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2017 LEGISLATIVE REVIEW

FLORIDA COMMISSIONER OF EDUCATION

PAM STEWART





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INTRODUCTION

This booklet is an overview of legislation impacting education that was passed by the Florida Legislature during the 2017 Regular Legislative Session.

Access to all bills, their final action, legislative staff analyses, floor amendments, bill history and Florida Statute citations are available through several websites which are provided below.

For additional information on legislation passed by the Florida Legislature, which impacts education, you may visit the Governmental Relations website at <http://www.fldoe.org/about-us/governmental-relations> or contact the Florida Department of Education's Office of Governmental Relations at 850-245-0507.

Florida House of Representatives:

<http://www.myfloridahouse.gov/>

Florida Senate:

<http://www.flsenate.gov/>

Online Sunshine:

<http://www.leg.state.fl.us/Welcome/index.cfm?CFID=197225232&CFTOKEN=39851043>

Florida Department of State, Laws of Florida:

<http://laws.flrules.org/node>

Governor of Florida:

<http://www.flgov.com/>



HB 15 Educational Options
(CH. 2017-166, Laws of Florida)

Bill Sponsor: Representative Sullivan

Effective Date: July 1, 2017

DOE Contact: Adam Miller, Executive Director, Office of Independent Education and Parental Choice,
(850) 245-0502

Executive Summary:

The bill revises provisions related to student eligibility, program funding, & program participation for the Gardiner Scholarship Program & Florida Tax Credit Scholarship Program.

Section 1.

Amends s. 1002.385, F.S., The Gardiner Scholarship, to:

- Expand the list of exceptionalities for which a student may qualify for a scholarship to include:
 - A rare disease or condition, which affects patient populations of fewer than 200,000 individuals in the United States as defined by the National Organization for Rare Disorders;
 - Anaphylaxis;
 - Deaf;
 - Visually impaired;
 - Dual sensory impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts;
 - Traumatic brain injured; or
 - Hospital or homebound for more than 6 months, as defined by rules of the State Board of Education and evidenced by reports from local school districts.
- Provide that, for the purpose of eligibility, an Individualized Education Plan (IEP) would not have needed to be reviewed or revised within the last 12 months.
- Define an inactive account for the purposes of the program as one having had no eligible expenditures made.
- Provide that students with an IEP which was written in accordance with the rules of another state be eligible for a scholarship.

- Provide that a diagnosis of a disability by a physician who holds an active license issued by another state or territory of the United States, the District of Columbia or the Commonwealth of Puerto Rico shall qualify a student for a scholarship.
- Provide that a student enrolled in the Florida School for the Deaf and the Blind is not eligible for a scholarship.
- Provide that specialized services from a Florida hospital be an authorized use of program funds for the Gardiner Scholarship.
- Expand the list of authorized uses of program funds to include fees for services provided by a center that is a member of the Professional Association of Therapeutic Horsemanship International.
- Expand the list of authorized uses of program funds to include fees for services provided by a therapist certified by the Certification Board for Music Therapists, or from the Art Therapy Credentials Board.
- Provide that a parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using Gardiner Scholarship funds.
- Establish that an account shall be closed and funds be reverted to the state after three consecutive fiscal years in which it has been inactive.
- Provide that schools required to submit a report of the agreed-upon procedures developed under s. 1002.395(6)(o), F.S. must submit the report annually by September 15.
- Provide that schools found to have material exceptions listed in their agreed-upon procedures report in consecutive years may be deemed ineligible to participate in the program by the commissioner.
- Provide that for student accounts that have been inactive for 2 consecutive fiscal years, additional scholarship funds will not be paid until the scholarship funding organization verifies expenditures from the account have occurred.
- Provide that for student accounts deemed inactive due to 2 consecutive fiscal years of no expenditures, eligibility will be restored once an eligible expenditure is made, based on the availability of funds.
- Provide that for new students entering the program the calculation shall be based on the matrix level of services, unless the student does not have a matrix. Students without a matrix of services shall be based on the matrix that assigns the student to support level III of services.

Section 2.

Amends s. 1002.395, F.S., Florida Tax Credit Scholarship, to:

- Remove obsolete language pertaining to student eligibility for the Florida Tax Credit scholarship program from past school years.
- Require the Department of Revenue to provide a copy of its approval or denial letter of a carryforward tax credit to the eligible nonprofit Scholarship Funding Organization (SFO) specified by the taxpayer within 10 days of the decision. The department must also include the SFO on all letters or correspondence of acknowledgement for tax credits
- Require an eligible nonprofit SFO to allow a dependent child of a parent who is a member of the United States Armed Forces to apply for a scholarship at any time.
- Require that if scholarship payments are made by funds transfer the parent must approve each payment and clarifies that the parent may not designate the school as the agent to approve the deposit of funds.
- Provide that schools required to submit a report of the agreed-upon procedures developed under s. 1002.395(6)(o), F.S. must submit the report annually by September 15.
- Provide that schools found to have material exceptions listed in their agreed-upon procedures report in consecutive years may be deemed ineligible to participate in the program by the commissioner.
- Establish the amount of a scholarship as a percentage of unweighted FTE funding amount as follows:
 - For K-5th grade, 88%
 - For grade 6-8, 92%
 - For grade 9-12, 96%
- Provide that the scholarship awarded for transportation to out-of-district public schools be increased from the previous amount of no more than \$500 to no more than \$750.
- Provide that an eligible nonprofit SFO may make scholarship payments to private schools by funds transfer, including but not limited to, debit cards, electronic payment cards, or any other means of payment deemed to be commercially viable or cost-effective by the department, and requires that the parent approve the transfer before deposit.

Section 3.

- Effective July 1, 2017.

General Implementation Timeline:

July 2017	Update website and technical assistance for public, district personnel, SFOs. Adapt Gardiner Scholarship web application and data systems to accommodate additional eligibility categories and scholarship calculation
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September 2017

Adapt Gardiner Scholarship data systems to accommodate additional approved expenditure categories



**SB 80 Public Records
(CH. 2017-021, Laws of Florida)**

Bill Sponsor: Senator Steube

Effective Date: Upon becoming law

DOE Contact: Matt Mears, General Counsel, Office of the General Counsel, (850) 245-0442

Executive Summary:

The bill revises the circumstances under which a court must assess and award the reasonable costs of enforcement against an agency in a civil action to enforce Chapter 119, Florida's Public Records Act, to include written notice to an agency's records custodian at least 5 business days before filing a civil action. It provides that a complainant is *not* required to provide such written notice if the agency does not prominently post the agency records custodian's contact information. The bill requires a court to determine whether a complainant's public records request or lawsuit was made for an improper purpose. It prohibits the award of costs to a complainant who acted with an improper purpose and requires the court to assess costs against a complainant found to have acted with an improper purpose.

Section 1.

Amends s. 119.12, Attorney's fees, F.S., to:

- Require that a court, in deciding whether to award attorney fees against an agency in a civil action to enforce Chapter 119, determine that the complainant provided written notice identifying the public records request to the agency's custodian of public records at least 5 business days before filing the civil action, unless:
 - The agency does not prominently post the custodian's contact information in the agency's primary administrative building in which public records are routinely created, sent, received, maintained, and requested, and on the agency's website.
- Require that the court determine whether the complainant requested the public records or participated in the civil action for an improper purpose (i.e., primarily to cause a violation of Chapter 119 or for a frivolous purpose). If the court determines there was an improper purpose, the court may not award costs and fees to the complainant, and shall assess and award *against* the complainant and to the agency the reasonable costs, including attorney fees, incurred by the agency in responding to the civil action.
- Provide that s. 119.12, F.S., does not create a private right of action authorizing the award of monetary damages for a person who brings an action to enforce Chapter 119's requirements.



- Provide that payments by an agency may include only the reasonable costs of enforcement, including reasonable attorney fees, directly attributable to a civil action brought to enforce Chapter 119.

Section 2.

Provides that the act only applies to public records requests made on or after the effective date of the act.

Section 3.

Provides that the act shall take effect upon becoming law.

General Implementation Timeline:

No implementation tasks required



**HB 181 Natural Hazards
(CH. 2017-048, Laws of Florida)**

Bill Sponsor: Representative Jacobs

Effective Date: July 1, 2017

DOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, (850) 245-0406

Executive Summary:

The bill establishes an interagency workgroup comprised of an agency liaison from each executive branch agency, each water management district and the Florida Public Service Commission. The purpose of the workgroup is to share information, coordinate ongoing efforts and collaborate on initiatives relating to natural hazards affecting Florida. The bill further requires the workgroup to provide an annual progress report to the Governor and the Legislature and post such report on each participating agency's website.

Section 1.

Creates s. 252.3655, F.S., Natural hazards interagency workgroup, to:

- Establish an interagency workgroup to share information on the current and potential impacts of natural hazards throughout the state, coordinate ongoing efforts of state agencies in addressing the impacts of natural hazards and collaborate on statewide initiatives to address the impacts of natural hazards.
- Define "natural hazards" as including, but not limited to, extreme heat, drought, wildfire, sea-level change, high tides, storm surge, saltwater intrusion, stormwater runoff, flash floods, inland flooding and coastal flooding.
- Direct each state agency within the executive branch of government, each water management district, and the Florida Public Service Commission to designate a person from within such agency to serve as the agency liaison to the workgroup.
- Require the director of the Division of Emergency Management (DEM) or his or her designee to serve as the agency's liaison to and coordinator of the workgroup.
- Direct each liaison to provide information from his or her respective agency on the current or potential impacts of natural hazards to his or her agency, agency resources available to mitigate against natural hazards and efforts made by the agency to address the impacts of natural hazards.
- Direct the workgroup to meet in person or by teleconference on a quarterly basis to share information, leverage agency resources, coordinate ongoing efforts and provide information for inclusion in the annual progress report.

- Direct the DEM to prepare an annual progress report, on behalf of the workgroup, on the implementation of the state's hazards mitigation plan as it relates to natural hazards.
- Require the DEM to develop and submit the annual progress report in accordance with 42 U.S.C. s. 5165 and any implementing regulations.
- Require the annual progress report to assess the relevance, level, and significance of current agency efforts to address the impacts of natural hazards.
- Require that the annual progress report strategize and prioritize ongoing efforts to address the impacts of natural hazards.
- Require each liaison to ensure that the workgroup's annual progress report is posted on his or her agency's website.
- Require the workgroup to submit the annual progress report by January 1, 2019, and each year thereafter to the Governor, the President of the Senate and the Speaker of the House of Representatives.

Section 2.

Appropriates funds for implementation of the act in the 2017-2018 fiscal year as follows:

- Appropriates \$84,738 in recurring funds and \$4,046 in nonrecurring funds from the Grants and Donations Trust Fund to the DEM.
- Authorizes one full-time equivalent position and associated salary rate of \$47,000 for the purpose of implementing this act.

Section 3.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

July 1, 2017	The act becomes effective.
Dates to be determined	Agencies will designate workgroup representatives and the DEM will establish implementation activities.
January 1, 2019 annually thereafter	On behalf of the workgroup, the DEM shall provide an annual progress report and to the Governor, the President of the Senate and the Speaker of the House of Representatives.



**HB 207 Agency Inspectors General
(CH. 2017-049, Laws of Florida)**

Bill Sponsor: Representative Plakon

Effective Date: Upon Becoming Law

DOE Contact: Mike Blackburn, Inspector General, (850) 245-9418

Executive Summary:

This bill amends s. 20.055, F.S. prohibiting an agency from offering a bonus on work performance in an inspector general contract or agreement and amends s. 420.506, F.S. prohibiting the Florida Housing Finance Corporation from offering a bonus on work performance in an inspector general contract or agreement.

Section 1.

Amends s. 20.055, F.S., Agency inspectors general, to:

- Prohibit an agency that enters into an employment agreement, or renewal or renegotiation of an existing contract or employment agreement with an inspector general or deputy inspector, from offering a bonus on work performance in the contract or agreement or award such bonuses.

Section 2.

Amends s. 420.506, Executive director; agents and employees; inspector general, to:

- Prohibit the Florida Housing Finance Corporation from entering into an employment agreement, or renewing or renegotiating an existing contract or employment agreement with an inspector general or deputy inspector, that offers a bonus on work performance in the contract or agreement and awarding such bonuses.

Section 3.

- Provides that the act takes effect upon becoming law for contracts and agreements after July 1, 2017.

General Implementation Timeline:

No implementation tasks required

HB 209 Medical Faculty & Medical Assistant Certification
(CH. 2017-050, Laws of Florida)

Bill Sponsor: Representative Miller

Effective Date: July 1, 2017

DOE Contact: Sam Ferguson, Executive Director, Commission for Independent Education, (850) 245-3206

Executive Summary:

The bill expands the criteria under which the Department of Health (DOH) may issue a medical faculty certificate. In addition, the bill provides requirements for the credentialing of certified medical assistants. Currently, medical assistants are not required to be licensed, certified or registered to practice in Florida.

Section 1.

Amends s. 456.013, F.S., Department; general licensing provisions, to:

- Require DOH to process certain applications for a temporary certificate using a personal identification number instead of a social security number under specified circumstances.

Section 2.

Amends s. 458.3137, F.S., Temporary certificate for visiting physicians to obtain medical privileges for instructional purposes in conjunction with certain plastic surgery or other medical or surgical training programs and educational symposiums, to:

- Revise the circumstances under which visiting physicians may be issued temporary certificates to obtain limited medical privileges for instructional purposes.

Section 3.

Amends s. 458.3145, F.S., Medical faculty certificate, to:

- Revise the list of schools at which certain faculty members are eligible to receive a medical faculty certificate.
- Authorize a certificate holder to practice at certain specialty-licensed children's hospitals.
- Revise provisions to allow the medical director of certain specialty-licensed children's hospitals to request the provision of medical care and treatment in connection with education.

Section 4.

Amends s. 458.3485, F.S., Medical assistant, to:



- Require medical assistants to receive certification from a certification program accredited by the National Commission for Certifying Agencies (NCCA), a national or state medical association, or an entity approved by the Board of Medicine in order to be credentialed as a certified medical assistant.

Section 5.

Amends s. 483.291, F.S., Powers and duties of the agency; rules, to:

- Revise qualifications for employment as a medical assistant in a multiphasic health testing center to authorize the center to employ medical assistants who have certificates from a certification program accredited by the NCCA and approved by the Agency for Health Care Administration (AHCA).
- Delete the certification and registration by the American Medical Technologists Association or other similar professional association approved by AHCA as a way to meet the minimum qualifications for medical assistants to work at a multiphasic health testing center.

Section 6.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

No implementation tasks required



**SB 256 Florida Center for the Partnerships for Arts Integrated Teaching
(CH. 2017-090, Laws of Florida)**

Bill Sponsor: Senator Steube

Effective Date: June 30, 2017

DOE Contact: Hershel Lyons, Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

This bill eliminates the impending expiration date of the statute authorizing The Florida Center for the Partnerships for Arts Integrated Teaching.

Section 1.

Amends s. 1004.344, F.S., The Florida Center for the Partnership for Arts Integrated Teaching, to:

- Eliminate the expiration date of July 1, 2017, allowing continued authorization for The Florida Center for the Partnerships for Arts Integrated Teaching.

Section 2.

- Provides an effective date of June 30, 2017.

General Implementation Timeline:

No implementation tasks required



**HB 293 Middle Grades
(CH. 2017-055, Laws of Florida)**

Bill Sponsor: Representative Burton

Effective Date: July 1, 2017

DOE Contact: Hershel Lyons, Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

This bill requires the Department of Education (department) to contract for a comprehensive study of states with high-performing students in middle grades. An appropriation is provided. This bill also deletes the middle grades promotion requirements of a course in career in education planning.

Section 1.

Creates an unnumbered section of law titled Comprehensive study on middle school performance, to:

- Require the department to issue a competitive solicitation for a contract to conduct a comprehensive study of states with high-performing students in grades 6 through 8 based on reading and mathematics performance on the National Assessment of Educational Progress.
- Require the study to include a review of specified academic expectations and instructional strategies, attendance policies and student mobility issues, specified teacher quality indicators, middle school administrator leadership and performance, and parental and community involvement.
- Require the department to submit a report on the findings of the study and make recommendations to improve middle school student performance by December 2017.
- Include an expiration date of this section upon submission of the final report.

