1689 goals identified in the charter proposal submitted pursuant to
1690 s. 1011.6202.

1691 (c) To annually provide to the district school
1692 superintendent and the district school board a budget for the
1693 operation of the participating school that identifies how funds
1694 provided pursuant to s. 1011.69(2) are allocated. The school
1695 district shall include the budget in the annual report provided
1696 to the State Board of Education pursuant to s. 1011.6202(6).

1697 Section 15. Subsection (2) of section 1012.42, Florida
1698 Statutes, is amended to read:

1699 1012.42 Teacher teaching out-of-field.—

1700 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a district
1701 school system is assigned teaching duties in a class dealing
1702 with subject matter that is outside the field in which the
1703 teacher is certified, outside the field that was the applicant's
1704 minor field of study, or outside the field in which the
1705 applicant has demonstrated sufficient subject area expertise, as
1706 determined by district school board policy in the subject area
1707 to be taught, the parents of all students in the class shall be
1708 notified in writing of such assignment. A parent that receives
1709 this notification may, after the October student membership



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1710 survey, request that his or her child be transferred to another
1711 classroom teacher within the school and grade in which the child
1712 is currently enrolled. A school must grant or deny the transfer
1713 within 2 weeks after receiving a request. If a request for
1714 transfer is denied, the school shall notify the parent and
1715 specify the reasons for a denial. An explanation of the transfer
1716 process must be made available in the student handbook or a
1717 similar publication. This does not provide a parent the right to
1718 choose a specific teacher.

1719 Section 16. Paragraph (e) is added to subsection (1) of
1720 section 1012.986, Florida Statutes, to read:

1721 1012.986 William Cecil Golden Professional Development
1722 Program for School Leaders.—

1723 (1) There is established the William Cecil Golden
1724 Professional Development Program for School Leaders to provide
1725 high standards and sustained support for principals as
1726 instructional leaders. The program shall consist of a
1727 collaborative network of state and national professional
1728 leadership organizations to respond to instructional leadership
1729 needs throughout the state. The network shall support the human-
1730 resource development needs of principals, principal leadership
1731 teams, and candidates for principal leadership positions using
1732 the framework of leadership standards adopted by the State Board
1733 of Education, the Southern Regional Education Board, and the
1734 National Staff Development Council. The goal of the network
1735 leadership program is to:

1736 (e) For principals of schools participating in the Charter
1737 School District Pilot Program under s. 1011.6202, provide
1738 training on the following:



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1739 1. Managing instructional personnel, including developing a
1740 high-performing instructional leadership team.

1741 2. Public school budgeting, financial management, and human
1742 resources policies and procedures.

1743 3. Best practices for the effective exercise of increased
1744 budgetary and staffing flexibility to improve student
1745 achievement and operational efficiency.

1746 Section 17. Paragraph (a) of subsection (1) of section
1747 1013.62, Florida Statutes, is amended to read:

1748 1013.62 Charter schools capital outlay funding.—

1749 (1) In each year in which funds are appropriated for
1750 charter school capital outlay purposes, the Commissioner of
1751 Education shall allocate the funds among eligible charter
1752 schools.

1753 (a) To be eligible for a funding allocation, a charter
1754 school must:

1755 1.a. Have been in operation for 3 or more years;

1756 b. Be governed by a governing board established in the
1757 state for 3 or more years which operates both charter schools
1758 and conversion charter schools within the state;

1759 c. Be an expanded feeder chain of a charter school within
1760 the same school district that is currently receiving charter
1761 school capital outlay funds;

1762 d. Have been accredited by the Commission on Schools of the
1763 Southern Association of Colleges and Schools; or

1764 e. Serve students in facilities that are provided by a
1765 business partner for a charter school-in-the-workplace pursuant
1766 to s. 1002.33(15) (b).

1767 2. Have an annual audit that does not reveal any of the



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1768 financial emergency conditions provided in s. 218.503(1) for the
1769 most recent fiscal year for which such audit results are
1770 available ~~stability for future operation as a charter school.~~

1771 3. Have satisfactory student achievement based on state
1772 accountability standards applicable to the charter school.

1773 4. Have received final approval from its sponsor pursuant
1774 to s. 1002.33 for operation during that fiscal year.

1775 5. Serve students in facilities that are not provided by
1776 the charter school's sponsor.

1777 Section 18. Notwithstanding any other provision of law,
1778 student reporting requirements related to withdrawals,
1779 suspensions, expulsions, and other related instances where
1780 students are no longer enrolled in a school, must be the same
1781 for public schools, including charter schools. Thus, charter
1782 school reporting requirements for these instances apply to all
1783 public schools, and public school reporting requirements apply
1784 to all charter schools.

1785 Section 19. This act shall take effect July 1, 2015.

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 Pre-K - 12

BILL: SB 1552

INTRODUCER: Senator Benacquisto

SUBJECT: Parent and Student Rights

DATE: March 17, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hand	Klebacha	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 1552 expands educational choice options and notification requirements to support parents in making informed decisions about which may help their child succeed in school.

The bill takes effect July 1, 2015.

II. Present Situation:

There is a range of information and school choice options available to parents, from academic progress information, multiple school choice options, and notifications about and limits to certain types of teachers that may be assigned a student.

Educational Transparency

Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed about ways that the parents can help their child to succeed in school.¹

For purposes of exceptional student education (ESE), district school boards must provide parents, at the initial individual education plan (IEP) team meeting, the amount of state appropriations that the school district receives for each of the five ESE support levels for a full-time student.²

¹ Section 1002.20, F.S.

² Section 1003.57(1)(j), F.S.

Public School Educational Choice Options

Parents of public school students may seek school choice options such as controlled open enrollment, lab schools, virtual instruction programs, charter schools, charter technical career centers, magnet schools, alternative schools, special programs, auditory-oral education programs, advanced placement, dual enrollment, International Baccalaureate, Advanced International Certificate of Education, credit by examination or demonstration of competency, the School for Deaf and the Blind, the Florida Virtual School, and the public school options for the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.³

Controlled Open Enrollment

Controlled open enrollment is a public education delivery system that gives school districts the option of making student school assignments using a parent's indicated preferential public school choice as a significant factor.⁴

Each district school board offering the controlled open enrollment must to adopt by rule a controlled open enrollment plan (plan) and post the plan on the district's website.⁵ The plan must:⁶

- Adhere to federal desegregation requirements.
- Include an application process required to participate in controlled open enrollment that allows parents to declare school preferences, including placement of siblings within the same school.
- Provide a lottery procedure to determine student assignment and establish an appeals process for hardship cases.
- Afford parents of students in multiple session schools preferred access to controlled open enrollment.
- Maintain socioeconomic, demographic, and racial balance.
- Address the availability of transportation.

Notification and Ability to Change Teachers

Each district school board must adopt and implement a plan to assist teachers who teach out-of-field and prioritize professional development activities for such teachers.⁷ If a teacher is assigned a class that is outside the field in which the teacher is certified or has demonstrated sufficient subject matter expertise, parents of all students in that class must be notified, in writing, of such assignment.⁸

Public school students are prohibited from being taught by a classroom teacher who received a performance evaluation rating of "needs improvement" or "unsatisfactory" if the student was

³ Section 1002.20(6), F.S.

⁴ Section 1002.31(1), F.S.; Implementation of the plan by a district school board is optional. Section 1002.31(2), F.S.

⁵ Section 1002.31(3), F.S.

⁶ Section 1002.31(3), F.S.

⁷ Section 1012.42(1), F.S. The district school board must require the teacher to participate in a certification or staff development program that is designed to provide the teacher with the necessary competencies to perform assigned duties. *Id.*

⁸ Section 1012.42(2), F.S.

taught by a classroom teacher that received a performance rating of “needs improvement” or “unsatisfactory” in the previous school year.⁹

III. Effect of Proposed Changes:

SB 1552 provides fiscal transparency and expands educational choice options at the district, state, and school level for parents to make informed decisions about their child’s education.

Educational Transparency

The bill requires a school district to notify parents of the estimated amount of funding¹⁰ allocated to a student similar to their child, based upon grade level and level of support. This notification may be included in the student handbook or similar publication.

Public School Educational Choice Options

The bill eliminates controlled open enrollment as the mechanism for making student school assignments, and instead allows parents to choose to send their children to any school in the district or state. Specifically, the bill:

- Requires each district school board to establish a public school parental choice policy and post on its website a public school parental choice plan that authorizes a parent to choose to enroll his or her child in any school in the district, including charter schools, subject to capacity. Students are assigned on a first-come, first-served basis based upon the date and time complete applications are received by the school district. The parent is responsible for providing transportation.
- Allows a parent to choose to enroll his or her child in any public school in the state that has not reached capacity. The parent is responsible for providing transportation. The school district must report the student for purposes of the district’s funding pursuant to the Florida Education Finance Program.
- Defines capacity to mean a school in which the capital outlay full-time equivalent (FTE) enrollment exceeds 95 percent of the space and occupant design capacity of its nonrelocatable facilities. If a school’s initial design incorporated relocatable or modular instructional space, the term “capacity” must mean a school in which the capital outlay FTE enrollment exceeds 95 percent of the space and occupant design capacity of its core facilities.

Notification and Ability to Change Teachers

The bill creates two types of mechanisms for a parent to request transfer of his or her child to a different teacher:

- Each district school board to establish a transfer process for a parent to request his or her child to be transferred to another classroom teacher. The transfer process must be published

⁹ Section 1012.2315(6), F.S. For elementary school students, this probation applies to any subject, while the prohibition for middle school and high school students are limited to teachers who receive the performance evaluations in the same subject area. *Id.* A parent may provide written consent to exempt extracurricular courses from this prohibition. *Id.*

¹⁰ The funding amount is the average amount of money estimated to be expended from all sources, state, local, and federal, including operating and capital outlay expenses.

in the student handbook or similar publication. A school must grant or deny the transfer within 2 weeks after receiving a request for such transfer. If a request is denied, the school must notify the parent of the denial and provide reasons for the denial.

- A parent to request a transfer of his or her child to another classroom teacher within the school and grade upon receipt of written notification that the child's assigned teacher is an out-of-field teacher. The bill requires school districts to grant parents' requests for such transfers within 2 weeks; however, parents do not have the right to choose a specific teacher.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.20, 1002.31, 1002.33, 1002.451, 1006.15, and 1012.42.

This bill creates section 1003.3101 of the Florida Statutes.

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

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

None.

B. Amendments:

None.

