

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 1472

INTRODUCER: Senator Diaz

SUBJECT: Education

DATE: March 25, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Sikes	ED	Favorable
2.			AED	
3.			AP	

I. Summary:

SB 1472 updates references to the Elementary and Secondary Education Act (ESEA) and the No Child Left Behind Act (NCLB) in the Florida K-20 Education Code to reflect federal law as amended.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

The United States Congress enacted the Elementary and Secondary Education Act (ESEA) in 1965 to expand and improve education for low-income families.¹ Since 1965, the following legislation substantially amended the ESEA:

- Bilingual Education Act of 1968.²
- Equal Educational Opportunities Act of 1974.³
- Improving America's Schools Act of 1994.⁴
- No Child Left Behind Act of 2001 (NCLB).⁵
- Every Student Succeeds Act of 2015 (ESSA).⁶

The Florida K-20 Education Code references the ESEA in multiple sections of law, including sections defining student subgroups and referencing the requirements of federal law.

¹ Pub. L. No. 89-10, 79 Stat. 27 (Apr. 11, 1965).

² Pub. L. 90-247, 81 Stat. 783 (Jan. 2, 1968).

³ Pub. L. 93-380, 88 Stat 484 (Aug. 21, 1974).

⁴ Pub. L. 103-382, 108 Stat 3518 (Oct. 20, 1994).

⁵ Pub. L. 107-110, 115 Stat 1425 (Jan. 8, 2002).

⁶ Pub. L. 114-95, 129 Stat 1802 (Dec. 10, 2015).

An ESEA flexibility waiver approved for Florida by the United States Secretary of Education is referenced in ss. 1008.33(1) and (3)(a), F.S., relating to authority to enforce public school improvement. The ESEA flexibility waiver no longer applies to the Florida Department of Education.⁷

III. Effect of Proposed Changes:

SB 1472 updates outdated references to the Elementary and Secondary Education Act (ESEA) and the No Child Left Behind Act (NCLB) in the Florida K-20 Education Code to reflect the current federal law as amended by the Every Student Succeeds Act of 2015 (ESSA).

The bill also removes outdated language referencing the ESEA flexibility waiver approved for Florida by the United States Secretary of Education.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

⁷ Email, Florida Department of Education (Mar. 21, 2019).

C. Government Sector Impact:

The bill has no impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.42, 1002.451, 1003.4282, 1004.04, 1004.85, 1008.31, 1008.33, 1008.332, 1008.34, 1011.62, and 1012.56.

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.