Section 2.

Amends s. 1003.4156, F.S., General requirements for middle grades promotion, to:

- Eliminate the requirement of a course in career in education planning and associated district and department responsibilities.

Section 3.

- Provides an appropriation of \$50,000 nonrecurring General Revenue for the 2017-18 year for the study.



Section 4.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

December 2017

The department shall submit a report on the findings of the study and make recommendations to improve middle school student performance to the Governor, State Board of Education, President of the Senate, and Speaker of the House of Representatives.



**SB 370 Florida Wing of the Civil Air Patrol
(CH. 2017-073, Laws of Florida)**

Bill Sponsor: Senator Stargel

Effective Date: July 1, 2017

DOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, (850) 245-0406

Executive Summary:

The bill provides employment protections for a member of the Florida Wing of the Civil Air Patrol (CAP) who is absent from his or her place of employment due to service or training with the CAP.

Section 1.

Amends s. 252.55, F.S., Civil Air Patrol, to:

- Define the following terms:
 - “Benefits” means all benefits, other than salary and wages, provided or made available to employees by an employer and includes group life insurance, health insurance, disability insurance, and pensions, regardless of whether such benefits are provided by a policy or practice of the employer.
 - “Civil Air Patrol leave” means leave requested by an employee who is a Civil Air Patrol member for the purpose of participating in a Civil Air Patrol training or mission.
 - “Civil Air Patrol member” means a senior member of the Florida Wing of the Civil Air Patrol.
 - “Employee” means any person who may be permitted, required, or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment and who has been employed by the same employer for at least 90 days immediately preceding the commencement of Civil Air Patrol leave. The term does include an independent contractor.
 - “Employer” means a private or public employer, or an employing or appointing authority of this state, its counties, school districts, municipalities, political subdivisions, career centers, Florida College System institutions, or state universities.
- Require employers with 15 or more employees to provide up to 15 days of unpaid CAP leave annually to an employee who is also a CAP member, subject to certain conditions:
 - A CAP member is not required to use vacation, annual, compensatory or similar leave for the period he or she is on CAP leave
 - A returning CAP member is, upon his or her request, authorized to use any vacation, annual, compensatory or similar leave with pay accrued by the member.

- Prohibit an employer from discharging, reprimanding or penalizing a member because of his or her absence due to CAP leave.
- Add subsection (8) to provide that:
 - Upon completion of a CAP leave, the member shall promptly notify the employer of his or her intent to return to work
 - Require an employer that employs 15 or more employees to provide up to 15 days of unpaid CAP leave annually to an employee, subject to conditions specified in the law.
 - An employer is not required to allow a member to return to work if:
 - Employer's circumstances have changed, making employment impossible or unreasonable.
 - Employment would impose an undue hardship on the employer.
 - Employment is a brief, nonrecurring period.
 - Employer had reasonably sufficient cause to terminate the member at the time of leave.
 - A member who returns to work following his or her CAP leave may not be discharged from such employment for a period of one year after the date the member returns to work, except for cause.
- Add subsection (9) to provide that if the wing commander of the Florida Wing of the CAP certifies that there is probable cause to believe that an employer has violated this section, the affected member may bring a civil action against the employer.

Section 2.

Amends s. 252.55, F.S., Civil Air Patrol, to:

- Add that the Florida Legislature determines and declares that this act fulfills an important state interest by allowing senior members of the Florida Wing of the CAP to take CAP leave.

Section 3.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

No implementation tasks required.



**HB 371 Assistive Technology Devices
(CH. 2017-100, Laws of Florida)**

Bill Sponsor: Representative Ausley

Effective Date: July 1, 2017

DOE Contact: Hershel Lyons, Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

The bill revises provisions relating to accessibility and use of assistive technology devices by persons with disabilities.

Section 1.

Amends s. 1003.575, F.S., Assistive technology devices; findings; interagency agreements, to:

- Include "from school to home and community" as settings that a student may need to use assistive technology.
- Ensure that assistive technology devices issued to a student be included on the student's individualized plan for employment.
- Include the Office of Independent Education and Parental Choice in interagency agreements to ensure the transition of assistive technology devices.

Section 2.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

No implementation tasks required.

SB 396 Student Loan Debt
(CH. 2017-092, Laws of Florida)

Bill Sponsor: Senator Hukill

Effective Date: July 1, 2017

DOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, (850) 245-0406

Executive Summary:

The bill creates section 1009.45, Florida Statutes, to require certain postsecondary education institutions to provide information regarding student loans to students on an annual basis. Beginning with the 2017–2018 academic year, postsecondary education institutions that disburse state financial aid must provide each student receiving student loans with specific information to increase the student's awareness of the financial obligations being accrued. The information is intended to make sure students are knowledgeable of the debt they are incurring and allow them to better prepare their finances and goals post-graduation.

Section 1.

Creates 1009.45, F.S., Student loan information, to:

- Define the term “student loans” to mean federal loans disbursed to a student to pay for education-related expenses.
- Require a postsecondary education institution disbursing state financial aid to provide the following information annually to each student receiving student loans:
 - Estimate of the total amount of student loans taken out by the student;
 - Potential payoff for loans the student has taken out or range of the total payoff amount;
 - Monthly repayments; and
 - Percentage of the borrowing limit that the student has reached at the time the information is provided.
- Provide that a postsecondary education institution does not incur liability for providing information to a student under this section.

Section 2.

- Provides for the act to take effect July 1, 2017.

General Implementation Timeline:



- April 21, 2017 Midsession legislative memo sent to financial aid directors at Florida postsecondary institutions participating in state scholarship and grant programs.
- June 2017 Notice of the governor's action on bill sent to financial aid directors at Florida postsecondary institutions participating in state scholarship and grant programs.
- July 1, 2017 The act takes effect.
- Mid-July 2017 Implementation guidance and audit impact notice sent to financial aid directors at Florida postsecondary institutions participating in state scholarship and grant programs.



SB 436 Religious Expression in Public Schools
(CH. 2017-074, Laws of Florida)

Bill Sponsor: Senator Baxley

Effective Date: July 1, 2017

DOE Contact: Matt Mears, General Counsel, Office of the General Counsel, (850) 245-0442

Executive Summary:

This bill codifies much of the case law covering protected religious expression in public schools and prohibits discrimination against students, parents or personnel on the basis of religious expression. It also states that districts must comply with Title VII of the Civil Rights Act of 1964, which prohibits discrimination against an employee on the basis of religion.

The bill requires school districts to treat a student's voluntary expression of a religious viewpoint on an otherwise permissible subject the same as the district treats a secular viewpoint. While a religious viewpoint is to be permitted without discrimination where a student viewpoint is allowed to be expressed, the bill states that assignments are still to be evaluated within the academic standards related to the course curriculum at issue. The bill also requires districts to allow students to wear religious clothing, accessories and jewelry to the extent secular items with symbols or messages are also allowed.

The bill requires that students be allowed to pray or participate in religious activities or gatherings before, during and after school, to the same extent secular activities or clubs are allowed. Employees may not be prevented from participating in religious activities on school grounds initiated by students prior to or after the school day, provided these activities are voluntary and do not conflict with the employee's other assignments. The bill requires school districts to give religious groups the same access to school facilities and ability to announce or advertise meetings as given to secular groups.

Finally, the bill requires all school districts to adopt a policy creating a limited public forum for student speakers at school events where students speak publicly and cannot discriminate against voluntary religious expression by a student on an otherwise permissible subject. The district must provide neutral criteria for selection of speakers, must ensure the speaker does not engage in obscene or vulgar speech, and must state in oral or written form that the student's speech does not reflect endorsement of the school district. The Department of Education will be required to develop a model policy regarding the limited public forum and voluntary expression of religious viewpoints and by students and school personnel in public



schools must publish the policy on the DOE website. Each district school board is required to adopt and implement the Department's model policy.

Section 1.

Creates new "Florida Student and School Personnel Religious Liberties Act.", to:

- Prohibit school district from discrimination against students, parents, or personnel on basis of religious views or expression.
- Require school districts to treat voluntary student expression of a religious viewpoint on an otherwise permissible subject in the same manner the district treats a secular viewpoint.
- Allow students to express religious beliefs in coursework without discrimination, and prohibits reward or penalty based on religious content where the assignment requires student viewpoint to be expressed.
- Allow students to wear religious clothing, accessories and jewelry to the extent secular items with messages or symbols are allowed.
- Allow students to pray or participate in religious activities before, during and after school, including organization of religious clubs or gatherings, to the same extent secular activities or clubs are allowed.
- Employees may not be prevented from participating in religious activities in school grounds that are initiated by students at reasonable times prior to or after the school day, if such activities are voluntary and do not conflict with other assignments of such personnel.
- Require school districts to comply with Title II of the Civil Rights Act of 1964.
- Require school districts to give religious groups the same access to same school facilities as given to secular groups, and requires the district to allow religious groups to advertise in the same manner and to the same extent as secular groups.
- Require school districts to adopt a policy that establishes a limited public forum for student speakers at school events where students speak publicly. The school district cannot discriminate against voluntary expression of a student's religious views on otherwise permissible subject, must provide neutral criteria for selection of student speakers, must ensure that the student speaker does not engage in obscene, vulgar, offensively lewd or indecent speech, and must state in oral or written form that the student's speech does not reflect endorsement or position of the school district.
- Require the Department of Education to develop a model policy regarding the limited public forum and voluntary expression of religious viewpoints and by students and school personnel in public schools pursuant to this section and shall publish the policy on the DOE website. Each district school board is required to adopt and implement the Department's model policy.

Section 2.



Provides effective date of July 1, 2017.

General Implementation Timeline:



HB 501 Public Records and Meetings/Information Technology/Postsecondary Education Institutions (CH. 2017-109, Laws of Florida)

Bill Sponsor: Representative Leek

Effective Date: Upon becoming law

DOE Contact: Matt Mears, General Counsel, Office of the General Counsel, (850) 245-9762

Executive Summary:

The bill makes confidential/exempt from disclosure certain IT security-related records held by universities and colleges and portions of meetings that would reveal such data.

Section 1.

Creates s. 1004.055, F.S., Security of data and information technology in state postsecondary education institution, to:

- Provide that the following records held by a state university or Florida College System institution are confidential and exempt from disclosure as public records:
 - Records that identify detection, investigation, or response practices for suspected or confirmed information technology security incidents and breaches, if disclosure would facilitate unauthorized access to, modification, disclosure, or destruction of data or information technology (IT) resources; and
 - Portions of risk assessments, evaluations, audits, and other reports of the university's or institution's IT security program, if disclosure would facilitate unauthorized access to, modification, disclosure, or destruction of data or IT resources.
- Exempt from the Sunshine Law those portions of a meeting that would reveal information that is made confidential and exempt by this bill. The meeting must be recorded and transcribed, but the recording and transcript of such a meeting must remain confidential/exempt from disclosure unless a court determines that the meeting was not restricted to the discussion of confidential/exempt information, in which case only the portion of transcript revealing nonexempt information may be disclosed.
- Provide that the records and recordings of public meetings must be available to the Auditor General; the Cybercrime Office of FDLE; the Board of Governors/State Board of Education, as appropriate; and to a state or federal agency for security purposes or their official duties.
- Provide that the exemptions are retroactive and apply to records held before, on, or after the effective date of the act.
- Create an October 2, 2022, sunset provision.



Section 2.

- Provides public necessity statements regarding the need for the exemptions described above.

Section 3.

- Directs the Division of Law Revision and Information to replace the phrase “the effective date of this act” with the date the act becomes law.

Section 4.

- Provides that the act shall take effect upon becoming law.

General Implementation Timeline:

No implementation tasks required.



**HB 543 Regulation of Health Care Practitioners
(CH. 2017-134, Laws of Florida)**

Bill Sponsor: Representative Pigman

Effective Date: July 1, 2017

DOE Contact: Sam Ferguson, Executive Director, Commission for Independent Education, (850) 245-3200

Executive Summary:

This bill makes several changes to nursing education program regulation and amends several chapters of the Florida Statutes relating to health care practitioners. The bill also provides a path to licensure for certain students enrolled in physical therapist assistant programs and adversely impacted by a 2016 law change.

The only bill sections relating to education are sections 14 and 21.

Section 14.

Amends s. 464.019, F.S., Approval of nursing education programs, to:

- Change the method for calculating the examination passage rate for nursing education programs to include all first time test takers, rather than only those individuals who take the examination within six months of graduation.
- Remove the requirement that a graduate who does not take the licensure examination within six months of graduation must complete a licensure examination preparatory course;
- Authorize the Board of Nursing to grant a one-year extension to a nursing education program that is on probation for failure to meet the graduate passage rate if the program shows progress;
- Require accredited and non-accredited programs to disclose probationary status, and require the notice to contain certain information;
- Prohibit a terminated or closed program from reapplying for three years;
- Authorize the Board of Nursing to adopt rules relating to nursing curriculum and program implementation plans, which may address simulation technology, and procedures for program termination, closure, and subsequent program approval;
- Authorize the Board of Nursing to conduct on-site evaluations of applicants for nursing education programs.
- Remove responsibility of the Office of Program Policy Analysis and Government
- Accountability (OPPAGA) from preparing certain reports and performing certain tasks, and place responsibility for those tasks and reports on Florida Center of Nursing (FCN);

- Require the Florida Center for Nursing to conduct an annual assessment of compliance by nursing programs with the accreditation requirements in s. 464.019(11), F.S.; and
- Require the termination of a nursing program that fails to meet accreditation requirements.

Section 21.

Amends s.486.102, F.S., Physical therapist assistant; licensing requirements, to:

- Address a 2016 law change in the accreditation requirements for physical therapist assistant programs that made individuals enrolled in a program that was only regionally accredited at the time of enrollment ineligible to be licensed as a physical therapist assistant. The 2016 law required accreditation by an accrediting agency recognized by the Commission on Recognition of Postsecondary Accreditation or the United States Department of Education at the time of graduation. (The Commission on Accreditation in Physical Therapy (CAPTE) is the only recognized accrediting agency at this time.)
- Create a pathway to licensure for students who were adversely affected by the 2016 change in the law by authorizing the Department of Health to license applicants who were enrolled in any accredited physical therapist assistant program in this state, including regionally accredited programs, between July 1, 2014 and July 1, 2016. The applicants must graduate, or have been graduated, by July 1, 2018, and pass the professional licensure examination.
- In effect, “grandfather” in students who were enrolled in physical therapist assistant programs without CAPTE accreditation (for example, Dade Medical College students) when the law took effect as those students have been ineligible to sit for the National Physical Therapy Examination (NPTE).

General Implementation Timeline:

No Implementation tasks



**HB 599 Public Works Projects
(CH. 2017-113, Laws of Florida)**

Bill Sponsor: Representative Williamson

Effective Date: July 1, 2017

DOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, (850) 245-0406

Executive Summary:

The bill creates provisions relating to competitive bidding by local governments for public works projects of which 50 percent or more of the project cost will be paid from state-appropriated funds. It prohibits the state or a political subdivision, except when required by state or federal law, from requiring a contractor, subcontractor or material supplier or carrier engaged in a public works project to:

- Pay employees a predetermined amount of wages or prescribe any wage rate;
- Provide employees a specified type, amount or rate of employee benefits;
- Control, limit or expand staffing; or
- Recruit, train or hire employees from a designated, restricted or single source.

In addition, the bill provides that the state or a political subdivision that contracts for a public works project may not prohibit a contractor, subcontractor or material supplier or carrier from submitting a bid on the project if such individual is otherwise qualified to do the work described. This provision does not apply to vendors that have been convicted of a public entity crime or have been found to have committed discrimination.

Section 1.

Creates s. 255.0992, F.S., Public works projects; prohibited governmental actions, to:

- Define "political subdivision" to mean an agency or unit of local government created by law or ordinance and its officers, including school districts and institutions of higher education;
- Define "public works project" to mean a construction activity of which 50 percent or more of the cost will be paid from state-appropriated funds, including the construction, maintenance, repair, renovation, remodeling or improvement of a building or site development (among others), that is owned in whole or in part by any political subdivision;
- Prohibit the state and political subdivisions from requiring a contractor, subcontractor or material supplier or carrier to pay certain wages, provide certain benefits or meet certain staffing requirements, including certain employment sources; and



- Prohibit the state and political subdivisions from barring from any qualified, licensed contractor, subcontractor or material supplier or carrier from submitting a bid, unless the vendor is listed in ss. 287.133 and 287.134, F.S.