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

By Senator Benacquisto

30-00726B-15

20151552__

1 A bill to be entitled
 2 An act relating to parent and student rights; amending
 3 s. 1002.20, F.S.; providing the right of a parent to
 4 know the average amount of money expended for the
 5 education of his or her child; requiring the
 6 Department of Education to provide each school
 7 district with such information and requiring the
 8 school districts to provide notification to parents;
 9 authorizing the information to be published in the
 10 student handbook or a similar publication; conforming
 11 a provision to changes made by the act; amending s.
 12 1002.31, F.S.; deleting the definition of and
 13 provisions relating to controlled open enrollment;
 14 requiring each school district to instead establish a
 15 public school parental choice policy that allows
 16 students to attend any public school that has not
 17 reached capacity in their district; requiring
 18 assignments to be made on a first-come, first-served
 19 basis; defining the term "capacity" for the purposes
 20 of a district school board public school parental
 21 choice plan; authorizing a parent to enroll his or her
 22 child in any public school that has not reached
 23 capacity in the state; amending s. 1002.33, F.S.;
 24 requiring a charter school with space available to be
 25 open to any student in the state; amending s.
 26 1002.451, F.S.; conforming a provision to changes made
 27 by the act; creating s. 1003.3101, F.S.; requiring
 28 each school district board to establish a classroom
 29 teacher transfer process for parents, approve or deny

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

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30 a request within a certain timeframe, and post an
 31 explanation of the transfer process in the student
 32 handbook; amending s. 1006.15, F.S.; conforming
 33 provisions to changes made by the act; amending s.
 34 1012.42, F.S.; authorizing a parent who receives
 35 notification that a teacher is teaching outside his or
 36 her field to request that his or her child be
 37 transferred to another classroom teacher within the
 38 school and grade in which the child is currently
 39 enrolled; providing an effective date.

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

42
 43 Section 1. Paragraph (a) of subsection (6) and paragraph
 44 (a) of subsection (13) of section 1002.20, Florida Statutes, are
 45 amended, and subsection (25) is added to that section, to read:
 46 1002.20 K-12 student and parent rights.—Parents of public
 47 school students must receive accurate and timely information
 48 regarding their child's academic progress and must be informed
 49 of ways they can help their child to succeed in school. K-12
 50 students and their parents are afforded numerous statutory
 51 rights including, but not limited to, the following:
 52 (6) EDUCATIONAL CHOICE.—
 53 (a) *Public school choices*.—Parents of public school
 54 students may seek whatever public school choice options that are
 55 applicable and available to students in their school districts.
 56 These options may include public school parental choice
 57 ~~controlled open enrollment~~, single-gender programs, lab schools,
 58 virtual instruction programs, charter schools, charter technical

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59 career centers, magnet schools, alternative schools, special
60 programs, auditory-oral education programs, advanced placement,
61 dual enrollment, International Baccalaureate, International
62 General Certificate of Secondary Education (pre-AICE), Advanced
63 International Certificate of Education, early admissions, credit
64 by examination or demonstration of competency, the New World
65 School of the Arts, the Florida School for the Deaf and the
66 Blind, and the Florida Virtual School. These options may also
67 include the public school choice options of the Opportunity
68 Scholarship Program and the McKay Scholarships for Students with
69 Disabilities Program.

70 (13) STUDENT RECORDS.—

71 (a) *Parent rights.*—Parents have rights regarding the
72 student records of their children, including the right of
73 access, the right of waiver of access, the right to challenge
74 and hearing, and the right of privacy, in accordance with ~~the~~
75 ~~provisions of s. 1002.22.~~

76 (25) FISCAL TRANSPARENCY.—A parent has the right to know
77 the average amount of money estimated to be expended from all
78 sources, state, local, and federal, for the education of his or
79 her child, including operating and capital outlay expenses. The
80 department shall annually provide each district the estimated
81 amount of funding allocated for a student in the district by
82 grade level and level of support. Each district must notify
83 parents of the estimated amount of funding allocated for a
84 student similar to their child, based upon grade level and level
85 of support. The fiscal transparency notification may be included
86 in the student handbook or a similar publication.

87 Section 2. Section 1002.31, Florida Statutes, is amended to

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88 read:

89 1002.31 ~~Controlled open enrollment~~, Public school parental
90 choice.—

91 ~~(1) As used in this section, "controlled open enrollment"~~
92 ~~means a public education delivery system that allows school~~
93 ~~districts to make student school assignments using parents'~~
94 ~~indicated preferential school choice as a significant factor.~~

95 (1)(2) Each district school board shall establish a public
96 school parental choice policy that authorizes a parent to choose
97 to enroll his or her child in and transport his or her child to
98 any public school that has not reached capacity, including
99 charter schools, in the district. This policy may offer
100 ~~controlled open enrollment within the public schools which is in~~
101 addition to the existing choice programs, such as virtual
102 instruction programs, magnet schools, alternative schools,
103 special programs, advanced placement, and dual enrollment.

104 (2)(3) Each district school board offering controlled open
105 enrollment shall adopt by rule and post on its website a public
106 school parental choice ~~controlled open enrollment~~ plan which
107 must:

108 (a) Adhere to federal desegregation requirements.

109 (b) Include an application process required to participate
110 in public school parental choice ~~controlled open enrollment~~ that
111 allows parents to declare school preferences, including
112 placement of siblings within the same school.

113 (c) Assign students on a first-come, first-served basis
114 based upon the date and time complete applications are received
115 by the school district ~~Provide a lottery procedure to determine~~
116 ~~student assignment and establish an appeals process for hardship~~

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117 eases.

118 (d) Afford parents of students in multiple session schools
119 preferred access to ~~controlled open enrollment~~.

120 (e) Maintain socioeconomic, demographic, and racial
121 balance.

122 (f) Address the availability of transportation.

123 (g) Define the term "capacity" as a school in which the
124 capital outlay FTE enrollment exceeds 95 percent of the space
125 and occupant design capacity of its nonrelocatable facilities.
126 However, if a school's initial design incorporated relocatable
127 or modular instructional space, the term "capacity" shall mean a
128 school in which the capital outlay FTE enrollment exceeds 95
129 percent of the space and occupant design capacity of its core
130 facilities.

131 (3) A parent may choose to enroll his or her child in and
132 transport his or her child to any public school that has not
133 reached capacity, including charter schools, in any school
134 district in the state. The school district shall accept the
135 student and report the student for purposes of the district's
136 funding pursuant to the Florida Education Finance Program.

137 (4) For a student in grades 9 through 12, interscholastic
138 and intrascholastic extracurricular student activity eligibility
139 may be impacted by choosing to attend a school other than the
140 school assigned by the district.

141 ~~(5)~~(4) In accordance with the reporting requirements of s.
142 1011.62, each district school board shall annually report the
143 number of students attending the various types of public schools
144 of choice in the district, including schools such as virtual
145 instruction programs, magnet schools, and public charter

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146 schools, according to rules adopted by the State Board of
147 Education.

148 ~~(6)~~(5) For a school or program that is a public school of
149 choice under this section, the calculation for compliance with
150 maximum class size pursuant to s. 1003.03 is the average number
151 of students at the school level.

152 Section 3. Paragraph (a) of subsection (10) of section
153 1002.33, Florida Statutes, is amended to read:

154 1002.33 Charter schools.—

155 (10) ELIGIBLE STUDENTS.—

156 (a) A charter school must ~~shall~~ be open to any student
157 covered in an interdistrict agreement or residing in the school
158 district in which the charter school is located; however, in the
159 case of a charter lab school, the charter lab school must ~~shall~~
160 be open to any student eligible to attend the lab school as
161 provided in s. 1002.32 or who resides in the school district in
162 which the charter lab school is located. A charter school with
163 space available must be open to any student in the state,
164 pursuant to s. 1002.31(2). Any eligible student must ~~shall~~ be
165 allowed interdistrict transfer to attend a charter school when
166 based on good cause. Good cause includes ~~shall include~~, but is
167 not limited to, geographic proximity to a charter school in a
168 neighboring school district.

169 Section 4. Paragraph (c) of subsection (1) of section
170 1002.451, Florida Statutes, is amended to read:

171 1002.451 District innovation school of technology program.—

172 (1) DISTRICT INNOVATION SCHOOL OF TECHNOLOGY.—

173 (c) An innovation school of technology must be open to any
174 student covered in an interdistrict agreement or residing in the

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175 school district in which the innovation school of technology is
 176 located. An innovation school of technology shall enroll an
 177 eligible student who submits a timely application if the number
 178 of applications does not exceed the capacity of a program,
 179 class, grade level, or building. If the number of applications
 180 exceeds capacity, all applicants shall have an equal chance of
 181 being admitted through a public random selection process.
 182 However, a district may give enrollment preference to students
 183 who identify the innovation school of technology as the
 184 student's preferred choice pursuant to the district's public
 185 school parental choice ~~controlled open enrollment~~ plan.

186 Section 5. Section 1003.3101, Florida Statutes, is created
 187 to read:

188 1003.3101 Additional school choice options.—Each school
 189 district board shall establish a transfer process for a parent
 190 to request his or her child be transferred to another classroom
 191 teacher. A school must grant or deny the transfer within 2 weeks
 192 after receiving a request. If a request for transfer is denied,
 193 the school shall notify the parent and specify the reasons for a
 194 denial. An explanation of the transfer process must be made
 195 available in the student handbook or a similar publication.

196 Section 6. Paragraphs (c), (d), and (e) of subsection (3)
 197 of section 1006.15, Florida Statutes, are amended to read:

198 1006.15 Student standards for participation in
 199 interscholastic and intrascholastic extracurricular student
 200 activities; regulation.—

201 (3)

202 (c) An individual home education student is eligible to
 203 participate at the public school to which the student would be

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204 assigned according to district school board attendance area
 205 policies or which the student could choose to attend pursuant to
 206 public school parental choice ~~district or interdistrict~~
 207 ~~controlled open enrollment~~ provisions, or may develop an
 208 agreement to participate at a private school, in the
 209 interscholastic extracurricular activities of that school,
 210 provided the following conditions are met:

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

213 2. During the period of participation at a school, the home
 214 education student must demonstrate educational progress as
 215 required in paragraph (b) in all subjects taken in the home
 216 education program by a method of evaluation agreed upon by the
 217 parent and the school principal which may include: review of the
 218 student's work by a certified teacher chosen by the parent;
 219 grades earned through correspondence; grades earned in courses
 220 taken at a Florida College System institution, university, or
 221 trade school; standardized test scores above the 35th
 222 percentile; or any other method designated in s. 1002.41.

223 3. The home education student must meet the same residency
 224 requirements as other students in the school at which he or she
 225 participates.

226 4. The home education student must meet the same standards
 227 of acceptance, behavior, and performance as required of other
 228 students in extracurricular activities.

229 5. The student must register with the school his or her
 230 intent to participate in interscholastic extracurricular
 231 activities as a representative of the school before the
 232 beginning date of the season for the activity in which he or she

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233 wishes to participate. A home education student must be able to
 234 participate in curricular activities if that is a requirement
 235 for an extracurricular activity.

236 6. A student who transfers from a home education program to
 237 a public school before or during the first grading period of the
 238 school year is academically eligible to participate in
 239 interscholastic extracurricular activities during the first
 240 grading period provided the student has a successful evaluation
 241 from the previous school year, pursuant to subparagraph 2.

242 7. Any public school or private school student who has been
 243 unable to maintain academic eligibility for participation in
 244 interscholastic extracurricular activities is ineligible to
 245 participate in such activities as a home education student until
 246 the student has successfully completed one grading period in
 247 home education pursuant to subparagraph 2. to become eligible to
 248 participate as a home education student.

249 (d) An individual charter school student pursuant to s.
 250 1002.33 is eligible to participate at the public school to which
 251 the student would be assigned according to district school board
 252 attendance area policies or which the student could choose to
 253 attend, pursuant to district or interdistrict public school
 254 parental choice ~~controlled open enrollment~~ provisions, in any
 255 interscholastic extracurricular activity of that school, unless
 256 such activity is provided by the student's charter school, if
 257 the following conditions are met:

258 1. The charter school student must meet the requirements of
 259 the charter school education program as determined by the
 260 charter school governing board.