General Implementation Timeline:

July 1, 2017 The act becomes effective, pending approval by the governor.



**HB 749 Adoption Benefits
(CH. 2017-140, Laws of Florida)**

Bill Sponsor: Representative Combee

Effective Date: July 1, 2017

DOE Contact: Adam Miller, Executive Director, Office of Independent Education and Parental Choice,
(850) 245-0502

Executive Summary:

The bill amends the definition of “qualifying adoptive employee” in s. 409.1664, F.S., to include employees of charter schools and the Florida Virtual School.

Section 1.

Amends s. 409.1664, F.S., Adoption benefits for qualifying adoptive employees of state agencies to:

- Clarify the definition of eligible employee, for purposes of receiving adoption benefits, to include full-time employees of public charter schools and the Florida Virtual School. This change allows full-time employees of public charter schools and the Florida Virtual School to receive adoption benefits on the same basis as full-time employees of school districts and state agencies.
- Allows a qualifying adoptive employee of a public charter school or Florida Virtual School to retroactively apply for the benefits provided for in the statute if the employee was employed by a public charter school or Florida Virtual School when he/she adopted a child within the child welfare system on or after July 1, 2015.

Section 2.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

No implementation tasks required



**HB 781 Designation of School Grades
(CH. 2017-171, Laws of Florida)**

Bill Sponsor: Representative Porter

Effective Date: July 1, 2017

DOE Contact: Juan Copa , Deputy Commissioner, Accountability Research and Measurement, (850) 245-0437

Executive Summary:

This bill could increase the number of K-3 schools designated as feeder pattern schools eligible to receive school recognition funding. The bill changes the threshold for the feeder determination from 60% of students to a majority of students.

Section 1.

Amends s. 1008.34, F.S., School grading system; school report cards; district grade, to:

- Designate a school as a K-3 feeder pattern school when the "majority" of students in kindergarten through grade 3 in a school are scheduled to attend a specific graded school rather than 60 percent of the school's student population. The feeder pattern school would receive the school grade designation of the graded school to which a majority of the K-3 students are scheduled to attend.

General Implementation Timeline:

Summer of 2017 This change will be implemented for the 2016-17 school grades calculation



**HB 859 Postsecondary Education
(CH. 2017-087, Laws of Florida)**

Bill Sponsor: Representative Mariano

Effective Date: Upon becoming a law

DOE Contact: Sam Ferguson, Executive Director, Commission for Independent Education (850) 245-3206

Executive Summary:

The bill authorizes the state to participate in a reciprocity agreement with other states for the delivery of postsecondary distance education and establishes the Postsecondary Reciprocal Distance Education Coordinating Council comprised of representatives from the public and private postsecondary educational sectors to administer the agreement and provides duties. The Commission for Independent Education (commission) is required to provide administrative support to the council. In addition, the bill provides for the collection of fees from institutions participating in the reciprocity agreement, for deposit of those fees into the Institutional Assessment Trust Fund, and for those monies to be used to administer the agreement and pay the council's operational costs. Finally, the bill provides for a specific appropriation and two positions to administer the agreement.

Section 1.

Creates s. 1000.35, F.S., Reciprocity agreement, to:

- Authorize Florida to participate in a reciprocity agreement with other states for the delivery of postsecondary distance education and require each member state and participating institution to accept each other's authorization of accredited institutions to operate in their state and offer distance educational services.
- Define terms used in the act.
- Establish the Postsecondary Reciprocal Distance Education Coordinating Council within the Department of Education (DOE) as the portal entity and provide for membership and duties. Membership includes representation from both the public and private postsecondary educational sectors. Duties include the review and approval of applications from Florida institutions to participate in a reciprocity agreement, the development and administration of a complaint resolution process, and recommendation of rules to administer the agreement.
- Require the commission to provide administrative support for the council.

- Authorize the Governor to convene the council for the purpose of reconsidering participation in the reciprocity agreement, require the council to provide recommendations to the Governor within a specified time period after the request, and authorize the Governor to withdraw the state from participation.
- Require the council to collect annual fees from Florida institutions participating in a reciprocity agreement based on total full-time enrollment and capped at specified amounts.
- Require the council to submit an annual report to the Governor and Legislature showing that the total revenue generated is not higher than the total revenue necessary for the council's operation, and to include justification of staff needed for the council and the number of Florida institutions participating in a reciprocity agreement.
- Require the deposit of fees collected to be deposited into a separate account within the Institutional Assessment Trust Fund.
- Authorize the council to revoke a Florida institution's participation in a reciprocity agreement for noncompliance and authorize a Florida institution to withdraw from participation after providing notice.
- Exempt council decisions from the Administrative Procedure Act.
- Provide that the act does not supersede requirements in Chapter 1005, F.S., relating to postsecondary educational institutions under the jurisdiction of the commission.
- Require the State Board of Education to adopt rules.

Section 2.

Amends s. 1005.06, F.S., Institutions not under the jurisdiction or purview of the commission, to:

- Provide that any non-Florida institution that has been approved by a member state to participate in a reciprocity agreement and offers degree programs and conducts activities limited to distance education degree programs and activities in accordance with the reciprocity agreement is not under the jurisdiction of the commission.

Section 3.

Amends s. 1005.31, F.S., Licensure of institutions, to:

- Authorize agents of a postsecondary educational institution participating in a reciprocity agreement and not under the jurisdiction of the commission to solicit prospective students for enrollment in Florida without having to meet licensure requirements.

Section 4.

Amends s. 1010.83, F.S., Institutional Assessment Trust Fund, to:

- Allow fees collected from colleges and universities participating in a reciprocity agreement to be deposited in the Institutional Assessment Trust Fund.
- Require DOE to maintain a separate account within the trust fund for the operation of a reciprocity agreement.
- Authorize the use of monies from the trust fund for expenses related to the administration of a reciprocity agreement.

Section 5.

- Provides for F/Y 2017-18, \$225,534 in recurring funds from the Institutional Assessment Trust Fund to DOE and two positions with a \$110,000 salary rate for the purpose of implementing the requirements of the act.

Section 6.

- Directs the Division of Law Revision and Information to replace the phrase “the effective date of this act” wherever it occurs with the date the act becomes a law.

Section 7.

- Provides an effective date of upon becoming a law.

General Implementation Timeline:

Within 60 days after the effective date of the act, the council must apply for Florida to participate as a member state of a reciprocity agreement.

February 15, 2018 and each year thereafter

The council must submit a report to the Governor and Legislature showing that the total revenue generated is not higher than the total revenue necessary for the council's operation, must justify staff needed for the council, and must include the number of Florida institutions participating in a reciprocity agreement.

SB 890 Direct-Support Organizations

(CH. 2017-075, Laws of Florida)

Bill Sponsor: Senator Bean

Effective Date: July 1, 2017

DOE Contact: Aleisa McKinlay, Director, Division of Vocational Rehabilitation (850) 245-3311

Executive Summary:

The statutory authority for the ABLE Trust is scheduled for repeal on October 1, 2017, unless reviewed and saved from repeal by the Legislature. Any funds or accounts held in trust by the Direct Support Organization (DSO) revert to the state upon repeal.

The bill removes the ABLE Trust as custodial agent for several funding streams. Funds currently directed to the ABLE Trust from civil penalties and fines received by the county courts and temporary disabled parking permit fees are redirected to the Grants and Donations Trust Fund of the Division of Vocational Rehabilitation (DVR) within the DOE. Additionally, the Able Trust is no longer the custodial agent for motorcycle specialty license plate fees which will be distributed directly to the Florida Association of Centers for Independent Living (FACIL), the Brain and Spinal Cord Injury Program Trust Fund, Prevent Blindness Florida, or the Blind Services Foundation of Florida.

The bill's stated intent is to increase transparency and oversight of the ABLE Trust by requiring separate accounting for state and private funds; requiring specified sources of funds be spent on administrative expenses which are limited to 15 percent of estimated expenditures; and requiring the ABLE Trust to post additional information on its website, including the annual audit and annual report.

The bill extends the repeal to October 1, 2019.

Section 1.

Amends s. 20.058, F.S., Citizen Support Organization(CSO) and direct-support organizations, to:

- Require that any contract between a CSO or a DSO and an agency must include a provision for the orderly cessation of operations and the return of state funds held if the authorizing statute is repealed, the contract terminated, or the CSO or DSO is dissolved. The CSO or DSO must return these funds within 30 days of such an event.

Section 2.

Amends s.318.21, F.S., Disposition of civil penalties by county courts, to:

- Revise the distribution of civil penalties and fines collected by county courts from the ABLE Trust to the DVR.

Section 3.

Amends s. 320.08068, F.S., Motorcycle specialty license plates, to:

- Remove the ABLE Trust as custodial agent of the motorcycle specialty license plate fees. Recipients will receive more funds by removing the 10 percent administrative costs associated with the fee. FACIL will now receive the tax collection enforcement diversion program fees and motorcycle specialty license plate fees directly to support the James Patrick Memorial Incentive Personal Attendant Services and Employment Assistance Program.

Section 4.

Amends s. 320.0848, F.S., Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities, to:

- Redirect proceeds from temporary disabled parking permit fees from the ABLE Trust to the DVR within the Department of Education to improve employment and training opportunities for persons who have disabilities, with special emphasis on removing transportation barriers.

Section 5.

Amends s. 413.402, F.S., James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program, to:

- Clarify that FACIL shall administer the program, and reduces administrative costs from 12 percent to 10 percent of the funds received for FACIL to administer the James Patrick Memorial Incentive Personal Attendant Services and Employment Assistance Program.
- Require the James Patrick Memorial Incentive Personal Attendant Services and Employment Assistance Program Oversight Council to issue a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education by February 1 of each year, summarizing the program's performance.

Section 6.

Amends s. 413.4021, F.S. Program participant selection; tax collection enforcement diversion program, to:

- Require that any funds held in the special reserve account under s. 413.4021(1), F.S., to administer the James Patrick Memorial Incentive Personal Attendant Services and Employment Assistance Program must be immediately transferred to FACIL for continuity of participant payments and essential program operations.

Section 7.

Amends s. 413.615, F.S., Florida Endowment for Vocational Rehabilitation, to:

- Provide a technical amendment regarding the transfer of funds that were going to the Able Trust.
- Require that state funds and earnings from state funds be accounted for separately from all other funding sources.
- Require The ABLE Trust to submit their annual budget for approval by the DVR. The DVR may not approve a budget that does not comply with specified oversight requirements.
- Require that administrative costs of the Able Trust foundation must be limited to 15 percent of the total estimated expenditures in any calendar year; defines administrative costs and specifies what sources of funding administrative costs can be paid from.
- Increase transparency of the ABLE Trust activities by requiring the DSO to publish specified information on its website.
- Provide that funds used for conducting research, advertising or consulting must be used pursuant to a competitive solicitation. State funds may not be used to fund events for private sector donors or potential donors or to honor supporters.
- Require the foundation board to issue an annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Commissioner of Education by December 30 each year. The annual report must include financial data, by service type, including expenditures for administration and the provision of services and outcome data including the number of individuals served, including employment outcomes as well as activities and programs supported by private sources.
- Extend the repeal of the law until October 1, 2019, unless reviewed and saved from repeal by the Legislature.

Section 8.

Provides that The ABLE Trust must transfer any funds they have received pursuant to s. 320.08068(4), F.S., to the entities that are identified in s. 320.08068(4)(a)-(e), F.S. Any funds held in the special reserve account under s. 413.4021(1), F.S., to administer the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program must be immediately transferred to FACIL for continuity of participant payments and essential program operations.

Section 9.

Provides an effective date of July 1, 2017.

General Implementation Timeline:



- July 1, 2017: The VR Bureau of Vendor and Contracted Services will initiate the process of amending its Memorandum of Understanding (MOU) with the Able Trust to include a provision for the orderly cessation of operations and reversion of state funds held in trust by the organization within 30 days after its authorizing statute is repealed, the contract is terminated, or the organization is dissolved.
- July 1, 2017: Vocational Rehabilitation will need additional appropriation (budget authority) in the Grants & Donations Trust Fund to spend the dollars that will be redirected from The Able Trust.
- July 1, 2017: The Able Trust will make administrative adjustments as specified in the bill. The division will initiate the process of amending its Memorandum of Understanding (MOU) with the Able Trust to include the additional administrative requirements outlined in Section 7.



**HB 989 Instructional Materials
(CH. 2017-XX, Laws of Florida)**

Bill Sponsor: Representative Donalds

Effective Date: July 1, 2017

DOE Contact: Hershel Lyons, Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

The bill makes several revisions to a district school board's adoption process for instructional materials. Specifically, the bill revises district school board responsibilities, including maintaining instructional materials information on its website, allowing residents of a district to challenge the use or adoption of instructional materials, revise the process for a resident to challenge instructional materials, requiring procedural protections for a public hearing, and revising evaluations of materials to prohibit certain materials.

Section 1.

Amends s. 1002.20, F.S., K-12 student and parent rights, to:

- Align statutory citations with the re-designations of subsections in s. 1006.28, F.S.

Section 2.

Amends s. 1006.28, F.S., Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials, to:

- Provide definitions for "adequate instructional materials," "instructional materials," "resident," and "purchase."
- Add the requirement that district school boards are responsible for the content of materials "and any other materials...made available in a school library, or included on a reading list."
- Require each school district shall maintain a current list of instructional materials on its website.
- Add parents or a resident of the county to those who must be covered by the district school board policy regarding objections to specific instructional material and given an opportunity to proffer evidence for objection, including materials that do not meet criteria of ss. 1006.31(2) or s. 1006.40(3)(d), F.S., or pornographic material.
- Add that public hearings held for timely petitions be held before an "unbiased and qualified hearing officer." The hearing officer may not be an employee or agent of the school district.
- Require that school districts provide access to materials or books, upon written request.

Section 3.

Amends s. 1006.283, F.S., District school board instructional materials review process, to:

- Require the public hearing for district adoption of materials to allow for a parent of a student in public school or resident to offer evidence that recommended materials do not meet criteria provided in s. 1006.31(2), F.S.

Section 4.

Amends s. 1006.31, F.S., Duties of the Department of Education and school district instructional materials reviewer, to:

- Require that the selection criteria in s. 1006.34(2)(b), F.S., are to be used by state instructional reviewers and be free of pornography and material prohibited under s. 847.012, F.S.

Section 5.

Amends s. 1006.40, F.S., Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books, to:

- Remove the requirement that at least 50 percent of the instructional materials allocation be used for the purchase of digital or electronic materials that are included on the state adopted list.
- Remove the need for compliance with subsection (3) from districts implementing their own instructional materials program under s. 1006.283, F.S.
- Require that, except as authorized in (b) and (c), district school boards shall use the annual allocation only for purchase of materials that meet standards and are included in the state adopted list.
- Add materials purchased must be free of pornography, suited to student needs and appropriate for grade level.
- Each school district is responsible for content of all materials used in the classroom "or otherwise made available."
- Provide that districts implementing their own instructional materials program do not have to comply with subsection (5).
- Allow a district that implements its own instructional materials program under s. 1006.283, F.S., to use all of its annual instructional materials allocation on instructional materials not on the state-adopted list but must meet criteria of s. 1006.31(2), F.S., and be consistent with course expectations based on district's student progression plan and course description.

Section 6.



Amends s. 1006.42, F.S., Responsibility of students and parents for instructional materials, to:

- Align statutory citations with the re-designations of subsections in s. 1006.28, F.S.

Section 7.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

July 1, 2017 District implementation to begin.

No state implementation tasks required.



HB 1021 Construction
(CH. 2017-149, Laws of Florida)

Bill Sponsor: Representative Avila

Effective Date: July 1, 2017

DOE Contact: Rod Duckworth, Chancellor, Division of Career and Adult Education, (850) 245-9463

Executive Summary:

Section 10 requires the Department of Education, in conjunction with the Department of Economic Opportunity, to develop a plan to implement the recommendations of the Construction Industry Workforce Task Force report dated January 20, 2017.

Section 10.

Creates an unnumbered section of law to:

- Require the Department of Education and the Department of Economic Opportunity to develop a plan to implement the recommendation of the Construction Industry Task Force.

General Implementation Timeline:

No later than July 1, 2018 The report must be developed and submitted by the Department of Education to the Task Force



HB 1079 Public Records and Meetings/Campus Emergency Response for Public Postsecondary Educational Institutions
(CH. 2017-XX, Laws of Florida)

Bill Sponsor: Representative Rommel

Effective Date: July 1, 2017

DOE Contact: Matt Mears, General Counsel, Office of the General Counsel, (850) 245-0442

Executive Summary:

This bill exempts “campus emergency response” plans, as defined in the statute, from the requirements of section 119.07(1), F.S., and section 24(a), Article I of the Florida Constitution. The exemption covers only those “campus emergency response” documents maintained by the entities specified in the bill. Information covered by this exemption may be disclosed to another governmental entity that requires such information to perform its duties or upon a showing of good cause before a court of competent jurisdiction. Additionally, the bill provides that the portions of public meetings where a “campus emergency response” is discussed are exempt from section 286.011, F.S., and section 24(b), Article I of the Florida Constitution. The bill is effective July 1, 2017, but at that time the exemption will apply to the described documents regardless of their date of creation.

Section 1.

Creates s. 1004.0962, F.S., Campus emergency response of a public postsecondary educational institution; public records exemption; public meeting exemption, to:

- Define “campus emergency response” to mean a public postsecondary institution’s response to or plan for responding to an act of terrorism or other public safety crisis or emergency, including information related to the following: records, information, photographs, audio and visual presentation, schematic diagrams, surveys, recommendations, or consultations; threat assessments regardless of who created them; threat response plans; emergency evacuation plans; sheltering arrangements; manuals for security personnel, emergency equipment, or security training; security systems or plans; vulnerability analyses; post disaster activities, including provisions for emergency power, communications, food, and water; post disaster transportation; supplies, including drug caches; staffing; emergency equipment; and individual identification of students, faculty, and staff; the transfer of records; and methods of responding to family inquiries.
- Make confidential and exempt from disclosure under s. 119.07(1), F.S., and s. 24(a), Art. I of the State Constitution any portion of a campus emergency response held by a public postsecondary institution.

- Make confidential and exempt from disclosure under s. 119.07(1), F.S., and s. 24(a), Art. I of the State Constitution any portion of a campus emergency response held by a state or local law enforcement agency, a county or municipal emergency management agency, the Executive Office of the Governor, the Department of Education, the Board of Governors of the State University System, or the Division of Emergency Management.
- Make the exemptions provided by this section remedial and applicable to all described information regardless of the date of its creation.
- Provide that information made exempt by this provision may be disclosed to another governmental entity if such disclosure is necessary for the receiving entity to perform its duties or upon a showing of good cause in a court of competent jurisdiction.
- Provide that any portion of a public meeting that would reveal information related to a campus emergency response is exempt from s. 286.011, F.S., and s. 24(b), Art. I of the State Constitution.
- Provide that s. 1004.0962 is subject to the Open Government Sunset Review Act and shall stand repealed on October 2, 2022, unless saved from repeal by reenactment.

Section 2.

Provides the public necessity statement required for exceptions to public record/open government laws:

- It is a public necessity that the information contained in campus emergency responses, whether maintained by the postsecondary institution or by the other named entities, be made confidential and exempt from disclosure.
- It is also necessary for any meeting in which information relating to a campus emergency response would be revealed to be exempt from the Sunshine Law.
- The campus emergency response affects the health and safety of students, staff, faculty and the public at large.
- If a campus emergency response were publicly available, the public postsecondary institution's response to an act of terrorism or other public safety crisis could be hampered or disabled. If a response were hampered or disabled, there would be an increase in the number of Floridians subjected to fatal injury.
- There is sufficient evidence of the growing sophistication of terrorists and criminals to plot, plan, and coordinate complicated acts of terror and violence. The aftermath of such acts of terror and violence illustrates the importance of having viable plans for campus emergency response.

Section 3.

Provides that the act shall take effect July 1, 2017.



General Implementation Timeline:

No implementation tasks required



**HB 1109 Private School Student Participation in Extracurricular Activities
(CH. 2017-XX, Laws of Florida)**

Bill Sponsor: Representative Antone

Effective Date: July 1, 2017

DOE Contact: Hershel Lyons, Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

This bill expands options for private school students to participate in interscholastic or intrascholastic sports in public schools.

Section 1.

Amends s. 1006.15, F.S., Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation, to:

- Allow private school students to participate in interscholastic or intrascholastic sports at the public school to which the student would be assigned according to district school board attendance area policies and procedures, or to which the student could choose to attend according to district school board controlled open enrollment policies provided the public school has not reached capacity.

Section 2.

- Provides an effective date of July 1, 2017.

General Implementation Timeline:

No implementation tasks required

HB 1239 School Bus Safety
(CH. 2017-XX, Laws of Florida)

Bill Sponsor: Representative Eagle

Effective Date: July 1, 2017

DOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, (850) 245-0406

Executive Summary:

The law is known as the “Cameron Mayhew Act” in memory of a 16-year-old student in Collier County who was struck and killed by a driver improperly passing a school bus in 2016. The law increases penalties for a person failing to stop for a school bus and causing the serious bodily injury or death of another person.

Section 1.

- Provides for the act to be cited as the “Cameron Mayhew Act.”

Section 2.

- Amends s. 316.027, F.S., to provide that, in addition to any other civil, criminal, or administrative penalty, a person who fails to stop for a school bus that causes or results in the serious bodily injury or death of another person, is required by the court to:
 - Serve 120 hours of community service in a trauma center or hospital that regularly receives victims of vehicle accidents, under the supervision of a registered nurse, emergency room physician or an emergency medical technician; and
 - Participate in a victim's impact panel session in a judicial circuit or attend a driver improvement course approved by the Department of Highway Safety and Motor Vehicles relating to the rights of vulnerable road users relative to vehicles on the roadway.

Section 3.

- Establishes a fine of \$1,500 for a person who fails to stop for a school bus, which violation results in the serious bodily injury or death of another person.
- Requires the Department Highway Safety and Motor Vehicles to suspend the driver license of the person for at least one year.

Section 4.

- Adds additional points to a person's driver license record for passing a stopped school bus:



- Not causing or resulting in serious bodily injury to or death of another person—4 points.
- Causing or resulting in serious bodily injury to or death of another person—6 points.

Section 5.

- Provides for the act to take effect July 1, 2017.

General Implementation Timeline:

July 1, 2017 The act takes effect.



**HB 1295 Monroe County
(CH. 2017-XX, Laws of Florida)**

Bill Sponsor: Representative Raschein

Effective Date: Upon becoming law.

DOE Contact: Matt Mears, General Counsel, Office of the General Counsel, (850) 245-0442

Executive Summary:

This bill authorizes the School Board of Monroe County or the Board of County Commissioners of Monroe County, or any political subdivision thereof, to conduct public meetings, hearings, and workshops by means of communications media technology if the board adopts uniform rules authorizing the use of communications media technology and no final action is taken at the meeting. The same authorization is currently provided to state agencies under § 120.54(5)(b), F.S. The bill requires that the rules adopted by the School Board or County Commission provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and argument at public meetings. The rules must provide that evidence, testimony, and argument must be afforded equal consideration, regardless of the method of communication. The bill also requires notice that a public meeting, hearing, or workshop is to be conducted by communications media technology. The notice is required to state how persons may attend the meeting and shall name locations, if any, where communications media technology facilities will be available. The act retains the right of the public to inspect public records under Chapter 119, F.S. The bill is effective upon becoming law.

Section 1.

Creates new law relating to Monroe County:

- Authorizes the School Board of Monroe County or the Board of County Commissioners of Monroe County, or any political subdivision thereof, to conduct public meetings, hearings, and workshops by means of communications media technology if the board adopts uniform rules authorizing the use of communications media technology and no final action is taken at the meeting.
- Defines, "communications media technology" as the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available, which is the same definition provided in § 120.54(5)(b)2, F.S.
- Requires that the rules adopted by the School Board or County Commission provide procedures for conducting public meetings, hearings, and workshops, and for taking evidence, testimony, and



argument at public meetings. The rules must also provide that evidence, testimony, and argument must be afforded equal consideration, regardless of the method of communication.

- Requires notice that a public meeting, hearing, or workshop is to be conducted by communications media technology. The notice is also required to state how persons may attend the meeting and shall name locations, if any, where communications media technology facilities will be available.
- Retains the right of the public to inspect public records under Chapter 119, Florida Statutes.

Section 2.

Provides that the act is effective upon becoming law.

General Implementation Timeline:

No implementation tasks required



HB 6037 Blind Services Direct-support Organization
(CH. 2017-162, Laws of Florida)

Bill Sponsor: Representative Fischer

Effective Date: July 1, 2017

DOE Contact: Robert Doyle, Director, Division of Blind Services, (850) 245-0300

Executive Summary:

The bill removes the October 1, 2017 repeal date relating to the blind services direct-support organization.

Section 1

Amends s. 413.0111, F.S., Blind services direct-support organization, to:

- Remove the automatic repeal relating to the blind services direct-support organization.

Section 2.

- Establish an effective date of July 1, 2017

General Implementation Timeline:

No implementation tasks required.



HB 7069 Education
(CH. 2017-116, Laws of Florida)

Bill Sponsor: Representative Diaz (M)

Effective Date: Except as otherwise expressly provided in this act, the act shall take effect July 1, 2017

DOE Contact: Tanya Cooper, Director, Governmental Relations, (850) 245-0507

Executive Summary:

The bill does the following:

- Revises charter school provisions and expands the authority of high performing charter schools and systems;
- Establishes Schools of Hope, revises traditional public school improvement provisions and creates the Schools of Hope revolving loan program;
- Revises teacher certification provisions, modifies eligibility requirements for the best and brightest teacher scholarship requirements, and creates the best and brightest principal scholarship program;
- Revises eligibility requirements for virtual education;
- Requires recess;
- Authorizes specified sunscreen uses;
- Specifies reading intervention programs;
- Clarifies permissible school absences related to autism spectrum disorder;
- Creates "American Founders' Month;"
- Eliminates certain required assessments; and
- Revises the assessment administration and reporting process.

Section 1.

Amends s. 11.45, F.S., Definitions; duties; authorities; reports; rules, to:

- Make permanent the requirement that the Auditor General conduct an annual financial audit of the Florida School for the Deaf and the Blind.

Section 2.

Amends s. 1002.71 F.S., Funding; financial and attendance reporting, to:

- Require that a student enrollment count for the prior fiscal year may not be amended after September 30, instead of December 31, of the subsequent fiscal year.

Section 3.

Amends s. 1003.52, F.S., Educational services in Department of Juvenile Justice programs, to:

- Remove the requirement that the Florida School for Boys in Okeechobee be operated by the Florida Department of Education (department) through a grant or contractual agreement.

Section 4.

Amends s. 1011.62, F.S., Funds for operation of schools, to:

- Provide for the recalculation of the Exceptional Student Education Guaranteed Allocation after each FTE student enrollment survey.
- With regard to the Supplemental Academic Instruction (SAI) categorical fund:
 - Clarifies that the state reading assessment for the prior year is the basis for determining the 300 lowest-performing elementary schools.
 - Clarifies that teachers or reading specialists providing the additional hour of intensive reading instruction must have demonstrated effectiveness in teaching reading.
 - Makes permanent the additional allocation for the 300 lowest-performing schools within the SAI.
 - Provides for the recalculation of SAI funds after each FTE student enrollment survey. If the recalculated amount is greater than the amount provided in the General Appropriations Act, each district's allocation will be prorated.
- With regard to the supplement for small, isolated schools:
 - Expands the category of schools eligible for receiving a supplement to include district elementary schools with a grade configuration of kindergarten through grade 5, which may also include prekindergarten, grade 6, grade 7, or grade 8, that are located at least 35 miles from the closest other elementary school in the district; that have a student population in which 75 percent or more of students are eligible for free or reduced-price school lunch; and that have a membership of 28-100 students.
 - Specifies that eligible schools must be district-operated.
 - Eliminates the requirement that an eligible school must have attained a "C" or better in the previous school year, in accordance with s. 1008.34, F.S.
- Eliminate the requirement that a college or university be located and chartered in the state of Florida to participate in dual enrollment. In addition, the accreditation requirements of such college or university are revised such that the college or university must be accredited by a regional or national accrediting agency recognized by the U.S. Department of Education, instead of by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools.
- With regard to the bonus FTE programs:
 - Eliminates the cap on awards to be given to an individual teacher in any given school year. This applies to the International Baccalaureate (IB), Advanced International Certificate of Education (AICE), Advanced Placement (AP), and College Board Advanced Placement (CAPE) bonus programs.
 - Adds language regarding the AICE program to require that school districts allocate at least 80 percent of funds received from AICE bonus funding back to the program.
- Make permanent the requirement that, for districts with a full-time equivalent (FTE) student membership of at least 20,000 but no more than 24,000, the index shall be computed by dividing the total number of FTE

students in all programs by the number of permanent senior high school centers in the district, not to exceed four.

- With regard to the Research-Based Reading Instruction Allocation:
 - Clarifies that designation as one of the 300 lowest-performing elementary schools is based on the prior year's state reading assessment.
 - Clarifies that professional development may be provided to help school district teachers earn a certification or endorsement in reading.
 - Requires a district with one or more of the 300 lowest-performing elementary schools to outline in its comprehensive reading plan, or an addendum thereto, the implementation design and reading intervention strategies it will use to provide the additional hour of reading instruction.
- Revise Florida Digital Classrooms Allocation requirements as follows:
 - Clarifies that the allocation is intended to ensure students have access to high-quality electronic and digital instructional materials and resources, and to empower teachers to help students succeed.
 - States that the amount of the minimum digital classrooms allocation will be provided in the General Appropriations Act. The remainder of the allocation is to be allocated based on each district's share of the state's unweighted FTE students.
 - Specifies that digital classroom funds be used to acquire and maintain items on the eligible services list authorized by the Universal Service Administrative Company for the Schools and Libraries Program (federal E-rate program); and to acquire computer and device hardware and associated software that comply with requirements of s. 1001.20(4)(a)1.b., F.S.
 - Eliminates requirement that each district school board adopt a digital classrooms plan.
- Specify recalculation of the Federally Connected Student Supplement in the fourth Florida Education Finance Program calculation with data from the February student membership survey and tax-exempt valuation from the most recent assessment roll. If the total allocation, upon recalculation, exceeds the amount provided in the General Appropriations Act, each district share of the recalculated amount will be prorated.
- Establish in statute the Safe Schools Allocation to provide funding to help districts comply with ss.1006.07-1006.148, F.S. (Student Discipline and School Safety).
 - Prioritizes the establishment of a school resource officer program pursuant to s. 1006.12, F.S.
 - Each district will receive a minimum Safe Schools Allocation in an amount specified in the General Appropriations Act. Of the remainder of the safe schools appropriation, two-thirds will be allocated to districts based on the most recent official Florida Crime Index and one-third will be allocated based on each district's proportionate share of the state's unweighted FTE students.
- State that an under allocation of state funds resulting from a school district's error may not be the basis for a positive allocation adjustment for the current year.

Section 5.

Amends s. 1013.738, High Growth District Capital Outlay Assistance Grant Program, F.S., to:

- Specify that the High Growth District Capital Outlay Assistance Grant Program funds be used only for the purposes identified in s. 1011.71(2), F.S.
- Revise criteria for a school district to qualify for the grant program as follows:
 - District must have levied the maximum nonvoted discretionary capital outlay millage authorized in s. 1011.71(2), F.S., for the prior five years instead of four years;
 - District must receive revenue from a current voted school capital outlay sales surtax or portion of the local government infrastructure surtax, in accordance with s. 212.055, F.S.;
 - When the district's revenue from the nonvoted discretionary capital outlay millage is divided by the district's capital outlay FTE students, the result is less than the statewide average maximum potential funds per capital outlay FTE student for the most recent fiscal year;
 - The district must have equaled or exceeded the greater of 1 percent average growth or twice the statewide average of growth in capital outlay FTE students over the prior five-year period; and
 - District has more than 24,000 total capital outlay FTE students.
- The High Growth District Capital Outlay Assistance Grant Program funds will be allocated as follows:
 - For each eligible district, the sum of the calculated revenue from the maximum potential nonvoted discretionary capital outlay millage and the revenue received from the voted sales surtax, as authorized in s. 212.055, F.S., will be divided by the number of capital outlay FTE students for the same period.
 - The department will determine the amount that must be added to the funds per capital outlay FTE, calculated as described above, to produce the statewide average value per capital outlay FTE for the revenues identified. This value shall be the maximum grant award.
 - If funds are insufficient to fully fund the maximum grants calculated, each eligible district's share will be prorated.