261 2. During the period of participation at a school, the

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262 charter school student must demonstrate educational progress as
 263 required in paragraph (b).

264 3. The charter school student must meet the same residency
 265 requirements as other students in the school at which he or she
 266 participates.

267 4. The charter school student must meet the same standards
 268 of acceptance, behavior, and performance that are required of
 269 other students in extracurricular activities.

270 5. The charter school student must register with the school
 271 his or her intent to participate in interscholastic
 272 extracurricular activities as a representative of the school
 273 before the beginning date of the season for the activity in
 274 which he or she wishes to participate. A charter school student
 275 must be able to participate in curricular activities if that is
 276 a requirement for an extracurricular activity.

277 6. A student who transfers from a charter school program to
 278 a traditional public school before or during the first grading
 279 period of the school year is academically eligible to
 280 participate in interscholastic extracurricular activities during
 281 the first grading period if the student has a successful
 282 evaluation from the previous school year, pursuant to
 283 subparagraph 2.

284 7. Any public school or private school student who has been
 285 unable to maintain academic eligibility for participation in
 286 interscholastic extracurricular activities is ineligible to
 287 participate in such activities as a charter school student until
 288 the student has successfully completed one grading period in a
 289 charter school pursuant to subparagraph 2. to become eligible to
 290 participate as a charter school student.

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291 (e) A student of the Florida Virtual School full-time
 292 program may participate in any interscholastic extracurricular
 293 activity at the public school to which the student would be
 294 assigned according to district school board attendance area
 295 policies or which the student could choose to attend, pursuant
 296 to district or interdistrict public school parental choice
 297 ~~controlled open enrollment~~ policies, if the student:

298 1. During the period of participation in the
 299 interscholastic extracurricular activity, meets the requirements
 300 in paragraph (a).

301 2. Meets any additional requirements as determined by the
 302 board of trustees of the Florida Virtual School.

303 3. Meets the same residency requirements as other students
 304 in the school at which he or she participates.

305 4. Meets the same standards of acceptance, behavior, and
 306 performance that are required of other students in
 307 extracurricular activities.

308 5. Registers his or her intent to participate in
 309 interscholastic extracurricular activities with the school
 310 before the beginning date of the season for the activity in
 311 which he or she wishes to participate. A Florida Virtual School
 312 student must be able to participate in curricular activities if
 313 that is a requirement for an extracurricular activity.

314 Section 7. Subsection (2) of section 1012.42, Florida
 315 Statutes, is amended to read:

316 1012.42 Teacher teaching out-of-field.—

317 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a district
 318 school system is assigned teaching duties in a class dealing
 319 with subject matter that is outside the field in which the

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320 teacher is certified, outside the field that was the applicant's
 321 minor field of study, or outside the field in which the
 322 applicant has demonstrated sufficient subject area expertise, as
 323 determined by district school board policy in the subject area
 324 to be taught, the parents of all students in the class shall be
 325 notified in writing of such assignment. A parent that receives
 326 this notification may, after the October student membership
 327 survey, request that his or her child be transferred to another
 328 classroom teacher within the school and grade in which the child
 329 is currently enrolled. The school district shall grant the
 330 parent's request and transfer the student to a different
 331 classroom teacher within a reasonable period of time, not to
 332 exceed 2 weeks. This does not provide a parent the right to
 333 choose a specific teacher.

334 Section 8. This act shall take effect July 1, 2015.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/18/2015
Meeting Date

1552

Bill Number (if applicable)

346014

PCS

Amendment Barcode (if applicable)

Topic _____

Name JIM HORNE

Job Title _____

Address PO Box 8339

Phone 904-759-4596

PLEMING ISLAND, FL 32006

Email jhorne@strategosgroup.com

City State Zip

Speaking: For Against Information

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

Representing AIF

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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3-18-15

Meeting Date

1552

Bill Number (if applicable)

244742

Amendment Barcode (if applicable)

Topic Definition of school capacity

Name Wendy Dodge

Job Title Legislative Chair

Address 203 Monroe St

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TALLAHASSEE FL 32301

City

State

Zip

Email wendy.dodge@polk-fl.net

Speaking: For Against Information

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

Representing FL Assoc of School Administrators

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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3/18/15

Meeting Date

1552

Bill Number (if applicable)

244742

Amendment Barcode (if applicable)

Topic Definition of school Capacity

Name Jessica Janasiewicz

Job Title Consultant

Address 119 E Park Avenue

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Phone 850-224-3626

Tallahassee FL 32307

City

State

Zip

Email jessica@mixonandassociates.com

Speaking: For Against Information

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

Representing Santa Rosa County Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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3/18/15
Meeting Date

1552
Bill Number (if applicable)

244742
Amendment Barcode (if applicable)

Topic Define the term "capacity"

Name John Sullivan

Job Title Legislative Liaison

Address 1701 Prudential Drive
Street

Phone 904-390-2000

Jacksonville, FL 32207
City State Zip

Email john@floridaeducationpolicy.com

Speaking: For Against Information

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

Representing Duval County Public Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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March 16, 2015

Meeting Date

ACS For SB/552

Bill Number (if applicable)

457936

Amendment Barcode (if applicable)

Topic Banagusto Amendment

Name Burt Saunders

Job Title Attorney

Address 8889 Pelican Bay Blvd, Suite 400

Street

Phone 239-598-3601

Naples

FL

34108

City

State

Zip

Email burt.Saunders@gray-robinson.com

Speaking: For Against Information

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

Representing Accelerated Learning Solutions - charter schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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STUDENT AT

THE FLORIDA SENATE
APPEARANCE RECORD

A CHARTER SCHOOL

3/18/15

Meeting Date

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

SB 1552

Bill Number (if applicable)

Topic Charter School Funding

Amendment Barcode (if applicable)

Name Enrique Perez

Job Title student

Address 10277 NW 128 Terrace

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Street

Hialeah Gardens Florida

33018

Email enrique.perez.jr@att

City

State

Zip

Speaking: For Against Information

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

Representing City of Hialeah Educational Academy

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/18/15
Meeting Date

SB 1552
Bill Number (if applicable)

Topic SB 1552 / Parental Choice + Info

Amendment Barcode (if applicable)

Name Julio Fuentes

Job Title Ex. Dir, HCRED

Address 8461 Lake Worth Rd
Street

Phone 561-340 1408

City State Zip
~~8461~~ Lake Worth FL 33467

Email julio@hcreo.com

Speaking: For Against Information

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

Representing HCRED - Hispanic Council for Reform + Educational Options

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

3/18/2015

Meeting Date

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

1552

Bill Number (if applicable)

Topic SB 1552

Amendment Barcode (if applicable)

Name Jason Fischer

Job Title Board Member, Duval County Public Schools

Address 2630 Stonegate Dr

Street

Phone

Jax

City

FL

State

32223

Zip

Email FischerJ@Duvalschools.org

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

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

Representing

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

Lobbyist registered with Legislature: [] Yes [X] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

03/18/2015
Meeting Date

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

SB 1552
Bill Number (if applicable)

Topic SCHOOL CHOICE / PARENTAL POLICY PUBLICATION

Amendment Barcode (if applicable)

Name SHEILA D. GRIFFIN

Job Title CONCERNED PARENT; PUBLIC SCHOOL MENTOR

Address 3838 37th ST. S, #57

Phone 727.209.2721

Street

ST. PETE., FL 337

Email atrueadvocate@yahoo.com

City

State

Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

PCB1552
Bill Number (if applicable)

Meeting Date _____

Topic Charter Schools

Amendment Barcode (if applicable) _____

Name Andrew Ladanowski

Job Title IT Consultant

Address 1290 NW 89th Drive
Street

Phone 954-775-2678

City _____ State _____ Zip _____

Email andrew@addinsol.com

Speaking: For Against Information

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

Representing Coral Springs Charter

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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3/18/15

Meeting Date

Bill Number (if applicable)

Topic Charter School Bill 1552

Amendment Barcode (if applicable)

Name Gail Guam

Job Title Principal

Address 710 Carlin Ave.

Phone

Street

Lake Wales FL 33853

Email

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against

Some

Some

(The Chair will read this information into the record.)

Representing Lake Wales Charter Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

March 18, 2015
Meeting Date

SB 1552
Bill Number (if applicable)

Topic SB 1552 Parental Rights

Amendment Barcode (if applicable)

Name Laura Zorc

Job Title Parent & Keep Florida Learning Committee Member

Address PO Box 7111
Street
Vero Beach FL 32961
City State Zip

Phone _____

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

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

3-17-15

Meeting Date

15-52

Bill Number (if applicable)

Topic CHARTER SCHOOLS

Amendment Barcode (if applicable)

Name DANIEL MUSE

Job Title Principal

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Phone 863 638-1018

BARTON FL 33830

Email mused1970@gmail.com

City State Zip

Speaking: For Against Information

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

Representing Lane works Charter schools / Area

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

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

Bill 1552
Bill Number (if applicable)

Meeting Date

Topic Charter School Bill

Amendment Barcode (if applicable)

Name D. DUNSON

Job Title Principal

Address 2 Highlander Way

Phone

Street Lake Wales, FL 33853

Email

City State Zip

Speaking: For Against Information

some info

Waive Speaking: In Support Against

(The Chair will read this information into the record.)

Representing Charter Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

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

3/18/15

Meeting Date

Bill 1552

Bill Number (if applicable)

Topic Charter School Bill

Amendment Barcode (if applicable)

Name Barbara Jones

Job Title Principal

Address 306 Florida Ave.

Phone 863 678-4271

Street

Lake Wales FL

Email barbara.jones@lwcharterschools.com

City

State

Zip

Speaking: For Against Information

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

Representing Lake Wales Charter Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

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

3/19/2015
Meeting Date

1552
Bill Number (if applicable)

Topic Charter School Bill

Amendment Barcode (if applicable)

Name Jesse L Jackson

Job Title Superintendent

Address 130 E. Central Ave

Phone _____

Street

Lake Wales

City

FL 33859

State

Zip

Email jackson@lwcharterschools.com

Speaking: For Against Information

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

Representing Charter School Interest

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

PCB
1552
Bill Number (if applicable)

Meeting Date

Amendment Barcode (if applicable)

Topic CHARTER SCHOOLS

Name SEEMA PISSARIS

Job Title PROFESSOR

Address 707 NW 123 DR

Phone 954-579-6707

Street

CORAL SPRING, FLA

Email SPISSARI@FIU.EDU

City

State

Zip

Speaking: For Against Information

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

Representing SCHOOL BOARD

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

3-18-15

Meeting Date

Bill Number (if applicable)

Topic Charter School Bill 15-52

Amendment Barcode (if applicable)

Name Elizabeth Tyler

Job Title Principal

Address 815 N Scenic Hwy

Phone 863-678-4664

Street

Babson Park

City

State

Zip

Email elizabeth.tyler@lwcharter

Schools.com

Speaking: For Against Information

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

Representing LWCS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

FIRST RESPONDER
CHARTER SCHOOL

THE FLORIDA SENATE
APPEARANCE RECORD

PRINCIPAL OF
A CHARTER SCHOOL

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

Senate 1562
Bill Number (if applicable)

Meeting Date

Topic Charter Schools

Amendment Barcode (if applicable)