Section 6:

Amends s. 1011.78, F.S., Standard student attire incentive payments, to:

- Remove the requirement for solid-colored clothing and fabrics for pants, skirts, shorts or similar clothing and short- or long-sleeved shirts with collars.

Section 7.

Creates s. 1003.631, F.S., Schools of Excellence, to:

- Establish the Schools of Excellence program to provide administrative flexibility to the state's top schools.
- Require the State Board of Education (SBE) to designate such schools whose percentage of possible points earned in its school grade calculation is at least in the 80th percentile for at least two of the last three years.
- Allow schools to retain this designation for up to three years and provide renewal criteria.
- Allow a School of Excellence: exemption from any law or rule that requires a minimum period of daily or weekly instruction in reading; principal autonomy as provided under s. 1012.28(8), F.S.; to count one year of employment as 20 inservice points, up to 60 points total, for the renewal of a professional certificate; exemption from compliance with school district policies establishing times for the start and end of the school day; and calculation of class size compliance based on the average number of students at the school level.

Section 8.

Amends s. 1012.56, F.S., Educator certification requirements, to:

- Require the department to issue a professional certificate to a qualifying applicant within 90 calendar days after receipt of the completed application.
- Issue a temporary certificate and an official statement of status of eligibility to a qualifying applicant within 14 calendar days after receipt of a request from an authorized employer.
- Require the department to electronically notify the applicant's employer that the temporary certificate has been issued.
- Require the department to electronically issue an official statement of status of eligibility within 90 calendar days after receipt of the completed application that must include each method by which an applicant may complete qualifications for a professional certificate.
- Exempt an applicant from passing the professional education competency examination to be issued a professional certificate when s/he:
 - Completes an approved professional development certification and education competency program, including new standards for the teacher mentorship and induction component; and
 - Receives a highly effective rating on his/her performance evaluation.
- Require the department to, at least one year before his/her temporary certificate is set to expire, electronically notify an individual of its expiration date and provide a list of each method by which s/he may complete qualifications for a professional certificate.
- Authorize the department to extend the validity of a temporary certificate for one year if s/he:
 - Received an effective or highly effective rating based solely on a student learning growth formula approved by the Commissioner of Education; and
 - Satisfied the requirement to demonstrate mastery of general knowledge.
- Authorize that in addition to school districts, each charter school and charter management organization may provide and implement an approved professional development certification and education competency program (PDCP) by which instructional staff may satisfy professional preparation and education competency requirements for a professional certificate.
- Require PDCPs to include a teacher mentorship and induction component and require individuals serving as mentors to complete specialized training in clinical supervision and ongoing mentor training provided through the professional development system outlined in s. 1012.98(3)(e), F.S.
- Establish minimum requirements for the teacher mentorship induction component to include weekly opportunities for mentoring with specified activities required to be provided for first-year program applicants, and which may be provided until the professional certificate is attained.
- Authorize a principal who earns a highly effective rating per s. 1012.34, F.S., with flexibility in selecting professional development activities for individuals participating in PDCPs if the activities are approved by the department as part of the PDCP program.
- Require the department, no later than December 31, 2017, to adopt specified standards for approval of PDCPs to include the teacher mentorship and induction component.

- Require each school district or charter school to submit its PDCP for approval to the department to include the teacher mentorship and induction component no later than June 30, 2018.
- Prohibit a teacher, after December 31, 2018, from satisfying requirements for a professional certificate through a professional development certification and education competency program that has not been approved to include new standards for the teacher mentorship and induction component.

Section 9.

Amends s. 1004.04, F.S., Public accountability and state approval for teacher preparation programs, to:

- Require each state-approved initial teacher preparation program to include in its uniform core curricula scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and multisensory intervention strategies.

Section 10.

Amends s. 1004.85, F.S., Postsecondary educator preparation institutes, to:

- Require each educator preparation institute to include as condition of initial and continued program approval scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and multisensory intervention strategies.

Section 11.

Amends s. 1012.585, F.S., Process for renewal of professional certificates, to:

- Permit an applicant to apply inservice credit earned through participation in mentorship and induction activities, including as a mentor, and training in research-based reading literacy, including implementing multisensory intervention strategies, toward renewal of any specialization area on a professional certificate.
- Prohibit an applicant from applying inservice credit earned through specified training toward renewal of specialization areas that include reading instruction or intervention for students in grades K-6.
- Limit an applicant to applying inservice credit earned by participation in professional growth components approved by the SBE, including through serving as a trainer, serving on an instructional materials committee, serving on a state education board or commission, or serving on an advisory council for the school or school district, to satisfy general renewal credit, but not for a specialization area on a professional certificate.
- Require an applicant to earn a minimum of two college credits, or the equivalent, in specific reading instruction and intervention strategies for renewal of a specialization area that includes reading instruction or intervention for students in grades K-6, on a professional certificate with a beginning validity date of July 1, 2020, or thereafter.

Section 12.

Amends s. 1012.586, F.S., Additions or changes to certificates; duplicate certificates, to:

- Permit the department to recommend consolidations certification endorsement areas and requirements to the SBE.
- Require the department to conduct a review by July 1, 2018, and at least once every five years thereafter, of existing subject coverage or endorsement requirements in the elementary, reading and exceptional student education areas to recommend changes regarding instruction and intervention strategies proven to improve student reading performance.

Section 13.

Amends 1012.98, F.S., School Community Professional Development Act, to:

- Require school districts to amend their professional development systems and provide:
 - Training for teacher mentors as part of the professional development certification and education competency program (PDCP) to include components of teacher development, peer coaching, time management and other topics determined by the department;
 - Inservice activities and support targeted to the individual needs of new teachers participating in the school district's PDCP;
 - Specified training for reading coaches, classroom teachers and school administrations in methods of identifying conditions such as dyslexia, instructional techniques that are proven to improve reading performance and using data to make instructional decisions based on individual student needs; and
 - Training to all elementary grades instructional personnel to meet s. 1012.585(3)(f), F.S.
- Require the department to disseminate to school districts model professional development that includes effective mentorship activities for new teachers and training for teacher mentors.

Section 14.

Creates s. 683.1455, F.S., American Founders' Month, to:

- Designate the month of September of each year as "American Founders' Month."
- Allow the Governor to issue a proclamation recognizing "American Founders' Month" and urging various groups, including public and private educational institutions, to recognize and observe the month, inviting state, county and local governmental officials to participate.

Section 15.

Amends s. 1003.03, F.S., Function, mission, and goals of the Florida K-20 education system, to:

- Add that a priority of Florida's K-20 education system is to ensure that students are prepared to be civically engaged and knowledgeable adults who make positive contributions to their communities.

Section 16.

Amends s. 1001.215, F.S., Just Read, Florida! Office, requiring this office to:

- Train all reading coaches; the delineation for coaches be highly effective is no longer required.
- Work with the Lastinger Center for Learning at the University of Florida to develop training for K-12 teachers, coaches and school principals on content-area-specific reading strategies; integration of content-

rich curriculum from other core subject areas into reading instruction; and specified evidence-based reading strategies to improve student reading performance.

- Develop and provide access to sequenced, content-rich curriculum programming, instructional practices and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills.
- Work with the Florida Center for Reading Research to identify evidence-based reading instructional and intervention programs that incorporate explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and incorporate decodable or phonetic text instructional strategies. The bill provides examples of reading intervention.
- Periodically review the Next Generation Sunshine State Standards for English Language Arts to determine their appropriateness at each grade level.
- Periodically review teacher certification requirements and examinations.
- Work with teacher preparation programs to integrate effective, evidence-based intervention strategies including explicit, systematic, sequential and multisensory strategies into their instruction.
- Perform functions as necessary to help students read at their highest potential; formerly at grade level.

Section 17.

Amends s. 1003.44, F.S., Patriotic programs; rules, to:

- Encourage public schools to coordinate instruction at all grade levels related to the nation's founding fathers with "American Founders' Month" pursuant to s. 683.1455, F.S.

Section 18.

Amends s. 1007.25, F.S., General education courses; common prerequisites; other degree requirements, to:

- Require that, beginning with students initially entering a Florida College System institution or state university in 2018-2019 and thereafter, each student must demonstrate competency in civic literacy.
 - Demonstration of competency may be through successful completion of a civic literacy course or by achieving a passing score on an existing assessment adopted in SBE rule or Board of Governors (BOG) regulation
- Require the chairs of the SBE and BOG to jointly appoint a faculty committee to:
 - Develop a new course in civic literacy or revise an existing American History or American Government course, which includes civic literacy.
 - Establish course competencies and identify outcomes that include, at a minimum:
 - An understanding of the basic principles of American democracy and how they are applied in our republican form of government.
 - An understanding of the United States Constitution.
 - Knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance.
 - An understanding of landmark Supreme Court cases and their impact on law and society

Section 19.

Amends s. 943.22, F.S., Salary incentive program for full-time officers, to:

- Make conforming cross reference changes.

Section 20.

Amends s. 1001.64, F.S., Florida College System institution boards of trustees; powers and duties, to:

- Make conforming cross reference changes.

Section 21.

Amends s. 1002.33., F.S., Charter Schools, to:

- Clarify that when a student enrolls in a virtual charter school in a district other than district of residence, the district which authorizes the virtual charter school shall report the student for funding.
- Move the deadline for filing a charter school application with a local school district from August 1 to February 1, beginning in 2018, for charter schools that plan to open 18 months later. The bill also extends the time districts will have to review and approve charter school applications, from 60 days to 90 days.
- Remove the provision from 1002.33(6)(b), F.S., allowing applicants to file a draft application with a local school district in order to receive feedback regarding any material deficiencies.
- Provide that high-performing charter school replication applications denied by a local school district can be appealed and first heard by the state Charter School Appeal Commission; the Commission would then make a recommendation to the SBE and the SBE would issue a final order. Currently, high-performing replication denial appeals go directly to the SBE for a hearing, bypassing the Charter School Appeal Commission.
- Require that an approved charter school applicant and its sponsoring school district use the standard charter contract developed by the department and adopted in rule by the SBE. The bill further clarifies that any term or condition of a proposed charter contract that differs from the standard contract will be presumed a limitation on charter school flexibility. This would not prevent charter schools and districts from negotiating changes to the standard contract; however, it would ensure that proposed changes not mutually agreed to would be presumed to be unallowable limitations.
- Move subparagraph (6)(h) in section 1002.33 from the subsection covering application requirements to the more germane subsection (7), covering requirements in the charter contract.
- Revise the criteria that requires a charter school to select and implement an academic corrective action plan to the district. A charter school that receives three consecutive grades below a "C" must select one of the academic corrective options currently prescribed in law.
- Revise the exemptions to the required "double-F termination" provisions to conform with changes made to s. 1008.33, F.S.
- Exempt a charter school from the controlled open enrollment requirements in s. 1002.31, F.S., if the charter school is open to students covered in inter-district agreements and students within the district.

- Clarify that charter schools and their employees, as well as their governing boards, are subject to section 768.28, F.S., regarding tort liability. However, it provides that for-profit management companies are not covered by the protection.
- Broaden the scope of charter school cooperatives to “further educational, operational, and administrative initiatives in which the participating charter schools share common interests.”
- Allow the governing body of the charter school to use unrestricted surplus funds or assets to support other public charter schools it governs within the school district. The funds or assets must be used for K-12 educational purposes or charter school capital outlay purposes as provided for in law.
- Allow library, community service, museum, performing arts, theatre, cinema, church, Florida College System institution, college and university facilities to provide space to a charter school within their facilities under their preexisting zoning and land use designations without obtaining a special exemption, rezoning, a land use charter, or any other form of approval.
- Provide that a district may withhold a 5% administrative fee from virtual charter schools up to 250 students, similar to non-virtual charter schools.
- Require charter schools to complete a survey, developed by the Department of Education, to rate the timeliness and quality of services provided by the district for the administrative fee it withholds.
- Remove the requirement that the Department publish one specific charter school comparative performance report, as provided by section 1002.33(21)(b)3.a., F.S. This requirement was originally intended to provide performance information for charter schools that had more than 10 but less than 30 students with assessment scores. These small schools now receive a school grade, making the report unnecessary. However, the Department is still required to develop and publish the Charter School Student Achievement Report required in s. 1002.33(23), Florida Statutes. This report currently includes more than 175 comparisons of performance of students in charter schools and similar students in traditional public schools.
- Expand the eligibility for certain charter school systems to become their own local educational agencies for the purposes of receiving federal funds. The proposed eligibility criteria include the following:
 - Has all schools located in the same county;
 - Has a total enrollment exceeding the total enrollment of at least one school district in the state; and
 - Has the same governing board.

Also provides that a charter school system’s governing board may be designated an LEA for the purpose of directly receiving federal funds for all schools within a district that are established as a turnaround option under s. 1008.33, F.S.
- Require the Department to develop a standard application form for high-performing charter school *systems* to replicate schools within their system.

Section 22.

Amends s. 1002.3305., F.S., College-Preparatory Boarding Academy Pilot Program, to:

- Expand the opportunity, under section 1002.3305, F.S., for the legislatively created College-Preparatory Board Academy to enroll students currently in grades 5 to 12 into the program. This will allow the College Preparatory Boarding Academy to back-fill seats if students leave after their initial enrollment.

Section 23.

Amends s. 1002.331, F.S., High-performing charter schools, to:

- Conform the application review timeline consistent with changes in s. 1002.33 to provide districts with 90 days to review applications for high-performing replications, and provide that appeals related to the denial of a high-performing replication application are first heard by the Charter School Appeal Commission.
- Remove the restriction, established in section 1002.331, F.S., on high-performing charter schools to replicate just once a year if these schools replicate in a persistently low-achieving area.

Section 24.

Amends s. 1002.332, F.S., High-performing charter school system, to:

- Amend section 1002.332, F.S., to provide high-performing charter school systems an opportunity to submit a standard application to replicate a school within their system via a replication application form developed by the Department. The application would have to address the following components:
 - Goals and objectives for improving student learning
 - A process for measuring academic improvement
 - Financial plan for each year of the proposed charter
 - Governing board membership as well as disclosures of any contractual relationships with Education Services Providers
 - Academic and financial history of charter school operated by the system

Section 25.

Amends s. 1003.498, F.S., School district virtual course offerings, to:

- Remove the requirement that students participating in blended learning courses must receive instruction in the classroom setting.

Section 26.

Amends s. 1007.35, F.S., Florida Partnership for Minority and Underrepresented Student Achievement, to:

- Change the name of the assessment to be administered from ACT Aspire to the preliminary ACT.

Section 27.

Amends s. 1008.34, F.S., School grading system; school report cards; district grade, to:

- Require that students who transfer to a private school, with which the district has a contractual relationship, be included in the students' home school's graduation rate.

Section 28.

Amends s. 1008.341, F.S., School Improvement rating for alternative schools, to:

- Require that concordant scores be used in determining an alternative school's school improvement rating.

Section 29.

Amends s. 1011.71(2), F.S., District school tax, to:

- Require school boards to share with charter schools the revenue from the 1.5 mill local capital improvement millage levy to be used by charter schools for the purposes outlined in s. 1013.62(3), F.S.
- Revise authorized school district use of the revenue to include:
 - Device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources.
 - Enterprise resource software that is acquired by annual license fees, maintenance fees, or lease agreements, and classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least five years, and are used to support schoolwide administration or state-mandated reporting requirements.
 - Payout of sick leave and annual leave accrued as of June 30, 2017, by individuals no longer employed by a school district that transfers to a charter school operator all day-to-day classroom instruction responsibility for all full-time equivalent students funded under s. 1011.62, F.S. This allowed use expires on July 1, 2018.

Section 30.

Amends s. 1013.54, F.S., Cooperative development and use of satellite facilities by private industry and district school boards, to:

- Conform statutory reference.

Section 31.

Amends s. 1013.62, F.S., Charter schools capital outlay funding, to:

- Provide that charter school capital outlay consists of revenue resulting from discretionary millage authorized in s. 1011.71(2), F.S., and state funds that are appropriated in the General Appropriations Act.
- Revise the eligibility criterion that a charter school be governed by a governing board established in the state for two or more years, which operates both charter schools and conversion charter schools within the state. Currently, the requirement is that the governing board be established in the state for three or more years.
- Revise the eligibility criterion that a charter school be accredited by a regional accrediting association, as defined by SBE rule, instead of the Commission on Schools of the Southern Association of Colleges and Schools.
- Clarify the free and reduced-price lunch eligibility to include the equivalent percentage of students who are eligible under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010 when the National School Lunch Act multiplier is applied to the number of students for direct certification.
- Provide the calculation of the amount of revenue resulting from discretionary millage authorized in s. 1011.71(2), F.S., which must be distributed to eligible charter schools.
- Specify a date by which the district must distribute the local capital outlay funds.

- Clarify the use of capital outlay funds to include purchase, lease purchase, or lease of computer and device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources.
- Expand the use of capital outlay funds to include enterprise resource software applications that are acquired by annual license fees, maintenance fees, or lease agreement, and classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life of at least five years, and are used to support schoolwide administration or state-mandated reporting requirements.
- Expand the use of capital outlay funds to include the cost of opening day collection for the library media center of a new school.

Section 32.

Amends s. 1013.64, F.S., Funds for comprehensive educational plant needs; construction cost maximums for school district capital projects, to:

- Remove a provision included in the implementing bill for the 2016-17 General Appropriations Act that required a comparison of current surveys of student membership to the prior year's survey, clarify that the capital outlay full-time equivalent membership includes students in grades prekindergarten through 12 whose instruction is funded by the Florida Education Finance Program and for whom the school district provides the educational facility, and provide that for the second and third surveys of student membership, each survey is limited to 0.5 full-time equivalent student membership per student.
- Clarify that the provision added in 2016 to apply the student station construction cost maximums to all sources of fixed capital outlay funding does not apply to a construction project for which a school board executed a contract for architectural and design services or for construction management services prior to July 1, 2017. In those cases, a district school board may use funds from any source of fixed capital outlay, and such funds are exempt from the student station cost maximums.

Section 33.

Amends s. 1003.4282, F.S., Requirements for a standard high school diploma, to:

- Delete the requirement that a student selecting Algebra II:
 - Must take the Algebra II End-of-Course (EOC) assessment; and
 - Must have the results constitute as 30 percent of the student's final course grade.
- Delete the provision for a student to pass a personal fitness competency test with a score of "C" or better if they satisfy the one-credit physical education requirement through participation of two full seasons of an interscholastic sport (junior varsity or varsity level).
- Remove the requirement that the personal fitness competency test developed by the department of must be used.
- Authorize that a district school board or charter school governing board may allow a student to satisfy the online course requirement by completing a blended learning course.
- Delete the provision that a student may satisfy the online course requirement by passage of an online content assessment, without enrollment of completion of the corresponding course or courses, by which the

student demonstrates skills and competency in locating information and applying technology for instructional purposes.

- Add that a school district may not require a student to take a blended learning course outside of the school day or in addition to a student's courses for a given semester.
- Add a blended learning course to the provision that the online course requirement does not apply:
 - To a student who has an individual education plan which indicates that an online or blended learning course would be inappropriate; or
 - To an out-of-state transfer student who is enrolled in a Florida high school and has one academic year or less remaining in high school.

Section 34.

Amends s. 1003.4285, F.S., Standard high school diploma designations, to:

- Delete the requirement that a student must pass the Algebra II EOC statewide, standardized assessment in order to earn a scholar diploma designation.

Section 35.

Amends s. 1008.22, F.S., Student Assessment program for public schools, to:

- Remove the provision for an Algebra 2 end-of-course (EOC) assessment.
- Remove the requirement that the grade 3 English Language Arts (ELA) assessment be computer-based in 2017-18.
- Require that the statewide, standardized ELA and mathematics assessments in grades 3 to 6 be delivered only in a paper-based format beginning with the 2017-18 school year and no later than the 2018-19 school year.
- Require that assessment results be made available no later than June 30, except for the results for the grade 3 ELA assessment which must be available by May 31.
- Move the publication requirement for the uniform assessment calendar from August to January each year, beginning in 2018.
- Specify testing windows and administration timeframes for the statewide assessments (excluding retake assessments), beginning in the 2018-19 school year, as follows:
 - The Grade 3 ELA assessment and the Writing component of the ELA assessment for Grades 4 through 10 cannot start earlier than April 1 and its window can be no more than 2 weeks.
 - All other paper-based assessments cannot start earlier than May 1 and their window cannot exceed 2 weeks.
 - All assessments not specified in the above bullets (i.e., any computer-based assessments other than ELA Writing) must be administered within a 4-week assessment window that opens no earlier than May 1.
 - For each school district, assessments other than the Grade 3 ELA assessment and the Writing component of the ELA assessment can only be administered no earlier than 4 weeks before the last day of school for the district, which may or may not align with the opening of the statewide 4 week

assessment window. Depending on the last day of school for the district, districts may have fewer than 4 weeks to administer the assessments.

- Require districts to report district-required assessment results to teachers within 1 week of their test administration and to the student's parents within 30 days.
- Require districts to provide student results on district-required local assessments to teachers within 1 week and to parents no later than 30 days after administering those assessments.
- Require a new, more comprehensive student score report for the statewide assessments. The reports must contain an explanation of the student's results; information identifying the student's strengths and weaknesses; specific actions that can be taken and resources that can be utilized for improving areas of weaknesses; and longitudinal, comparative, and predictive data for the student.
- Require the department to solicit cost proposals for releasing the grades 3-10 ELA and grades 3-8 Mathematics assessments in any procurement for such assessments, beginning with the next scheduled procurement. Assessments must be published on a triennial basis, based on a schedule determined by the Commissioner. Each published assessment must have been administered during the most recent school year. The deadline for the initial publication of released statewide assessments is June 30, 2021, subject to appropriation, and must at a minimum include grade 3 ELA and mathematics, grade 10 ELA, and the Algebra 1 EOC assessment.
- Require the department to publish materials on its website for understanding the statewide assessments published on its website.
- Clarify in adult education reporting requirements that secondary education subsequent to grade 8 refers to grades 9-12, not adult education.

Section 36.

Amends s. 1012.34, F.S., Personnel evaluation procedures and criteria, to:

- Remove State Board rulemaking authority for adopting the Commissioner-approved performance evaluation formula as well as the comparative analysis of district evaluation results and the results of the department's performance calculations based on this formula from the annual report of district instructional personnel and administrator evaluation systems. Data reported under s. 1012.341, F.S., is also stricken from the annual report's requirements.
- Require a third party, independent of the assessment developer, to analyze student learning growth data calculated using the Commissioner-approved formula and provide access to a data visualization tool that enables teachers to understand and evaluate the data and administrators to improve instruction, evaluation programs, allocate resources, plan professional development, and communicate with stakeholders.
- Clarify that the performance of students component of the annual evaluation is determined by the district.
- Allow, but not require, districts to use the measure of student learning growth produced by the Commissioner-approved performance evaluation formula in teacher evaluations.
- Delete obsolete language regarding the transition to new assessments in 2015-16.

Section 37.

Creates a new section of law to:

- Require the Commissioner to contract for an independent study to determine whether the SAT and/or ACT may be administered in lieu of the grade 10 ELA and Algebra 1 EOC assessments while continuing to meet federal requirements. The findings of the study are due to the Governor, President of the Senate, Speaker of the House, and the State Board by January 1, 2018.

Section 38.

Amends s. 1001.42, F.S., Powers and duties of district school board, to:

- Require only schools receiving a grade of "D" or "F" to complete a school improvement plan.
- Remove the requirement for schools serving grades 6, 7 or 8 to include early warning system information in the school improvement plan.
- Require schools that serve any students from kindergarten through grade 8 to:
 - Implement an early warning system to identify students who need additional support to improve academic performance and stay engaged in school that includes
 - The following indicators:
 1. Attendance below 90 percent, regardless of whether absence is excused or a result of out-of-school suspension;
 2. One or more suspensions, whether in school or out of school;
 3. Course failure in English language arts or mathematics during any grading period; and
 4. A Level 1 score on the statewide, standardized assessments in English language arts or mathematics, or for students in kindergarten through grade 3, a substantial reading deficiency.
 - Data on the number of students identified by the system as exhibiting two or more early warning indicators, the number of students by grade level who exhibit each early warning indicator.
 - A description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system.
 - Establish or use an existing school-based team to oversee and monitor the early warning system.
 - Determine, in consultation with the parent, appropriate intervention strategies based on data from the early warning system for each student who exhibits two or more early warning indicators, unless the student is already being served by an intervention.
- Require school districts with a school that receives a grade of "D" or "F" to negotiate a memorandum of understanding that addresses the selection, placement and expectations of instructional personnel and provides principals with the autonomy described in s. 1012.28(8), F.S.
- Restrict a district school board from awarding an annual contract on the basis of any contingency or condition not expressly authorized in law or alter or limit its authority to award or not award an annual contract as provided in s. 1012.335, F.S. This paragraph applies only to a collective bargaining agreement entered into or renewed by a district school board on or after the effective date of this act.

Section 39.

Creates new s.1001.4205, Visitation of schools by an individual school board or charter school governing board member, to:

- Provide that any individual school board member may visit any district school on any day and at any time.
- Provide that any charter school governing board member may visit the charter school on any day and at any time.
- The board member must sign in and out at the school's main office, and must wear a board identification badge during the visit. The board member cannot be required to provide advance notice of the visit. The board member may be offered, but is not required to accept, an escort during the visit. The board member cannot be required to limit the duration or scope of the visit, or be directed to leave the premises.
- The authority of a board member to visit may not be limited by a board, district or school administrative policy.

Section 40.

- Directs the Division of Law Revision and Information to replace the phrase "the effective date of this act" wherever it occurs in this act with the date the act becomes law.

Section 41.

Amends s. 1008.33, F.S., Authority to enforce public school improvement, to:

- Require the SBE to apply the most intensive intervention and support strategies (i.e., turnaround) to schools earning two consecutive grades of "D" or a grade of "F."
- Require school districts with a school receiving a grade of "D" or "F" to implement the intervention and support strategies prescribed in Rule 6A-1.099811, F.A.C., in the first full school year after receiving a grade of "D" or "F," which must address student performance and may include the following:
 - Improvement planning;
 - Leadership and educator quality improvement;
 - Professional development;
 - Curriculum review, pacing and alignment across grade levels to improve background knowledge in social studies, science and the arts; and
 - The use of continuous improvement and monitoring plans and processes.
- Require school districts with a school receiving two consecutive grades of "D" or a grade of "F" to:
 - Provide the department with the MOU required by s. 1001.42(21), F.S., by September 1;
 - Submit a district-managed turnaround plan for approval by the SBE by October 1; and
 - Implement the plan, upon approval by the SBE, for the remainder of the school year and the following school year.
 - Implementation is no longer required if the school improves its grade to a "C" or higher.

- The SBE may grant a school district an additional year of district-managed turnaround implementation before the school must implement one of the turnaround options listed below, if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation.
- Require school districts with a school receiving three consecutive grades below "C" to:
 - Select one of the following options:
 - Reassign students to another school and monitor the progress of each reassigned student;
 - Close and reopen the school as one or more charter schools, each with a governing board that has a demonstrated record of effectiveness; or
 - Contract with an outside entity that has a demonstrated record of effectiveness to operate the school, which may include a district-managed charter school in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter.
 - Implement the selected option for two full school years.
 - Implementation is no longer required if the school improves its grade to a "C" or higher.
 - The SBE may grant a school district an additional year of implementation before the school must implement a different turnaround option, if it determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement.
- Require school districts with a school that earned two consecutive grades of "D" or a grade of "F" that does not improve to a grade of "C" or higher after two full school years of implementing the turnaround option selected by the school district to immediately implement another turnaround option.

Section 42.

Amends s. 1008.345, F.S., Implementation of state system of school improvement and education accountability, to:

- Require the commissioner to report to the SBE and Legislature annually, and add to the report requirements school district annual report information and effective intervention and support strategies according to school district reading plans.
- Require school districts or governing boards with a school receiving a grade of "D" or "F" to establish a community assessment team to review the school performance data and determine causes for the low performance.
- Require each community assessment team to make recommendations to the district school board or governing board and to the SBE based on the interventions and support strategies identified pursuant to s. 1008.345(5), F.S., to address the causes of the school's low performance and to incorporate the strategies into the school improvement plan.

Section 43.

Creates s. 1002.333, F.S., Persistently low-performing schools, to:

- Define the following terms:

- o Hope Operator: an entity identified by the department pursuant to 1002.333(2), F.S.
- o Persistently low-performing school (PLP): a school that has earned three consecutive grades lower than “C”, and a school that was closed pursuant to Section 1008.33(4) within 2 years after a Hope Operator submits a notice of intent.
- o School of Hope:
 - A charter school operated by a Hope Operator which serves students from one or more PLP schools; is located in the attendance zone or within a 5-mile radius (whichever is greater) of a PLP school, and is a Title I eligible school; or
 - A school operated by a Hope Operator as part of a district’s turnaround plan pursuant to s. 1008.33(4)(b)3., F.S.
 - A district-managed charter school established as a turn-around option pursuant to s. 1008.33(4)(b)3., F.S. could be considered a School of Hope if the District is identified as a Hope Operator, which would require the district to operate at least 3 district-managed charter schools and meet the remaining criteria for Hope Operator
- Establish the criteria by which an entity may be designated by the SBE as a Hope Operator, which include the following:
 - o Be a nonprofit organization with tax exempt status under s. 501(c)(3) of the IRS code
 - o Operates three or more charter schools that serve students in grades K-12 in Florida or other states with a record of serving students from low-income families
 - o Can demonstrate past performance that meets or exceeds the following:
 - Achievement of students exceeds the district and state averages of the states in which the schools operate
 - College attendance rates at all schools currently operated by the operator exceeds 80% (if such data is available)
 - Serves a student population that is at least 70% eligible for Free or Reduced Lunch
 - Is in good standing with the charter school authorizer in each state in which it operates
 - Has audited financial statements free of material misstatements and going concern issues
 - Other outcome measures as determined by the SBE
 - o Additionally, an operator may be designated as a Hope Operator if it meets one of the following criteria prior to the SBE adopting its eligibility criteria:
 - The operator was awarded a US Department of Education Charter School Program replication grant for the replication and expansion of high quality charter schools (within the preceding 3 years)
 - The operator receives funding through the National Fund of the Charter School Growth Fund
 - The operator is selected by a district school board in accordance with s. 1008.33

- The initial designation as a Hope Operator is valid for 5 years from the opening of the operator's first Hope School. If the Hope Operator seeks renewal, the SBE may renew based upon the academic and financial performance of all schools established by the operator in the state since its initial designation.