Name Carlos O. Alvarez

Job Title Principal City of Hialeah Educational Academy

Address 2590 W. 76ST

Phone (305) 362-4006

Hialeah, FL

33016

Email calvarez@cohe.edu.com

City

State

Zip

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/18/15
Meeting Date

1552 ~~(1552)~~
Bill Number (if applicable)

Topic ~~(scribble)~~ SB 1552

Amendment Barcode (if applicable)

Name Sara Clements

Job Title Legislative Director

Address 215 S. Monroe St.
Street

Phone 850-391-0329

Tallahassee FL 32301
City State Zip

Email Sara@floridapromise.org

Speaking: For Against Information

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

Representing Foundation for Florida's Future

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

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

3-18-2015

Meeting Date

SB# 1552

Bill Number (if applicable)

Topic Parent and Student Rights

Amendment Barcode (if applicable)

Name David Ash

Job Title _____

Address 3926 Shumard Oak Blvd

Phone 850-509-8916

Tallahassee FL 32311

City State Zip

Email ~~David~~ david@dlaconsultingllc.com

Speaking: For Against Information

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

Representing FL Consortium of Public Charter Schools

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

3/18/15

Meeting Date

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

SB 1552

Bill Number (if applicable)

Topic PARENT & STUDENT RIGHTS SB 1552 Amendment Barcode (if applicable)

Name CYNTHIA LORENZO

Job Title CAPITOL INSIGHT

Address 501 S. BROWNBOUGH ST

Phone 850 567 9610

Street

TALLAHASSEE FL 32301

Email Cynthia@capitolinsight.com

City

State

Zip

Speaking: [] For [] Against [] Information

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

Representing FLORIDA VIRTUAL SCHOOL

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

Lobbyist registered with Legislature: [X] Yes [] No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

3/18/15
Meeting Date

SB 1552
Bill Number (if applicable)

Topic Parents & Students Rights

Amendment Barcode (if applicable)

Name Skylar Zander

Job Title Deputy State Director

Address 200 W. College Ave.
Street

Phone 850-728-4522

Tallahassee FL 32301
City State Zip

Email _____

Speaking: For Against Information

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

Representing Americans for Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

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

3-18-15

Meeting Date

SB 1552

Bill Number (if applicable)

Topic Parental Choice

Amendment Barcode (if applicable)

Name Travis Keels

Job Title Director of Public Affairs

Address 100 North Duval St

Phone 904-571-1499

Street

Tallahassee

City

FL

State

32301

Zip

Email tkeels@jamesmadison.org

Speaking: For Against Information

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

Representing The James Madison Institute

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

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

3/18/15

Meeting Date

SB 1264

Bill Number (if applicable)

Topic Digital Classrooms

Amendment Barcode (if applicable)

Name Skyler Zander

Job Title Deputy State Director

Address 200 W College Ave

Phone 850-728-4522

Street

Tallahassee FL 32301

City

State

Zip

Email SZander@alpha.org

Speaking: For Against Information

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

Representing Americans for Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

585

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

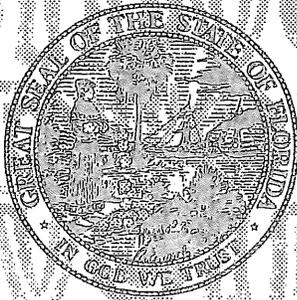
I, Ken Detzner, Secretary of State,
do hereby certify that

Michael H. Olenick

is duly appointed a member of the
State Board of Education

for a term beginning on the
Twenty-Third day of January, A.D., 2015,
until the Thirty-First day of December, A.D., 2016
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 Thirteenth day of February, A.D., 2015.*



Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Levy

RECEIVED
DEPARTMENT OF STATE
2015 FEB 10 PM 4:31

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

STATE BOARD OF EDUCATION

(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.]

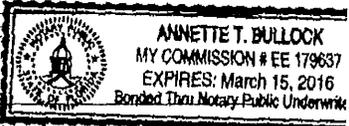
W. H. ...

Signature

Sworn to and subscribed before me this 9th day of February, 2015

Annette T. Bullock

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

2215 SW MAYFLOWER DR

Street or Post Office Box

PACM CITY FL 34990

City, State, Zip Code

MICHAEL H. OLENICK

Print name as you desire commission issued

Michael H. Olenick

Signature



RICK SCOTT
GOVERNOR

15 JAN 30 AM 9:32

DIVISION OF ELECTIONS
SECRETARY OF STATE

January 26, 2015

Secretary Kenneth W. Detzner
Department of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Section 1001.01, Florida Statutes:

Mr. Michael H. Olenick
2215 Southwest Mayflower Drive
Palm City, Florida 34990

as a member of the State Board of Education, succeeding Ada Armas, subject to confirmation by the Senate. This appointment is effective January 23, 2015, for a term ending December 31, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/pb

QUESTIONNAIRE FOR SENATE CONFIRMATION

The information from this questionnaire will be used by the Florida Senate in considering action on your confirmation. The questionnaire **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Please type or print in blue or black ink.

15 FEB 10 2 19: 56
Date Completed

1. Name: OLENICK MICHAEL
Mr./Mrs./Ms. Last First Middle/Maiden

DIVISION OF ELECTIONS
SECRETARY OF STATE

2. Business Address: 204 S. MONROE ST TALLAHASSEE
Street Office # City
201 FL 32301 32301
Post Office Box State Zip Code Area Code/Phone Number

3. Residence Address: 2215 SW MAYFLOWER DR PALM CITY
Street City County
FL 34990
Post Office Box State Zip Code Area Code/Phone Number

Specify the preferred mailing address: Business Residence Fax # _____ (optional)

4. A. List all your places of residence for the last five (5) years.

Address	City & State	From	To
494 FRANK SHAW	TALLAHASSEE	2005	2011
2015 SW MAYFLOWER	PALM CITY	2011	—

B. List all your former and current residences outside of Florida that you have maintained at any time during adulthood.

Address	City & State	From	To

5. Date of Birth: _____ Place of Birth: _____

6. Social Security Number: _____

7. Driver License Number: _____ Issuing State: FL

8. Have you ever used or been known by any other legal name? Yes No If "Yes" Explain

9. Are you a United States citizen? Yes No If "No" explain:

If you are a naturalized citizen, date of naturalization:

10. Since what year have you been a continuous resident of Florida? 1977

11. Are you a registered Florida voter? Yes No If "Yes" list:

A. County of Registration: MARTIN

B. Current Party Affiliation: REPUBLICAN

12. Education

A. High School: EXSTON HIGH/EXSTON, PA
(Name and Location)

Year Graduated: 1970

B. List all postsecondary educational institutions attended:

Name & Location	Dates Attended	Certificates/Degrees Received
<u>GETTYSBURG COLLEGE</u>	<u>1970-72</u>	<u>-</u>
<u>LAFAYETTE COLLEGE, EXSTON, PA</u>	<u>1972-1974</u>	<u>BA - SOUT / SECONDARY E.T.</u>
<u>NOVA SOUTHEASTERN</u>	<u>1974-77</u>	<u>J.D.</u>

13. Are you or have you ever been a member of the armed forces of the United States? Yes No If "Yes" list:

A. Dates of Service: _____

B. Branch or Component: _____

C. Date & type of discharge: _____

14. Have you ever been arrested, charged, or indicted for violation of any federal, state, county, or municipal law, regulation, or ordinance? (Exclude traffic violations for which a fine or civil penalty of \$150 or less was paid.) Yes No If "Yes" give details:

Date	Place	Nature	Disposition

15. Concerning your current employer and for all of your employment during the last five years, list your employer's name, business address, type of business, occupation or job title, and period(s) of employment.

Employer's Name & Address	Type of Business	Occupation/Job Title	Period of Employment
<u>MORSANTI GROUP</u> <u>100 MILL PLAIN RD</u> <u>DANBURY CT</u> <u>06811</u>	<u>CONSTRUCTION</u>	<u>V.P. CORP. AFFAIRS</u> <u>CHIEF COMPLIANCE OFFICER</u>	<u>2006-2015 (Present)</u>

16. Have you ever been employed by any state, district, or local governmental agency in Florida? Yes No If "Yes", identify the position(s), the name(s) of the employing agency, and the period(s) of employment:

Position	Employing Agency	Period of Employment
<u>ASSISTANT STATE ATT</u>	<u>BROWARD / ST. LOUIS</u>	<u>1977-1982</u>
<u>MARTIN ASST + COUNTY ATTY</u>	<u>MARTIN, COUNTY</u>	<u>1980-1986</u>
<u>DOE / STATE BD ED</u>	<u>GENERAL COUNSEL</u>	<u>1996-2000</u>

17. A. State your experiences and interests or elements of your personal history that qualify you for this appointment.

- UNDERGRAD Degree in Secondary ED -
- MARTIN COUNTY SCHOOL BOARD 1990-94
- SEN COUNSEL DOE
- WHILE IN PRIVATE PRACTICE - REPRESENTED BOTH SCHOOL BOARDS + Supts.

B. Have you received any degree(s), professional certification(s), or designations(s) related to the subject matter of this appointment? Yes No If "Yes", list:

CERTIFICATION SECONDARY ED PA 1974

C. Have you received any awards or recognitions relating to the subject matter of this appointment? Yes No If "Yes", list:

D. Identify all association memberships and association offices held by you that relate to this appointment:

18. Do you currently hold an office or position (appointive, civil service, or other) with the federal or any foreign government? Yes No If "Yes", list:

19. A. Have you ever been elected or appointed to any public office in this state? Yes No If "Yes", state the office title, date of election or appointment, term of office, and level of government (city, county, district, state, federal):

Office Title	Date of Election or Appointment	Term of Office	Level of Government
SCHOOL BD	1990	4 yrs	MARTIN CTY
EL VIRTUAL SCHOOL	2013	4 yrs	JOV. APT.

B. If your service was on an appointed board(s), committee(s), or council(s):

(1) How frequently were meetings scheduled: MONTHLY

(2) If you missed any of the regularly scheduled meetings, state the number of meetings you attended, the number you missed, and the reasons(s) for your absence(s).