ESTABLISHMENT OF SCHOOLS OF HOPE

- To establish a School of Hope, a Hope Operator must submit a notice of intent to the school district in which a PLP school has been identified by the SBE. The notice of intent must include:
 - Academic focus and plan;
 - Financial plan;
 - Goals and objectives for increasing student achievement;
 - Completed or planned community outreach plan;
 - Organizational history of success in working with similar students;
 - Grade levels to be served and enrollment projections;
 - Proposed location or geographic area and proximity to PLP school; and
 - Staffing plan.
- Upon receipt of a notice of intent from a Hope Operator, the school district must enter into a performance based agreement with the Hope Operator to open schools to serve students from one or more PLP schools. The performance based agreement must include only the following:
 - The notice of intent filed by the Hope Operator;
 - The location or geographic area proposed for the school and its proximity to the PLP school;
 - Grades to be served;
 - Whether school will serve students in the school readiness or prekindergarten programs;
 - Plan of action and milestones for student recruitment and enrollment of student from PLP schools, including:
 - Any enrollment preferences
 - Procedures for transparent admissions lottery
 - Students from PLP schools shall be exempt from lottery to extent permitted by federal grant requirements
 - Incoming baseline standard of student academic achievement, outcomes to be achieved, and method of measurement that will be used;
 - Description of methods of involving parents and expected levels of such involvement;
 - Grounds for termination of performance based-agreement, including failure to meet:
 - the requirements for student performance (established in agreement);
 - Generally accepted standards of fiscal management; or
 - Material violations of the terms of the agreement
 - A provision allowing Hope Operator to open additional schools to serve students in PLP schools, so long as Hope Operator maintains its status;
 - Provision establishing the initial term as five years;

- Agreement shall be renewed at request of Hope Operator unless grounds for termination exist (as described above)
- A requirement to provide transportation consistent with requirements in s. 1006.21-27 and 1012.45. The governing body of the School of Hope may provide transportation through an agreement or contract with district school board, private provider, or parents. Transportation may not be a barrier to equal access;
- A requirement that any arrangement to borrow or secure funds shall indemnify the state and school district from any and all liability;
- A provision that any loans, bonds or other financial agreements are not obligations of the state or district and are payable solely from sources of funds pledged by such agreement; and
- A prohibition on the pledge of credit or taxing power of the state.

STATUTORY AUTHORITY

- A School of Hope may be designated as a Local Education Agency for the purpose of receiving federal funds directly
- For purposes of tort liability, the Hope Operator and school, employees and agents are governed by s. 768.28
- A School of Hope may be public or private employer and may participate (as a public employer) in the Florida Retirement System
- A Hope Operator may employ teachers and administrators who do not meet the certification requirements of s. 1012.56 so long as the teachers and administrators are not disqualified from employment under s. 1012.315.
- For purposes of calculating class-size compliance, calculations will be at the school-wide average
- Schools of Hope are exempt from chapters 1000-1013 and all school board policies. However, they must comply with laws in chapters 1000-1013 relating to:
 - Student assessment and school grading;
 - Student progression and graduation;
 - Provision of services to students with disabilities;
 - Civil rights, including s. 1005 relating to discrimination;
 - Student health, safety and welfare;
 - Public meetings and records, public inspection and criminal and civil penalties pursuant to s. 286.011
 - Governing board must hold at least two public meetings per school year in the district in which school is located. Other meetings may be held in accordance with s. 120.54(5)(b)2.
 - Public records pursuant to chapter 119;
 - Code of ethics for public officers (ss. 112.313(2),(3),(7) and (12) and 112.3143(3)
 - Each School of Hope shall report its students to the district as required in s. 1011.62 in accordance with definitions in 1011.61;
 - The district shall include the students in enrollment reports to the state



- o School of Hope must submit quarterly financial statements to the district; and
- o Each School of Hope must have an annual audit as required in s. 218.39

FACILITIES

- School of Hope must use facilities that comply with Florida Building Code, with exception of SREF standards
- If a School of Hope uses district facilities, the facility must comply with SREF if the district and school have entered into a mutual management plan for the reasonable maintenance of such facilities. District must maintain facility in the same manner as it maintains its other facilities
- Local governing authority may not impose facility requirements more stringent than those found in SREF and must treat Schools of Hope equitably in comparison to other public schools
- The local municipality or local county governing authority (if in unincorporated area) shall have jurisdiction for inspections and issuance of certificates of occupancy or use
 - o If official from local governing authority refuses to comply with provisions in this law, the school has immediate right to bring action in circuit court and may be awarded attorney fees and court costs
- Facilities used by School of Hope are exempt from ad valorem taxes
- Libraries, community services, museums, theatres, churches, colleges and universities may provide space to a School of Hope under their preexisting zoning and land use designations without further action necessary
- School of Hope facilities are exempt from assessments of fees for building permits, except as provided for in s. 553.80; fees for building and occupational licenses; impact fees or exactions; service availability fees; and assessments for special benefits
- No later than October 1 of each year, each school district shall provide to the department a list of all underused, vacant or surplus facilities owned or operated by district.
 - o A Hope Operator may use such a facility at no cost or at a mutually agreed cost not to exceed \$600 per student.
 - o The term “underused, vacant or surplus facility” is defined as an entire facility or portion thereof which is not fully used or is used irregularly or intermittently by the school district for instructional or program use.

NONCOMPLIANCE

- If a school district does not enter into a performance-based agreement within 60 days of receiving a notice of intent from a Hope Operator, the district must reduce the administrative fee it withholds to 1 percent for all charter schools in the district. Once the district enters into the performance-based agreement with the Hope Operator it may resume withholding the full amount it is authorized to withhold; however, it may not recover any of the fees that it would have withheld during the period of noncompliance.
- A charter school that had an administrative fee withheld in violation of this provision may recover attorney fees and costs to enforce the requirements.

- A district subject to these noncompliance penalties is required to file a monthly report detailing the reduction in funding to the department.

FUNDING

- Schools of Hope are funded in accordance with s. 1002.33(17)
- Schools of Hope shall receive priority in the department's CSP grant competition
- Schools of Hope may receive charter school capital outlay, however, they may not use capital outlay funds to purchase real property or build a facility

SCHOOLS OF HOPE PROGRAM

- The Schools of Hope Program (SHP) is created within the department
- A School of Hope is eligible to receive SHP funding for the following purposes:
 - Preparing teachers, school leaders and specialized instructional support personnel, including costs associated with:
 - Professional development
 - Hiring teachers, leaders and support personnel for services beyond school day and school year
 - Acquiring supplies, training, equipment and educational materials;
 - One-time start-up costs associated with transportation;
 - Community engagement activities; and
 - Funds to cover the non-voted ad valorem and required local effort (when the Hope Operator enters into a contract with the SBE)
- A traditional public school that is required to submit a school turnaround plan pursuant to s. 1008.33(4), may apply for funding under this program. The department may issue an award to the school of up to \$2,000 per student. In order to apply for and receive funding, the district must submit a plan.
 - At a minimum, plans must:
 - Establish wrap-around services that develop family and community partnerships;
 - Establish clearly defined and measurable high academic and character standards;
 - Increase parental involvement and engagement;
 - Describe how the district will identify, recruit, retain and reward instructional personnel.
 - The SBE may waive the requirements of s. 1012.22(1)(c)5., and suspend the requirements of s. 1012.34
 - Identify a knowledge rich curriculum that will focus on developing background knowledge; and
 - Provide professional development that focuses on academic rigor, direct instruction and creating high academic and character standards
 - The department must consider the strength of the plan and the plan's focus on evidence-based interventions that include

- Wrap-around services, which include:
 - Tutoring;
 - After school programs;
 - Student counseling;
 - Nutrition education;
 - Parental counseling; or
 - Adult education.
- School and community collaboration
- Development of family and community partnerships
- Plans may also include models that:
 - Develop a culture of attending college;
 - High expectations;
 - Character development;
 - Dress codes; and
 - Extended school day and school year.
- The SBE may award up to 25 schools and must prioritize schools whose plans are based on whole school transformation and are developed in consultation with the school principal.
- The SBE must annually report on the implementation and provide achievement data for each traditional public school participating in the program.

STATE BOARD OF EDUCATION AND AUTHORITY

- The SBE must annually publish a list of persistently low-performing public schools
- The SBE must adopt, by rule, a standard notice of intent and performance-based agreement that must be used by Hope Operators and district school boards.
- The SBE must resolve disputes between a district and Hope Operator or charter operator selected pursuant to s. 1008.33, F.S.
 - Commissioner shall appoint a special magistrate with certain qualifications;
 - The magistrate shall hold hearings and render a recommended decision for resolution within 15 days after the close of the final hearing; and
 - The SBE must approve or reject the recommended decision.
- The SBE shall provide students in persistently low-performing schools with a public school that meets accountability standards.
 - The SBE may enter into a performance-based agreement with a Hope Operator when a district has not improved the performance of a public school after 3 years of the interventions and supports provided for in s. 1008.33 F.S., or if the district fails to enter into a performance-based agreement with a Hope Operator who has submitted a notice of intent
 - If the SBE enters into a performance-based agreement with a Hope Operator, the district shall transfer to the School of Hope the proportionate share of state funds allocated from

the FEFP (the remaining funds are provided through the Schools of Hope Program administered by the department)

- The SBE shall adopt rules to administer the program.

Section 44.

Creates s. 1001.292, F.S., Schools of Hope Revolving Loan Program, to:

- Establish the Schools of Hope Revolving Loan Program to assist hope operators, defined in s. 1002.333, F.S., to address school building construction needs and pay for expenses related to the startup of a new charter school. Program funds will be provided by legislative appropriation, repayment of program loans, and program interest earned.
 - Loans may not exceed 25 percent of a project's total cost, as determined by the product of 80 percent of the cost per student station established by s. 1013.64(6)(b), F.S., and the capacity of the facility.
 - The department may contract with a third party to administer the program, to report to the department annually.
 - Loans shall be provided for projects in or within five miles of the attendance area of a persistently low-performing school.
 - Hope operators are not eligible for funding if they operate in facilities provided by the school district for a nominal fee or free of charge, or if they are directly or indirectly operated by the school district.
 - The department shall post on its website projects that have received Hope loans, indicating their status, costs, and outcomes for students.
 - All funds provided as repayment of Hope loans must return to the loan fund.
 - Interest on Hope loans shall be the rate paid on moneys held in the fund or a rate equal to 50 percent of the rate authorized under s. 215.84, F.S.
 - Allocated Hope funds that are not disbursed in the fiscal year allocated may be carried forward up to five years after the date of the original appropriation.

Section 45.

Amends s. 1011.69, F.S., Equity in School-Level Funding Act, to add subsection (5) to:

- Define eligible schools as those schools eligible to receive Title I funds, including charter schools.
- Provide that the threshold for allocating funds to eligible Title I schools may not exceed the threshold established by a school district for the 2016-17 school year or the statewide percentage of economically disadvantaged students, as determined annually.
- Require that, after Title I, Part A, funds are allocated to schools with a poverty level at or above the 75 percent threshold required by federal law, school districts must allocate remaining funds directly to all eligible schools with the exception of funds that districts may withhold for specified purposes.
- Provide that, prior to the allocation of Title I funds to eligible schools in accordance with the established threshold, school districts may withhold funds only as follows:
 - One percent for parent involvement, in addition to the 1 percent the district must reserve under federal law for allocations to eligible schools for parent involvement;

- A necessary and reasonable amount for administration, including the district's indirect cost rate, not to exceed a total of 8 percent;
- A reasonable and necessary amount to provide for homeless programs, delinquent and neglected programs, prekindergarten programs and activities, private school equitable services, and transportation for foster care children to their school of origin or choice programs.
- Provide that all remaining Title I funds shall be distributed to all eligible schools in accordance with federal law and regulation, and an eligible school may use funds under this subsection to participate in discretionary educational services provided by the school district.

Section 46.

Amends s. 1012.731, F.S., The Best and Brightest Teacher Scholarship Program, to:

- Authorize a \$6,000 scholarship award for each eligible classroom teacher.
- Continue current eligibility requirements for classroom teachers through 2020.
- Establish eligibility requirements beginning in 2020-2021 to include:
 - Official record received by school district no later than November 1 that classroom teacher has achieved a composite score at or above 77th percentile; or
 - If the classroom teacher graduated cum laude or higher with baccalaureate degree, achieved a composite score at or above the 71st percentile on either the SAT, ACT, GRE, LSAT, GMAT or MCAT based on national percentile ranks. An official transcript is required if graduated cum laude or higher; and
 - Earn a highly effective summative rating on performance evaluation in the preceding year; or earn a highly effective based on a commissioner-approved student learning growth formula per s. 1012.34(8), F.S., in the preceding year; or no summative performance evaluation rating because classroom teacher was newly hired by the school district and has not been evaluated.
- Provide for 2017-2018, 2018-2019 and 2019-2020:
 - Authorize \$1,200 for any classroom teacher who was rated as highly effective in previous year, including classroom teachers who met eligibility requirements noted previously.
 - Authorize up to \$800 for any teacher who was rated as effective in previously year. If the number of eligible classroom teachers exceeds the total allocation, the amount per teacher will be pro-rated.
 - Section 1012.731(3)(c), F.S., expires July 1, 2020.
- Require each school district to submit to the department by December 1:
 - Number of eligible classroom teachers;
 - Name and master school identification member (MSID) of each district school to which eligible classroom teachers are assigned; and
 - Name of school principal of each eligible teacher's school if principal has served as the school's principal for at least two consecutive school years including current school year.

Section 47.

Creates s. 1012.732, F.S., The Florida Best and Brightest Principal Scholarship Program, to:

- Authorize \$5,000 scholarship award for eligible school principals at Title I schools and \$4,000 scholarship award for eligible school principals at non-Title I schools.
- Eligibility requirements include:
 - Serve as school principal at the current school for at least two consecutive years including the current school year; and
 - School has a ratio of classroom teachers deemed eligible for the best and brightest teacher scholarship program pursuant to s. 1012.731, F.S., to other classroom teachers that is at the 80th percentile or higher for schools within the same grade group (elementary, middle, high and combination), statewide.
- Authorize department by February 1 to identify eligible school principals and disburse funds to school districts.
- Each school district must award scholarship to eligible school principals by April 1.
- Authorize school districts to provide eligible principals with the additional authority and responsibilities pursuant to s. 1012.28(8), F.S. (Principal Autonomy Pilot Program Initiative), for at least two years.

Section 48.

Amends s. 1002.385, F.S., The Gardiner Scholarship, to:

- Expand the list of exceptionalities for which a student may qualify for a scholarship to include Dual sensory impaired, as defined by rules of the SBE and evidenced by reports from local school districts.
- Define an inactive account for the purposes of the program as one having had no eligible expenditures made.
- Provide that specialized services from a Florida hospital be an authorized use of program funds for the Gardiner Scholarship.
- Expand the list of authorized uses of program funds to include fees for services provided by a center that is a member of the Professional Association of Therapeutic Horsemanship International.
- Expand the list of authorized uses of program funds to include fees for services provided by a therapist certified by the Certification Board for Music Therapists, or from the Art Therapy Credentials Board.
- Provide that a parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services that are paid for using Gardiner Scholarship funds.
- Establish that an account shall be closed and funds be reverted to the state after three consecutive fiscal years in which it has been inactive.
- Provide that schools required to submit a report of the agreed-upon procedures developed under s. 1002.395(6)(o), F.S. must submit the report annually by September 15.
- Provide that schools found to have material exceptions listed in their agreed-upon procedures report in consecutive years may be deemed ineligible to participate in the program by the commissioner.
- Provide that for student accounts that have been inactive for 2 consecutive fiscal years, additional scholarship funds will not be paid until the scholarship funding organization verifies expenditures from the account have occurred.
- Provide that for student accounts deemed inactive due to 2 consecutive fiscal years of no expenditures, eligibility will be restored once an eligible expenditure is made, based on the availability of funds.

- Provide that for new students entering the program the calculation shall be based on the matrix level of services, unless the student does not have a matrix. Students without a matrix of services shall be based on the matrix that assigns the student to support level III of services.

Section 49.

Amends s. 1003.455, F.S., Physical education; assessment, to:

- Require at least 100 minutes of unstructured free-play recess each week for students in grades K-5, so that there are at least 20 consecutive minutes each day.
- Exempt charter schools from the recess requirement.

Section 50.

Amends s. 1002.37, F.S., Florida Virtual School, to:

- Allow Florida Virtual School to provide full-time or part-time instruction to all students who seek to enroll.

Section 51.

Amends s. 1002.455., Student eligibility for K-12 virtual instruction, to:

- Allow all students (public, private, or home education) to participate in all virtual options authorized in law.

Section 52.

Amends s. 1002.45, F.S., Virtual instruction programs, to:

- Remove the restriction that a student be permitted to participate in a virtual instruction program or virtual charter school only in the district in which the student resides.
- Clarify that students are to take statewide assessments within the school district in which they reside or as specified in the contract between the approved provider or virtual charter school and the district. If requested by the approved provider or virtual charter school, the district of residence must provide the student with access to the district's testing facilities.

Section 53.

Amends s. 1002.20, F.S., K-12 student and parent rights, to:

- Authorize parents to request and be granted permission for a student's absence from school for treatment of autism spectrum disorder by a licensed health care practitioner or behavior analyst certified pursuant to s. 393.17, F.S.
- Allow a student to possess and use an over-the-counter topical sunscreen product while at school or at a school-sponsored event without a physician's note or prescription.
- Revise language regarding parent notification of a student's reading deficiency.