<u>Meetings Attended</u>	<u>Meetings Missed</u>	<u>Reason for Absence</u>

20. Has probable cause ever been found that you were in violation of Part III, Chapter 112, F.S., the Code of Ethics for Public Officers and Employees? Yes No If "Yes", give details:

<u>Date</u>	<u>Nature of Violation</u>	<u>Disposition</u>

21. Have you ever been suspended from any office by the Governor of the State of Florida? Yes No If "Yes", list:

A. Title of office: _____ C. Reason for suspension: _____
B. Date of suspension: _____ D. Result: Reinstated Removed Resigned

22. Have you previously been appointed to any office that required confirmation by the Florida Senate? Yes No If "Yes", list:

A. Title of Office: _____
B. Term of Appointment: _____
C. Confirmation results: _____

23. Have you ever been refused a fidelity, surety, performance, or other bond? Yes No If "Yes", explain:

24. Have you held or do you hold an occupational or professional license or certificate in the State of Florida? Yes No If "Yes", provide the title and number, original issue date, and issuing authority. If any disciplinary action (fine, probation, suspension, revocation, disbarment) has ever been taken against you by the issuing authority, state the type and date of the action taken:

<u>License/Certificate Title & Number</u>	<u>Original Issue Date</u>	<u>Issuing Authority</u>	<u>Disciplinary Action/Date</u>
<u>0239534</u>	<u>1977</u>	<u>FLA. BAR</u>	<u>— NONE</u>

25. A. Have you, or businesses of which you have been and owner, officer, or employee, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Your Relationship to Business</u>	<u>Business' Relationship to Agency</u>
<u>BROWARD CITY</u>	<u>V.P.</u>	<u>CONSTRUCTION</u>
<u>ORANGE PUB. SCHOOLS</u>	<u>V.P.</u>	<u>CONSTRUCTION</u>
<u>PALM BEACH CITY</u>	<u>V.P.</u>	<u>CONSTRUCTION</u>

B. Have members of your immediate family (spouse, child, parents(s), siblings(s)), or businesses of which members of your immediate family have been owners, officers, or employees, held any contractual or other direct dealings during the last four (4) years with any state or local governmental agency in Florida, including the office or agency to which you have been appointed or are seeking appointment? Yes No If "Yes", explain:

<u>Name of Business</u>	<u>Family Member's Relationship to You</u>	<u>Family Member's Relationship to Business</u>	<u>Business' Relationship to Agency</u>
-------------------------	--	---	---

26. Have you ever been a registered lobbyist or have you lobbied at any level of government at any time during the past five (5) years? Yes No

A. Did you receive any compensation other than reimbursement for expenses? Yes No

B. Name of agency or entity you lobbied and the principal(s) you represented:

<u>Agency Lobbied</u>	<u>Principal Represented</u>
-----------------------	------------------------------

27. List three persons who have known you well within the past five (5) years. Include a current, complete address and telephone number. Exclude your relatives and members of the Florida Senate.

<u>Name</u>	<u>Mailing Address</u>	<u>Zip Code</u>	<u>Area Code/Phone Number</u>
LEN BILL SALVANO			
SID JOE NEGRO			
DEAN CANNON			

28. Name any business, professional, occupational, civic, or fraternal organizations(s) of which you are now a member, or of which you have been a member during the past five (5) years, the organization address(es), and date(s) of your membership(s).

<u>Name</u>	<u>Mailing Address</u>	<u>Office(s) Held & Term</u>	<u>Date(s) of Membership</u>
FLA BAR			1977 - Present

29. Do you know of any reason why you will not be able to attend fully to the duties of the office or position to which you have been or will be appointed? Yes No If "Yes", explain:

30. If required by law or administrative rule, will you file financial disclosure statements? Yes No

MEMORANDUM

AS A GENERAL MATTER, APPLICATIONS FOR ALL POSITIONS WITHIN STATE GOVERNMENT ARE PUBLIC RECORDS WHICH MAY BE VIEWED BY ANYONE UPON REQUEST. HOWEVER, THERE ARE SOME EXEMPTIONS FROM THE PUBLIC RECORDS LAW FOR IDENTIFYING INFORMATION RELATING TO PAST AND PRESENT LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES, VICTIMS OF CERTAIN CRIMES, ETC. IF YOU BELIEVE AN EXEMPTION FROM THE PUBLIC RECORDS LAW APPLIES TO YOUR SUBMISSION, PLEASE CHECK THIS BOX.

Yes, I assert that identifying information provided in this application should be excluded from inspection under the Public Records Law.

Because: (please provide cite.) _____

IF YOU NEED ADDITIONAL GUIDANCE AS TO THE APPLICABILITY OF ANY PUBLIC RECORDS LAW EXEMPTION TO YOUR SITUATION, PLEASE CONTACT THE OFFICE OF THE ATTORNEY GENERAL.

The Office of the Attorney General
PL-01, The Capitol
Tallahassee, Florida 32399
(850) 245-0150

CERTIFICATION

STATE OF FLORIDA

COUNTY OF Leon

Before me, the undersigned Notary Public of Florida, personally appeared

Michael H. Olenick

who, after being duty sworn, say: (1) that he/she has carefully and personally prepared or read the answers to the foregoing questions; (2) that the information contained in said answers is complete and true; and (3) that he/she will, as an appointee, fully support the Constitutions of the United States and of the State of Florida.

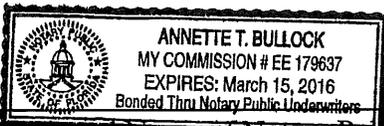
[Signature]

Signature of Applicant-Affiant

Sworn to and subscribed before me this 9th day of February, 2015.

[Signature]

Signature of Notary Public-State of Florida



(Print, Type, or Stamp Commissioned Name of Notary Public)

My commission expires: _____

Personally Known OR Produced Identification

Type of Identification Produced _____

(seal)

RECEIVED
15 FEB 10 AM 11:56
DIVISION OF ELECTIONS
STATE OF FLORIDA



Gary Chartrand, *Chair*
John R. Padget, *Vice Chair*
Members
John A. Colón
Marva Johnson
Rebecca Fishman Lipsey
Michael Olenick
Andy Tuck

March 12, 2015

The Honorable Don Gaetz
The Florida Senate
420 Senate Office Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Dear President Gaetz:

Thank you for your letter of February 26, 2015. I hope this information provides you with a snapshot of where districts are in meeting their technology requirements for assessment, accountability, and digital classrooms, as well as a summary of the support and guidance that has been provided by the state. I have repeated your questions in italics below with my response beneath each question.

1. Please identify statewide technical standards or guidance that the Department of Education has provided to districts and schools to support the delivery of the online test assessments and digital classroom requirements as directed by statute.

Florida has been working diligently to improve digital learning in education. Historically, districts have used federal, state, and local funds to improve access to technology for students and teachers. The department supports districts with their implementation of technology and digital learning by publishing recommended technology specifications and guidance for implementation, providing planning tools for online assessments, and training on digital instruction. Specifically, the department has published recommended specifications for wireless, bandwidth, and devices for over a decade. In 2003, the department began surveying districts through the Technology Resources Inventory (TRI). Since 2010-11, districts have certified their readiness for computer-based assessments to the department. In summer 2015, regional trainings will be conducted on improving digital instruction. Additional information regarding the department's educational technology efforts can be found at <http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.stml>.

The most recent recommendations are linked below.

- Wireless Technology Guidelines:
<http://www.fldoe.org/core/fileparse.php/5658/urlt/0097848-wireless-tech-specs.pdf>

- Device and Bandwidth Guidelines:
<http://www.fldoe.org/core/fileparse.php/5658/urlt/0097849-device-bandwidthtechspecs.pdf>

In August of 2014, as required in s. 1011.62, F.S., the department created a five-year state Digital Classrooms Plan (DCP), which integrates digital learning into the mission and goals of the agency. The plan continues to assist districts by providing technology requirements that districts should strive toward meeting through the planning and implementation of the district DCP. Governor Scott recommended and the legislature approved a \$40 million appropriation in the 2014-15 budget. The department was required to provide districts a DCP template to be completed prior to distribution of their portion of the allocation. In the DCP template, each district was required to establish baseline and target measurements for the integration of technology using the Technology Integration Matrix (TIM), which is the tool used to measure the integration of technology with teaching and learning in the classroom. The DCP planning process encouraged districts to use this department guidance to establish their individual goals for implementing digital learning.

The five-year state DCP and the district DCP template were posted August 15, 2014. As required, the five-year state DCP is posted at <http://www.fldoe.org/core/fileparse.php/5658/urlt/0097843-fdoedigitalclassroomsplan.doc>. Districts submitted their school board-approved DCP to the department for approval before receiving funding. All approved digital classrooms plans are posted at <http://www.fldoe.org/about-us/division-of-technology-info-services/dcp.shtml>.

a. Standards to identify security requirements necessary to ensure Family Educational Rights and Privacy Act (FERPA) compliance to protect the privacy of student education records.

Florida continues to maintain compliance with FERPA to protect the privacy of student education records. As a result of the executive order released by Governor Rick Scott (September 23, 2013), the department conducted a student data privacy review. The recommendations can be found at <http://www.fldoe.org/core/fileparse.php/5390/urlt/0081020-datasecurityreport.pdf>.

b. Standards to identify the device quantity, device types, and device attributes necessary to support reliable access by Florida students and teachers to electronic resources. Examples of device types include: desktops, laptops, tablets, and netbooks. Device attributes include, but are not limited to, the central processing unit (CPU) requirements, monitor size and resolution, browser, networking, and storage requirements.

The department has provided districts with recommendations on student device specifications and districts have full flexibility in choosing which devices to purchase.

Device Quantity –

In the DCP, each district is required to establish a baseline and set their own target device ratio for students based on their instructional goals. Student devices are recommended to be multifunctional and meet the standard to be used for the Florida Standards Assessments and Next Generation Sunshine State Standards end-of-course assessments. Additionally, the specific instructional needs of the student and level of digital learning implementation in the classroom are things that districts should take into consideration. Examples of this include Florida Standards requirements, grade- and course-appropriate access for technology skills, and appropriate access to digital content and instructional materials. Department specifications are set such that a single device could meet all educational needs to avoid the duplicative costs of utilizing multiple devices to meet instructional and assessment requirements.

Device Types and Attributes –

In the five-year state DCP, districts and schools are provided recommended specifications for devices. The types of devices that could meet specifications include desktops, laptops (including netbooks and ultrabooks), web-thin client computers (including chromebooks), and large screen tablets (9.5” screen size or larger). These types of devices are recommended because they could meet the needs of digital learning in the classroom as well as the requirements for statewide computer-based assessments.

Specifications cover all types of devices and include specifications for device operating system, memory, connectivity, security, and screen size and resolution. These can be found at <http://www.fldoe.org/core/fileparse.php/5658/urlt/0097849-device-bandwidthtechspecs.pdf>.

c. Standards to include the connectivity requirements, internal and external, to support peak anticipated use that will ensure network performance and ensure reliable access to electronic resources.

In the five-year state DCP, districts and schools are provided recommended specifications for school bandwidth and classroom wireless access. In the district DCP, each district is required to establish a target goal for the improvement of bandwidth and wireless access. The most recent department-recommended bandwidth specifications are based on the State Educational Technology Directors Association May 2012 publication *The Broadband Imperative: Recommendations to Address K-12 Education Infrastructure Needs* (<http://www.setda.org/web/guest/broadbandimperative>).

Recommended Bandwidth Specifications	
External Connection to Internet	100 kilobytes per second (kbps) per student or faster
Internal School Network	1,000 kbps per student or faster

Recommended Wireless Technology Specifications	
Institute of Electrical and Electronics Engineers (IEEE) Protocol Equipment Standard	802.11n (540 mbps bandwidth)
Wireless Access Hardware	Ratio of 10-15 students or less per one access point/antenna in a classroom setting
	No structural walls or physical barriers between the access point and the students
	Wireless controller technology to enable access point load-balancing for optimum wireless access point utilization

2. Please provide an inventory, by school and district, of the current statewide technology resources.

The department conducts the TRI twice per year with schools and districts. This is used as a measurement tool for school technology inventory and is aligned with the baseline and target goals established for each district in their DCP. The fall 2014 TRI is posted at <http://www.fldoe.org/core/fileparse.php/7482/urlt/Fall2014TRIData.xls>. A school-by-school inventory used for this analysis can be found at <http://www.fldoe.org/core/fileparse.php/7482/urlt/2014FallGapAnalysisSchoolTechnology.xls> and includes the following information:

- District name
- School name
- School membership counts
- Number of classrooms
- Count of student devices that meet specifications, including desktops, mobile laptops, web-thin clients, and tablets
- Student to device ratio (based on student membership)
- Number and percent of classrooms with wireless connection meeting industry standard or greater
- Allotted speed of internet bandwidth available to the school and count of schools meeting the 100 kbps per student standard

3. Please compare the inventory to the statewide technical standards and identify any gaps discovered by school and by district.