Section 54.

Amends s. 1002.69, F.S., Statewide kindergarten screening; kindergarten readiness rates; state-approved prekindergarten enrollment screening; good cause exemption, to:

- Require data from the Florida Kindergarten Readiness Screener, along with other data, to be used to identify students in need of intervention and support.

Section 55.

Amends s. 1008.25, F.S., Public school student progression; student support; reporting requirements, to:

- Require district school boards to prioritize allocation of instruction resources to K-3 students with a substantial deficiency in reading.
- Require the SBE to identify, by rule, guidelines for determining whether certain students have a substantial deficiency in reading.
- Provide that students with a substantial reading deficiency must be covered by a federally required student plan, an individualized progress monitoring plan or both.
- Provide that a school may not wait for a student to receive a failing grade to identify a student as having a substantial reading deficiency.
- Provide that any K-3 student who exhibits a substantial deficiency in reading based on screening, diagnostic, progress monitoring, assessment data or teacher observations be provided intensive, explicit, systematic and multisensory reading interventions.
- Revise the parental notification requirements for students with a substantial deficiency in reading to include a description and explanation, in terms understandable to the parents, of the exact nature of the student's difficulty and lack of learning in reading and the intensive interventions which will be provided. A read-at-home plan that includes multisensory strategies must also be provided.
- Revise grounds for good cause exemption by deleting s. 1008.25(6)(b)(7), F.S., which allowed a good cause exemption for students who had been previously retained for a total of two years. Section 1008.25(6)(b)(6), F.S., remains in effect stating a similar provision.
- Require schools to provide certain instruction to students who received a good cause exemption from retention. These students must be provided explicit, systematic and multisensory reading instruction and intervention strategies.
- Revise intervention requirements for certain retained students. These students must be provided evidence-based, explicit, systematic and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, comprehension and other strategies.
- Requires that by July 1, 2020, retained students and students attending summer reading camp be provided with a teacher who is certified or endorsed in reading.
- Revise provisions relating to the intensive acceleration class. School districts must establish at each school an intensive acceleration class for students retained in grade 3 who had previously been retained in earlier grades as well. These students must be provided uninterrupted reading instruction for the majority of student contact time; small group instruction; reduced teacher-student ratios; the use of explicit, systematic and multisensory reading interventions; and the use of a speech-language therapist if necessary.
- Revise annual student progress evaluation requirements provided to parents to include the response to intervention results.

- Require that beginning July 1, 2021, core instructional materials meet the requirements of s. 1001.215(7), F.S., which is the list of instructional and intervention programs jointly identified by the Just Read, Florida! office and the Florida Center for Reading Research that incorporate explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and incorporate decodable or phonetic text instructional strategies.

Section 56.

Amends s. 1011.67, F.S., Funds for instructional materials, to:

- Require the superintendent to verify that core reading materials and reading intervention materials used in grades K-5 meet requirements per s. 1001.215(7), F.S., by July 1, 2021.
- Provide school districts the flexibility to use instructional materials funds to purchase other materials to supplement reading instruction and provide additional practice.

Section 57.

Amends s. 1002.51, F.S., Definitions, to:

- Define a public school prekindergarten provider as a traditional public school or a charter school that is eligible to deliver the school-year prekindergarten program under 1002.63, F.S., or the summer prekindergarten program under s. 1002.61, F.S.

Section 58.

Amends s. 1003.21, F.S., School attendance, to:

- Require each district school board to adopt attendance policies authorizing a student's absence from school for treatment of autism spectrum disorder.

Section 59.

Amends s. 1003.24, F.S., Parents responsible for attendance of children; attendance policy, to:

- Revise an exemption related to parental responsibility for nonattendance of a student to include treatment for autism spectrum disorder.
- Include the provision of a written statement by a licensed health care practitioner or behavior analyst certified pursuant to s. 393.17, F.S., for the treatment of autism spectrum disorder to receive an excuse from school attendance.

Section 60.

Amends s. 1003.4156, F.S., General requirements for middle grades promotion, to:

- Eliminate the requirement that one course in career and education planning be completed in 6th, 7th or 8th grade.

Section 61.

Amends s. 1003.57, F.S., Exceptional students instruction, to:

- Prohibit school districts from declining to provide or contract for educational instruction for students with disabilities.
- Allow the receiving school district to report the students for funding.

Section 62.

Amends s. 1006.40, F.S., Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books, to:

- Remove the need for compliance with subsection (3) from school districts implementing their own instructional materials program under s. 1006.283, F.S.
- Remove the requirement that at least 50 percent of the instructional materials allocation be used for the purchase of digital or electronic materials that are included on the state-adopted list.
- Require that, except as authorized in (b) and (c), district school boards shall use the annual allocation only for purchase of materials that meet standards and are included in the state-adopted list.

Section 63.

Amends s.1009.60, F.S., Minority teacher education scholars program, to:

- Revise eligibility requirements for the minority teacher education scholarship program to include a student who is enrolled in one of Florida's public or private colleges or universities.
- Remove requirement that a student enroll in a qualifying program in his/her junior year and instead specify that a qualifying student cannot already have earned more than 18 credit hours of upper-division-level courses in education.
- Allow a student to use the scholarship to pursue a graduate degree with a major in education, leading to initial certification.

Section 64.

Amends s. 1009.605, F.S., Florida Fund for Minority Teachers, Inc., to:

- Require that the annual budget projection submitted to the Department by the Florida Fund for Minority Teachers, Inc., conform to the new scholarship eligibility requirements established in s. 1009.60, F.S.
- Remove the requirement that new scholarships must be granted to students who are in their junior year and that renewal scholarships be granted to rising seniors.

Section 65.

Creates a new section of statute titled Committee on Early Grade Success to:

- Establish this committee within the department to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the Voluntary Prekindergarten Education Program and the Kindergarten Readiness Assessment.
- Require the committee's proposal must include legislative recommendations for the design and implementation of a coordinated child assessment system, including, but not limited to:
 - The purpose of a child assessment, with a focus on developmentally appropriate learning gains.

- Attributes for tool selection that provide guidance on procurement policies.
- An implementation schedule and protocols, including the frequency of data collection and a timeline for training to ensure reliability of the system.
- The methodology for collecting and analyzing data that define reporting requirements.
- A budget for the system, including cost analyses for purchasing materials and the necessary technology, training to ensure reliability and data system management.
- Considerations for student privacy and tracking child development over time.
- Require that the committee be composed of 17 members who are residents of the state and appointed as follows:
 - Three members appointed by the Governor:
 - One representative from the Office of Early Learning;
 - One representative from the department; and
 - One parent of a child who is three to six years of age.
 - Fourteen members jointly appointed by the President of the Senate and the Speaker of the House of Representatives:
 - One representative of an urban school district;
 - One representative of a rural school district;
 - One representative of an urban early learning coalition;
 - One representative of a rural early learning coalition;
 - One representative of an early learning provider;
 - One representative of a faith-based early learning provider;
 - One representative who is a kindergarten teacher with at least five years of teaching experience;
 - One representative who is an elementary school principal;
 - Four representatives with subject matter expertise in early learning, early grade success or child assessments. The four representatives may not be direct stakeholders within the early learning or public school systems or potential recipients of a contract resulting from the committee's proposal;
 - One member of the Senate; and
 - One member of the House of Representatives.
- Require the chair and vice chair to be elected by the committee and the chair must be one of the four members with subject matter expertise in early learning, early grade success or child assessments. The vice chair must be a member appointed by the President of the Senate and the Speaker of the House of Representatives, who is not one of the four members who are subject matter experts in early learning, early grade success or child assessments.
- Require members of the committee to serve without compensation but allows reimbursement for per diem and travel expenses pursuant to s. 112.061, F.S. To reduce costs, the committee must meet at least three times by teleconference or other electronic means, if possible. A majority of the members constitutes a quorum.

- Require The University of Florida Lastinger Center for Learning to provide the staff necessary to assist the committee in the performance of its duties. The committee is required to submit a report of its findings and recommendations to the Governor, the President of the Senate and the Speaker of the House of Representatives by December 1, 2017. Once the report is submitted, the committee expires.
- Allow the SBE to adopt rules.

Section 66.

Creates s. 1013.101, F.S., Shared use agreements, to:

- Promote greater public access to public school indoor and outdoor recreation facilities by encouraging public school boards to open their school facilities to community use outside of school hours;
- Define terms, including the following:
 - "High-need communities" means communities in which at least 50 percent of children are eligible to receive free or reduced-price meals at the school where the shared use is proposed;
 - "Shared use" means allowing community access to school playground facilities for recreation or another purpose of importance to the community through a shared use policy or agreement that opens school facilities, including those of charter schools and Florida College System institutions, for use by governmental or nongovernmental entities or the public; and
 - "Shared use agreement" means a written agreement between a school district, a charter school or a Florida College System institution and a government or nongovernmental entity that defines the roles, responsibilities, terms and conditions for community use of a school-owned facility for recreation or other purposes; and
- Require the FDOE to provide technical assistance, including a toolkit and an online database for existing shared-use policies and agreements.

Section 67.

Creates an unnumbered section of law to:

- Establish a Shared Use Task Force within the FDOE to identify barriers to creating shared use agreements, develop recommendations to facilitate shared use of school facilities and report its findings and recommendations to the legislature by June 30, 2018;
- Authorize the FDOE to appoint the seven members of the task force, as follows, with the task force members selecting the chair and vice chair from different member categories:
 - Two representatives from school districts, including one from districts 1 through 33 and one from districts 34 through 67;
 - One representative from a public health department;
 - Two representatives from community-based programs in high-need communities; and
 - Two representatives from recreational organizations.
- Require the task force to report its findings and recommendations to the President of the Senate and the Speaker of the House by June 30, 2018, at which time the task force expires.

Section 68.

Amends s. 125.901, F.S., Children's services; independent special district; council; powers, duties, and functions; public records exemption, to:

- Include a technical change made by the act.

Section 69.

Creates s. 1003.481, F.S., Early Childhood Music Education Incentive Pilot Program, to:

- Implement a three-year music pilot program and award involvement to selected school districts based on comprehensive music education programs for students in grades K-2.
- Annually award selected school districts \$150 per full-time equivalent student enrolled in the program, and require school districts to annually certify that each school within the school district meets the requirements of the program.
- Requires the University of Florida to evaluate the effectiveness of the program through both quantitative analysis and qualitative evaluation.
- Allow the SBE to adopt rules.

Section 71.

- The Act appropriates \$413,950,000 in recurring funds and \$5,000,000 in nonrecurring funds to implement the act.

General Implementation Timeline:

Section 8:

December 31, 2017

Adopt specified standards for approval of PDCPs to include the teacher mentorship and induction component. This will be done through revision of Rule 6A-5.066, F.A.C., Approval of Teacher Preparation Programs.

June 30, 2018

Require each school district, charter school or charter management organization to submit for approval by the department its proposed/revised PDCP to include the teacher mentorship and induction component.

After December 31, 2018

Prohibit a teacher from satisfying requirements for a professional certificate through a professional development certification and education competency program that has not been approved to include the new standards for the teacher mentorship and induction component.

Section 12:

By July 1, 2018

Conduct a review of existing subject coverage or endorsement requirements in the elementary, reading and exceptional student education areas to recommend changes regarding instruction and intervention strategies proven to improve student reading performance.

Section 35:

Annually by May 31
Annually by June 30

Deadline for reporting grade 3 ELA statewide assessment results.
Deadline for reporting all remaining ELA, mathematics, and EOC statewide assessment results.

June 30, 2021

Deadline for publishing released statewide assessments.

Section 37:

January 1, 2018

SAT/ACT independent study deadline

Section 41:

Annually by September 1
Annually by October 1
Annually

School districts required to submit MOU required by s. 1001.42(21), F.S.
School districts required to submit turnaround plans for SBE approval.
Commissioner required to report to the SBE and Legislature as required by s. 1008.345, F.S.

Section 46:

Annually by November 1
Annually by December 1

Teachers must submit official record of qualification to their school district.
School districts must submit to the department specified information regarding eligible classroom teachers, school principals and school(s).

Annually by February 1

The department must disburse funds to school districts for eligible classroom teachers.

Annually by April 1
Annually by February 1,
Annually by April 1,

School districts must award funds to eligible classroom teachers.
the department must identify eligible school principals and disburse funds.
school districts must award funds to eligible school principals.

Section 55:

By July 1, 2020,

Retained students and students attending summer reading camp must be provided with a teacher who is certified or endorsed in reading.

Beginning July 1, 2021,

Core instructional materials must meet the requirements of s. 1001.215(7), F.S., which is the list of instructional and intervention programs jointly identified by the Just Read, Florida! office and the Florida Center for Reading Research that incorporate explicit, systematic and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency and text comprehension and incorporate decodable or phonetic text instructional strategies.

Section 56:

July 1, 2021.

Additional requirements for superintendent's instructional materials certification due

Section 63:

July 1, 2017

Post new fact sheet for the Minority Teacher Education Scholarship Program on the Office of Student Financial Assistance website.



Update system logic for student financial assistance database to allow for graduate programs.

Section 65:
December 1, 2017

The Committee on Early Grades Success must submit a report of its findings and recommendations to the Governor, the President of the Senate and the Speaker of the House of Representatives

Section 69:
By June 30, 2018

The University of Florida is required to evaluate the Early Childhood Music Education Incentive Pilot Program per SB 2500. The pilot program expires on June 30, 2020.



HB 7107 Homestead Exemption Implementation (CH. 2017-035, Laws of Florida)

Bill Sponsor: Representative La Rosa

Effective Date: On the effective date of the amendment to the State Constitution proposed by HJR 7105, or a similar joint resolution having substantially the same specific intent and purpose, if approved by Florida voters in November 2018.

DOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, (850) 245-0406

Executive Summary:

HB 7107 will implement an amendment to Article VII, Section 6(a) of the State Constitution that was passed as House Joint Resolution (HJR) 7105 by the 2017 Florida Legislature. If approved by Florida voters in November 2018, the proposed amendment will increase the homestead property tax exemption from ad valorem taxes, other than school district taxes, up to an additional \$25,000, on the assessed valuation greater than \$100,000.

HB 7107 changes the statutory dollar thresholds for the additional homestead exemption in order to conform to those in the constitutional amendment and specifies the calculation of the rolled-back rate for local governments for purposes of the 2019 tax roll. The Florida Legislature is required to appropriate moneys to offset reductions in tax revenues in fiscally constrained counties that result from increased exemptions. The bill takes effect on January 1, 2019, the same date that the proposed constitutional amendment is to become effective if it is approved by the electorate.

Section 1.

Amends s. 196.031, F.S., Exemption of homesteads, to:

- Implement the proposed constitutional amendment in HJR 7105 by providing an additional homestead exemption of up to \$25,000 on the assessed valuation greater than \$100,000 for all taxes other than school district taxes.

Section 2.

Amends s. 200.065(1) and (2), F.S., Method of fixing millage, to:

- Provide that taxable values used in the calculation of rolled-back rates for purposes of the 2019 tax roll shall be increased by an amount equal to the reduction in taxable value that will occur if the amendment is adopted.

- Require that rolled-back rates used by local governments in their Fiscal Year 2019-2020 tax rate determinations will not automatically increase in response to the tax base reductions associated with the higher homestead exemption.
- Repeal paragraph (b) of subsection (15) of s. 200.065, F.S., on December 31, 2019.

Section 3.

Amends s. 218.125, F.S., Offset for tax loss associated with certain constitutional amendments affecting fiscally constrained counties, to:

- Require the Florida Legislature to appropriate funds to offset reductions in ad valorem tax revenues experienced in fiscally constrained counties a result of the amendment to Article VII, Section 6(a) of the Florida Constitution.
- Provide that funds for the fiscally constrained counties be distributed in January of each fiscal year.
- Specify the method for applying and calculating the distribution of funds.

Section 4.

Provides for the bill to take effect on the same date as the effective date of the amendment to the state constitution proposed by HJR 7105, if approved at the general election in November 2018.

General Implementation Timeline:

No implementation required by the Florida Department of Education.