Through the district DCP process, each district was required to complete a DCP template. Section 2 of the DCP template was the strategy section that required a district needs analysis, goals for each area of the DCP, and a theory of action. The goals established in this section identify the strategy each district has chosen to implement using the DCP allocation. This includes district goals for student to device ratio, percent of schools meeting the bandwidth standard, and the percent of classrooms meeting the wireless standard. Using this data, the department has analyzed the current situation reported on the TRI and the goals established by the district DCP. This resulted in a calculated gap that each district is working to close. Attached is district-specific information including these three main data points:

- Count of student devices compared to DCP ratio
- Percent of classrooms meeting wireless standard
- Schools meeting bandwidth standard

4. Please provide a cost and time estimate to address the gaps and transition the current technical environment into compliance with the statewide technical standards.

Using the district DCP goals and the gap estimate outlined in question 3, the department has completed an analysis of a cost and time estimate for devices, wireless, and bandwidth. This analysis does not include other key components for digital learning implementation such as professional development, digital tools, and digital content. Depending on district goals, these components may be included in the district DCP. The department will evaluate the implementation of these other components through the use of the TIM.

Wireless cost estimates used in this analysis are based on industry standards. The estimate for wireless access is \$1,100 per classroom. This does not include other potential costs such as installation and wiring. Bandwidth cost estimates are based on a recent survey of school district actual costs for bandwidth, which calculates to \$0.1805 kbps. This does not include federal E-rate funds available to districts or other potential costs such as routers, firewalls, and related software. These other potential costs will vary depending on district conditions.

The cost estimate of \$400 per device used in this analysis is based on the department's review of typical device vendors. The department completed a study of four device types at various attribute levels to identify an average price for a device. In addition, we know that the State of Maine reduced their costs per device by approximately one-third by negotiating a statewide multi-year contract. This average price estimate is based on a sample of devices that meet specifications and, depending on district choice of device type and attributes, the average price per device would change.

Senator Gaetz
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Page 6

Districts have been developing local plans to fund technology initiatives since at least 2006-07, when technology was rolled into the Florida Education Finance Program base. For example, districts currently report 1.1 million student devices in use that meet specifications and were purchased prior to the 2014-15 \$40 million allocation. This number establishes the baseline used to calculate the gap of 733,092 more devices needed to meet district DCP goals as shown in the attachment.

The cost estimate for these gaps can be found in the attached district-specific information for the components of devices, wireless, and bandwidth. This analysis is based on the information we have collected from districts and their current goals. Using the above cost estimates, the total amount needed over ten years is approximately \$323,888,347, with most districts planning to achieve their goals in the next four years. Using the timelines each district has provided, the amount needed to fund the first year is \$105,482,033. The Governor's budget recommendations make a significant contribution of dedicated funding toward districts' goals.

We trust this information will be helpful.

Sincerely,



Pam Stewart

Attachment

cc: Chairman John Legg
Chairman Jeremy Ring

FDOE District Technology Gap Analysis March 2015

Student Devices Meeting Device Specifications (FDOE Device Specifications can be found at fldoe.org)

District		Student Device Gap (Total)	District DCP Goal Ratio	District DCP Goal Date	Student Device Cost	
					Student Device Cost (Total @ \$400/device*)	(1 year @ \$400/device*)
01	Alachua	27,344	1:1	2019	\$ 10,937,600	\$ 2,734,400
02	Baker	4,890	1:1	2019	\$ 1,956,000	\$ 489,000
03	Bay	-	2:1	2017	\$ -	\$ -
04	Bradford	1,805	1:1	2019	\$ 722,000	\$ 180,500
05	Brevard	5,998	2:1	2017	\$ 2,399,200	\$ 1,199,600
06	Broward	16,275	1:1	2018	\$ 6,510,000	\$ 2,170,000
07	Calhoun	471	1:1	2017	\$ 188,400	\$ 94,200
08	Charlotte	3,732	2:1	2017	\$ 1,492,800	\$ 746,400
09	Citrus	847	2:1	2015	\$ 338,800	\$ 338,800
10	Clay	2,222	2:1	2015	\$ 888,800	\$ 888,800
11	Collier	-	2:1	2016	\$ -	\$ -
12	Columbia	3,864	2:1	2018	\$ 1,545,600	\$ 515,200
13	Dade	92,957	1:1	2019	\$ 37,182,800	\$ 9,295,700
14	Desoto	-	1:1	2019	\$ -	\$ -
15	Dixie	290	1:1	2019	\$ 116,000	\$ 29,000
16	Duval	46,460	2:1	2017	\$ 18,584,000	\$ 9,292,000
17	Escambia	-	3:1	2019	\$ -	\$ -
18	Flagler	-	1:1	2015	\$ -	\$ -
19	Franklin	948	1:1	2016	\$ 379,200	\$ 379,200
20	Gadsden	1,698	1:1	2019	\$ 679,200	\$ 169,800
21	Gilchrist	1,755	1:1	2017	\$ 702,000	\$ 351,000
22	Glades	765	1:1	2020	\$ 306,000	\$ 61,200
23	Gulf	514	2:1	2018	\$ 205,600	\$ 68,533
24	Hamilton	-	1:1	2018	\$ -	\$ -
25	Hardee	1,110	1:1	2019	\$ 444,000	\$ 111,000
26	Hendry	3,578	1:1	2020	\$ 1,431,200	\$ 286,240
27	Hernando	6,822	2:1	2018	\$ 2,728,800	\$ 909,600
28	Highlands	3,443	2:1	2016	\$ 1,377,200	\$ 1,377,200
29	Hillsborough	193,991	1:1	2020	\$ 77,596,400	\$ 15,519,280
30	Holmes	165	1:1	2019	\$ 66,000	\$ 16,500
31	Indian River	6,171	1:1	2018	\$ 2,468,400	\$ 822,800
32	Jackson	5,429	1:1	2016	\$ 2,171,600	\$ 2,171,600
33	Jefferson	1,013	1:1	2015	\$ 405,200	\$ 405,200
34	Lafayette	589	1:1	2019	\$ 235,600	\$ 58,900
35	Lake	-	1:1	2014	\$ -	\$ -
36	Lee	10,397	1:1	2016	\$ 4,158,800	\$ 4,158,800
37	Leon	14,795	1:1	2020	\$ 5,918,000	\$ 1,183,600
38	Levy	-	1:1	2018	\$ -	\$ -
39	Liberty	77	1:1	2018	\$ 30,800	\$ 10,267
40	Madison	639	1:1	2019	\$ 255,600	\$ 63,900

March 12, 2015

* Cost estimates based on a mean of industry pricing

- Indicates district DCP data is unclear

FDOE District Technology Gap Analysis March 2015

Student Devices Meeting Device Specifications (FDOE Device Specifications can be found at fldoe.org)

District		Student Device Gap (Total)	District DCP Goal Ratio	District DCP Goal Date	Student Device Cost (Total @ \$400/device*)	Student Device Cost
						(1 year @ \$400/device*)
41	Manatee	-	2:1	2015	\$ -	\$ -
42	Marion	2,334	2:1	2019	\$ 933,600	\$ 233,400
43	Martin	10,070	1:1	2019	\$ 4,028,000	\$ 1,007,000
44	Monroe	1,572	1:1	2019	\$ 628,800	\$ 157,200
45	Nassau	6,397	1:1	2022	\$ 2,558,800	\$ 365,543
46	Okaloosa	-	3:1	2017	\$ -	\$ -
47	Okeechobee	2,042	1:1	2019	\$ 816,800	\$ 204,200
48	Orange	11,385	-	-	\$ 4,554,000	\$ 4,554,000
49	Osceola	3,469	1:1	2020	\$ 1,387,600	\$ 277,520
50	Palm Beach	129,513	1:1	2020	\$ 51,805,200	\$ 10,361,040
51	Pasco	10,344	3:1	2019	\$ 4,137,600	\$ 1,034,400
52	Pinellas	11,255	2:1	2019	\$ 4,502,000	\$ 1,125,500
53	Polk	-	1:1	2017	\$ -	\$ -
54	Putnam	1,877	1:1	2019	\$ 750,800	\$ 187,700
55	St. Johns	-	2:1	2015	\$ -	\$ -
56	St. Lucie	420	2:1	2015	\$ 168,000	\$ 168,000
57	Santa Rosa	2,942	1:1	2018	\$ 1,176,800	\$ 392,267
58	Sarasota	7,550	1:1	2017	\$ 3,020,000	\$ 1,510,000
59	Seminole	31,109	2:1	2019	\$ 12,443,600	\$ 3,110,900
60	Sumter	1,701	1:1	2019	\$ 680,400	\$ 170,100
61	Suwannee	400	-	-	\$ 160,000	\$ 160,000
62	Taylor	1,180	1:1	2017	\$ 472,000	\$ 236,000
63	Union	888	1:1	2017	\$ 355,200	\$ 177,600
64	Volusia	29,501	2:1	2019	\$ 11,800,400	\$ 2,950,100
65	Wakulla	487	1:1	-	\$ 194,800	\$ 194,800
66	Walton	2,868	1:1	2018	\$ 1,147,200	\$ 382,400
67	Washington	2,734	1:1	2019	\$ 1,093,600	\$ 273,400
68	Washington Special					
69	FAMU Lab School	-	1:1	2015	\$ -	\$ 246,000
70	FAU Palm Beach	615	1:1	2017	\$ 246,000	\$ 126,000
71	FAU St. Lucie	315	1:1	2015	\$ 126,000	\$ 64,000
72	FSU Broward	160	1:1	2017	\$ 64,000	\$ 36,600
73	FSU Leon	183	1:1	2019	\$ 73,200	\$ 156,600
74	UF Lab School	1,566	1:1	2019	\$ 626,400	\$ 122,267
TOTAL		733,092			\$ 294,372,400	\$ 86,082,756

Total Combined Gap (Devices, Wireless, Bandwidth) \$ 323,888,347

Combined One-Year Gap (Devices, Wireless, Bandwidth) \$ 105,482,033

March 12, 2015

* Cost estimates based on a mean of industry pricing

- Indicates district DCP data is unclear

FDOE District Technology Gap Analysis March 2015

% of Classrooms Meeting Wireless (802.11n) Standard

District		% of Classrooms Gap (Total)	District DCP Goal Date	Total Number of Classrooms (Fall 2014 TRI)	Cost of Wireless (Total @ \$1,100/classroom*)	Cost of Wireless (1 year @ \$1,100/classroom*)
01	Alachua	1.32%	2016	1,747	\$ 25,300	\$ 25,300
02	Baker	0.00%	2017	313	\$ -	\$ -
03	Bay	0.31%	2015	1,730	\$ 6,600	\$ 6,600
04	Bradford	0.00%	2016	208	\$ -	\$ -
05	Brevard	18.86%	2017	4,522	\$ 938,300	\$ 469,150
06	Broward	20.77%	2018	17,393	\$ 3,973,200	\$ 1,324,400
07	Calhoun	0.21%	2018	142	\$ 1,100	\$ 367
08	Charlotte	2.71%	-	1,018	\$ 30,800	\$ 30,800
09	Citrus	0.00%	2014	1,050	\$ -	\$ -
10	Clay	6.81%	2015	2,445	\$ 183,700	\$ 183,700
11	Collier	0.08%	-	2,858	\$ 3,300	\$ 3,300
12	Columbia	0.20%	2014	658	\$ 2,200	\$ 2,200
13	Dade	5.72%	2015	21,797	\$ 1,371,700	\$ 1,371,700
14	Desoto	0.00%	2014	294	\$ -	\$ -
15	Dixie	0.00%	2017	93	\$ -	\$ -
16	Duval	12.28%	2017	2,316	\$ 313,500	\$ 156,750
17	Escambia	14.13%	2016	2,530	\$ 393,800	\$ 393,800
18	Flagler	6.93%	2015	799	\$ 61,600	\$ 61,600
19	Franklin	90.00%	2015	81	\$ -	\$ -
20	Gadsden	2.04%	2016	394	\$ 9,900	\$ 9,900
21	Gilchrist	0.00%	2015	166	\$ -	\$ -
22	Glades	0.00%	2020	123	\$ -	\$ -
23	Gulf	1.00%	2015	122	\$ 2,200	\$ 2,200
24	Hamilton	2.50%	2017	95	\$ 3,300	\$ 1,650
25	Hardee	0.00%	2016	324	\$ -	\$ -
26	Hendry	85.47%	2020	435	\$ 409,200	\$ 81,840
27	Hernando	0.00%	2014	1,363	\$ -	\$ -
28	Highlands	0.00%	2014	769	\$ -	\$ -
29	Hillsborough	3.63%	2016	12,903	\$ 514,800	\$ 514,800
30	Holmes	10.00%	2017	256	\$ -	\$ -
31	Indian River	6.01%	2015	2,009	\$ 133,100	\$ 133,100
32	Jackson	0.00%	2015	837	\$ -	\$ -
33	Jefferson	25.00%	2016	84	\$ 23,100	\$ 23,100
34	Lafayette	0.00%	2019	80	\$ -	\$ -
35	Lake	0.00%	2014	2,406	\$ -	\$ -
36	Lee	4.03%	2015	5,380	\$ 238,700	\$ 238,700
37	Leon	46.45%	2020	2,394	\$ 1,224,300	\$ 244,860
38	Levy	55.79%	2018	352	\$ 216,700	\$ 72,233
39	Liberty	30.00%	2018	117	\$ 39,600	\$ 13,200
40	Madison	0.00%	2019	158	\$ -	\$ -

March 12, 2015

* Cost estimates based on a mean of industry pricing

- Indicates district DCP data is unclear

FDOE District Technology Gap Analysis March 2015

Schools Meeting Bandwidth Standard (100kbps/student)

District		Bandwidth Gap (kbps)	District DCP Goal Date	Cost of Bandwidth (Total @ \$0.18/kbps*)	Cost of Bandwidth (1 year @ \$0.18/kbps*)
01	Alachua	937,900	2016	\$ 169,291	\$ 169,291
02	Baker	296,000	2019	\$ 53,428	\$ 13,357
03	Bay	314,600	-	\$ 56,785	\$ 56,785
04	Bradford	17,800	2018	\$ 3,213	\$ 1,071
05	Brevard	1,057,500	2017	\$ 190,879	\$ 95,439
06	Broward	2,773,300	2018	\$ 500,581	\$ 166,860
07	Calhoun	96,000	2015	\$ 17,328	\$ 17,328
08	Charlotte	347,700	2019	\$ 62,760	\$ 15,690
09	Citrus	861,100	2015	\$ 155,429	\$ 155,429
10	Clay	206,600	2015	\$ 37,291	\$ 37,291
11	Collier	60,000	-	\$ 10,830	\$ 10,830
12	Columbia	120,000	2015	\$ 21,660	\$ 21,660
13	Dade	8,128,000	2015	\$ 1,467,104	\$ 1,467,104
14	Desoto	5,600	2017	\$ 1,011	\$ 505
15	Dixie	14,800	2019	\$ 2,671	\$ 668
16	Duval	9,080,100	2017	\$ 1,638,958	\$ 819,479
17	Escambia	68,300	2015	\$ 12,328	\$ 12,328
18	Flagler	61,800	2015	\$ 11,155	\$ 11,155
19	Franklin	32,600	-	\$ 5,884	\$ 5,884
20	Gadsden	43,500	2016	\$ 7,852	\$ 7,852
21	Gilchrist	-	2015	\$ -	\$ -
22	Glades	16,400	2020	\$ 2,960	\$ 592
23	Gulf	7,200	2015	\$ 1,300	\$ 1,300
24	Hamilton	-	2016	\$ -	\$ -
25	Hardee	-	2018	\$ -	\$ -
26	Hendry	540,300	2018	\$ 97,524	\$ 32,508
27	Hernando	3,600	2015	\$ 650	\$ 650
28	Highlands	-	2017	\$ -	\$ -
29	Hillsborough	6,248,760	2014	\$ 1,127,901	\$ 1,127,901
30	Holmes	63,800	2017	\$ 11,516	\$ 5,758
31	Indian River	197,500	2014	\$ 35,649	\$ 35,649
32	Jackson	490,000	2016	\$ 88,445	\$ 88,445
33	Jefferson	-	2017	\$ -	\$ -
34	Lafayette	-	2019	\$ -	\$ -
35	Lake	1,521,500	2014	\$ 274,631	\$ 274,631
36	Lee	5,307,400	2015	\$ 957,986	\$ 957,986
37	Leon	261,100	2020	\$ 47,129	\$ 9,426
38	Levy	70,900	2018	\$ 12,797	\$ 4,266
39	Liberty	6,400	2014	\$ 1,155	\$ 1,155
40	Madison	68,400	2015	\$ 12,346	\$ 12,346

March 12, 2015

* Cost estimates based on a mean of industry pricing

- Indicates district DCP data is unclear

FDOE District Technology Gap Analysis March 2015

Schools Meeting Bandwidth Standard (100kbps/student)

District		Bandwidth Gap (kbps)	District DCP Goal Date	Cost of Bandwidth (Total @ \$0.18/kbps*)	Cost of Bandwidth (1 year @ \$0.18/kbps*)
41	Manatee	778,560	2014	\$ 140,530	\$ 140,530
42	Marion	27,200	2016	\$ 4,910	\$ 4,910
43	Martin	1,800	-	\$ 325	\$ 325
44	Monroe	-	2019	\$ -	\$ -
45	Nassau	82,400	2014	\$ 14,873	\$ 14,873
46	Okaloosa	1,193,400	2017	\$ 215,409	\$ 107,704
47	Okeechobee	-	-	\$ -	\$ -
48	Orange	1,147,900	2015	\$ 207,196	\$ 207,196
49	Osceola	417,800	2015	\$ 75,413	\$ 75,413
50	Palm Beach	762,300	2018	\$ 137,595	\$ 45,865
51	Pasco	6,752,500	-	\$ 1,218,826	\$ 1,218,826
52	Pinellas	4,664,900	2019	\$ 842,014	\$ 210,504
53	Polk	316,100	2015	\$ 57,056	\$ 57,056
54	Putnam	596,000	-	\$ 107,578	\$ 107,578
55	St. Johns	2,269,600	2015	\$ 409,663	\$ 409,663
56	St. Lucie	2,930,400	2016	\$ 528,937	\$ 528,937
57	Santa Rosa	107,200	2018	\$ 19,350	\$ 6,450
58	Sarasota	1,033,800	2017	\$ 186,601	\$ 93,300
59	Seminole	4,687,100	2019	\$ 846,022	\$ 211,505
60	Sumter	209,900	2015	\$ 37,887	\$ 37,887
61	Suwannee	-	-	\$ -	\$ -
62	Taylor	114,600	2015	\$ 20,685	\$ 20,685
63	Union	2,600	2015	\$ 469	\$ 469
64	Volusia	76,700	2015	\$ 13,844	\$ 13,844
65	Wakulla	491,900	-	\$ 88,788	\$ 88,788
66	Walton	3,200	2015	\$ 578	\$ 578
67	Washington	-	2019	\$ -	\$ -
68	Washington Special				
69	FAMU Lab School	48,100	-	\$ 8,682	\$ 8,682
70	FAU Palm Beach	3,200	2015	\$ 578	\$ 578
71	FAU St. Lucie	-	2015	\$ -	\$ -
72	FSU Broward	-	2016	\$ -	\$ -
73	FSU Leon	73,200	2017	\$ 13,213	\$ 3,303
74	UF Lab School	-	2019	\$ -	\$ -
TOTAL		68,118,820		\$ 12,295,447	\$ 9,254,069

Total Combined Gap (Devices, Wireless, Bandwidth) \$ 323,888,347

Combined One Year Gap (Devices, Wireless, Bandwidth) \$ 105,482,033

March 12, 2015

* Cost estimates based on a mean of industry pricing

- Indicates district DCP data is unclear

CourtSmart Tag Report

Room: KN 412
Caption: Senate Committee on Education Pre-K - 12 (Part B)

Type:
Judge:

Started: 3/18/2015 4:05:49 PM
Ends: 3/18/2015 5:57:43 PM **Length:** 01:51:55

4:05:52 PM Meeting called to order by Chair Legg
4:05:53 PM Roll Call - Quorum is present
4:06:05 PM Chair
4:06:27 PM Tab 1 - SB 530 by Sen. Ring
4:07:36 PM Chair
4:07:43 PM Heather Beaven, CEO, Students United with Parents and Educators to Resolve Bullying (SUPERB)
-waives in support
4:07:48 PM Chair
4:07:50 PM Sen. Ring waives to close
4:07:57 PM Roll Call for SB 530 - Favorable
4:08:21 PM Tab 2 - SB 874 by Sen. Stargel
4:08:41 PM Chair
4:08:42 PM Sen. Gaetz - yields to Sen. Clemens
4:08:43 PM Sen. Clemens
4:09:02 PM Sen. Stargel
4:09:41 PM Sen. Clemens
4:09:46 PM Sen. Stargel
4:09:59 PM Sen. Montford
4:10:47 PM Sen. Stargel
4:11:04 PM Chair
4:11:06 PM Sen. Detert
4:11:14 PM Sen. Stargel
4:11:26 PM Sen. Detert
4:11:46 PM Chair
4:11:48 PM Sen. Gaetz
4:12:27 PM Sen. Stargel
4:15:10 PM Sen. Gaetz
4:16:16 PM Sen. Stargel
4:17:15 PM Chair
4:17:18 PM Sen. Bullard
4:18:28 PM Sen. Stargel
4:19:28 PM Sen. Bullard
4:19:51 PM Sen. Stargel
4:19:59 PM Chair
4:20:14 PM Waive in support of bill - Dr. Barbara Hodges, ED, Fla. Assoc. of Academic Nonpublic Schools (FAANS), Tampa; William Hewlett, III, Head of School, Fla. Assoc. Academic Non Public Schools, Hollywood; David Hothouse, Reg. Director Assoc. of Christian Schools, Dunedin; James Herzog, Assoc. Director of Education, Fla. Conference of Catholic Bishops, Tallahassee; Michael S. Phillips, Creative Dir. of Legislation, Fla. Coalition of Christian Private Schools Accreditation, Winter Park; James Lawson, School Administrator, Families of Faith Christian Academy, Plant City; Howard G. Burke, ED, Fla. Assoc. of Christian Colleges & Schools, Tallahassee; Steven Hicks, President McKay Coalition, Private Schools, Lutz
4:20:56 PM Chair
4:20:57 PM Sen. Stargel to close
4:21:22 PM Roll Call on SB 874 - Favorable
4:21:54 PM Tab 4 -SB 1202 by Brandes
4:22:36 PM Speaking in favor of the bill -
4:22:49 PM Karla Cerritos, student, Armwood High School, Seffner, FL
4:23:25 PM Alyssa Newby, student, Armwood High, Seffner, FL
4:23:56 PM Chase Cabre, student, Armwood High School, Thonotosassa, FL
4:24:28 PM Joshua Rodak, student, Armwood High School, Thonotosassa, FL
4:24:53 PM Chair
4:25:01 PM Sen. Galvano

4:25:15 PM Chair
4:25:17 PM Sen. Brandes waives to close
4:25:24 PM Roll Call on SB 1202 - Favorable
4:25:58 PM Tab 3 -SB 1020 by Sen. Simmons
4:27:35 PM Chair
4:27:38 PM Sen. Bullard
4:28:07 PM Sen. Simmons
4:28:27 PM Sen. Bullard
4:28:34 PM Sen. Simmons
4:28:35 PM Sen. Bullard
4:28:41 PM Sen. Simmons
4:28:45 PM Chair
4:28:50 PM Linda Champion, Dep. Commissioner, DOE
4:29:35 PM Chair
4:29:36 PM Sen. Bullard
4:29:52 PM Linda Champion
4:30:08 PM Sen. Bullard
4:30:12 PM
4:30:21 PM Linda Champion
4:30:32 PM Chair
4:30:34 PM Sen. Montford
4:30:53 PM Linda Champion
4:31:09 PM Sen. Montford
4:31:32 PM Linda Champion
4:31:37 PM Sen. Montford
4:32:01 PM Chair
4:32:10 PM Tanya Cooper, Dir. Gov. Relations, DOE, waive in support of bill
4:32:15 PM Sen. Simmons to close on SB 1020
4:32:39 PM Roll Call on SB 1020 - Favorable
4:33:08 PM Vice Chair Detert in the Chair
4:33:20 PM Tab 5 - SB 1262 by Sen. Legg
4:33:54 PM Chair
4:33:57 PM Roll Call on SB 1262 - Favorable
4:34:49 PM Tab 6 - SB 1264 by Sen. Legg
4:37:13 PM Amendment # 335586
4:37:45 PM Chair
4:37:50 PM Sen. Legg - waive on amendment
4:37:58 PM Amendment is adopted
4:38:01 PM Amendment # 829512
4:38:23 PM Sen. Legg
4:38:40 PM Chair
4:38:44 PM Amendment adopted
4:38:54 PM Back on the bill as amended
4:39:02 PM Sen. Bullard
4:39:13 PM Sen. Legg
4:40:54 PM Sen. Bullard
4:41:34 PM Sen. Legg
4:42:28 PM Sen. Montford
4:43:35 PM Sen. Legg
4:44:58 PM Sen. Montford
4:46:42 PM Sen. Legg
4:48:32 PM Sen. Sobel
4:49:11 PM Sen. Legg
4:49:42 PM Sen, Sobel
4:49:54 PM Sen. Legg
4:49:58 PM Chair
4:50:02 PM Sen. Brandes
4:50:16 PM Sen. Legg
4:50:47 PM Chair
4:50:55 PM Waive in support - Skylar Zander, Dep. State Director, Americans for Prosperity; David Ash, Fla. Consortium of Public charter Schools; Sara Clements, Leg. Director, Foundation for Florirda's Future; James Taylor, ED, The Florida Technology Council

4:51:26 PM Sen. Legg to close on SB 1264
4:52:11 PM Chair
4:52:22 PM Roll Call on CS/SB 1264 - Favorable
4:53:00 PM Chair Legg back in Chair
4:53:04 PM Tab 7 - SB 1552 By Sen.Benacquisto
4:53:26 PM Amendment #346014 - PCS
4:55:55 PM Chair
4:55:58 PM Amendment #244742 by Sen. Gaetz
4:56:34 PM Wendy Dodge, Leg. Chair, Fla. Assoc. of School Administrators - waives in support
4:56:53 PM Sen. Gaetz waives to close on amendment
4:56:56 PM Amendement adopted
4:56:57 PM Chair
4:56:59 PM Amendment # 457936 by Sen. Benacquisto
4:57:17 PM Chair
4:57:20 PM Burt Saunders, Attorney, Accidental Learning Solutions - Charter Schools, Naples - waives in support
4:57:30 PM Chair
4:57:32 PM Sen. Detert
4:58:07 PM Sen. Benacquisto
4:58:36 PM Sen. Gaetz
4:59:10 PM Sen. Benacquisto
4:59:14 PM Sen. Detert
4:59:41 PM Chair
4:59:44 PM
4:59:52 PM Amendment adopted
4:59:56 PM Amendment # 750288 by Sen. Benacquisto
5:00:19 PM Sen. Bullard
5:01:32 PM Sen. Benacquisto
5:01:39 PM Sen. Bullard
5:02:42 PM Sen. Benacquisto
5:03:04 PM Sen. Montford
5:04:37 PM Chair
5:04:47 PM Sen. Benacquisto
5:06:01 PM Chair
5:06:27 PM Laura -
5:08:38 PM Laura Zorc, parent, Vero Beach, FL speaking for the bill
5:09:41 PM Chair
5:09:45 PM Amendment is adopted
5:09:50 PM Back on the PCS as amended- adopted
5:10:00 PM Back on the Bill
5:10:22 PM Sen.Sobel
5:10:53 PM Sen. Banacquisto
5:11:06 PM Sen. Sobel
5:11:53 PM Sen. Benacquisto
5:12:28 PM Sen.Sobel
5:12:42 PM Sen. Benacquisto
5:13:14 PM
5:13:16 PM Sen. Clemens
5:13:23 PM Chair
5:13:25 PM Sen. Clemens
5:14:06 PM Sen. Benacquisto
5:14:16 PM Sen. Clemens
5:14:42 PM Sen. Benacquisto
5:14:51 PM Sen. Clemens
5:14:56 PM Sen. Benacquisto
5:15:04 PM Sen. Clemens
5:15:41 PM Sen. Benacquisto
5:16:02 PM Sen. Clemens
5:16:14 PM Sen. Benacquisto
5:16:38 PM Sen. Clemens
5:16:48 PM Sen. Clemens
5:16:58 PM Sen. Benacquisto
5:17:17 PM Chair

5:18:13 PM Sen. Clemens
5:18:18 PM Chair
5:18:33 PM Sen. Clemens
5:18:47 PM Chair
5:18:59 PM Sen. Clemens
5:19:13 PM Sen. Clemens
5:19:51 PM Sen. Benacquisto
5:20:00 PM Chair
5:20:39 PM Sen. Clemens
5:20:46 PM Chair
5:21:18 PM Sen. Benacquisto - yields to Sen. Brandes
5:21:25 PM Sen. Brandes
5:22:02 PM
5:22:21 PM Chair
5:22:25 PM Sen. Brandes
5:22:30 PM Sen. Clemens
5:23:22 PM Sen. Benacquisto
5:23:43 PM
5:23:53 PM Sen. Clemens
5:24:20 PM Sen. Benacquisto
5:24:45 PM Chair
5:25:15 PM Jason Hand, Chief Attorney, Senate Education staff to explain
5:25:23 PM Sen. Clemens
5:26:02 PM
5:26:11 PM Sen. Benacquisto
5:26:46 PM Chair
5:27:07 PM Sen. Clemens
5:27:13 PM Chair
5:27:14 PM Sen. Brandes
5:27:54 PM Sen. Clemens
5:27:59 PM Sen. Brandes
5:28:03 PM Chair
5:28:07 PM Sen. Bullard
5:28:24 PM Sen. Benacquisto
5:28:41 PM Sen. Bullard
5:29:16 PM Chair
5:29:17 PM Sen. Bullard
5:30:08 PM Chair
5:30:09 PM Sen. Bullard
5:30:55 PM Chair
5:31:13 PM Sen. Bullard
5:31:14 PM Chair
5:31:15 PM Sen. Gaetz
5:34:10 PM Sen. Benacquisto
5:34:16 PM Chair
5:34:23 PM Sen. Detert
5:35:17 PM
5:36:11 PM Chair
5:36:15 PM Sen. Montford
5:37:40 PM Chair
5:37:44 PM Sen. Benacquisto
5:38:47 PM Sen. Montford
5:39:30 PM Chair
5:40:29 PM Sen. Montford
5:40:46 PM Chair
5:40:51 PM Sen. Galvono- Motion to limit debate
5:41:09 PM Chair, Motion adopted
5:41:14 PM Sen. Montford
5:41:27 PM Sen. Benacquisto
5:41:43 PM Chair
5:42:15 PM Sen. Montford
5:42:21 PM Chair

5:42:38 PM Sen. Montford
5:42:57 PM Chair
5:43:21 PM Enrique Perez, student, City of Hialeah Educational Academy speak in support
5:44:20 PM Julio Fuentes, Ex. Dir., Hispanic Council for Reform & Education Options (HCRED), Lake Worth - waive
in support
5:44:26 PM Jason Fisher, Board Member, Duval County Public Schools, Jacksonville -speak in support of bill
5:47:11 PM Shelia Griffin, Parent, Public School Mentor, St. Pete, speaking for the bill
5:49:11 PM Chair
5:49:41 PM Andrew Ladanowski, IT Consultant, Coral Springs Charter, speaking in support of the bill
5:51:17 PM Chair
5:51:29 PM Gail Quam, Principal, Lake Wales Charter Schools, Lake Wales, waive against
5:51:48 PM Sen. Clemens
5:51:57 PM Chair
5:51:59 PM
5:52:06 PM Sen. Montford
5:53:19 PM Chair
5:53:24 PM Sen. Benacquisto
5:54:07 PM Chair
5:54:09 PM Roll call for CS/SB 1552 - Favorable
5:54:43 PM Chair - Tab 8 for Appointments
5:54:56 PM Sen. Benacquisto moves for confirmation of Michael H. Olenick to State Board of Education
5:55:17 PM Sen. Bullard
5:55:22 PM Chair
5:55:24 PM Sen. Bullard
5:55:26 PM Chair
5:55:30 PM Sen. Bullard
5:55:45 PM Sen. Montford
5:56:13 PM Sen. Sobel
5:56:25 PM Chair
5:56:32 PM Roll call for Confirmation of Michael H. Olenick to the State Board of Education - Favorable
5:57:08 PM Sen. Garcia recorded as favorable for SB 530, 874, 1202, 1020, 1262, 1264.
5:57:25 PM Chair - No objection - motion adopted
5:57:26 PM Sen. Garcia moves to rise
5:57:34 PM Meeting adjourned