



FLORIDA DEPARTMENT OF EDUCATION 2013 LEGISLATIVE REVIEW



**Florida Commissioner of Education
Pam Stewart**

Florida Department of **EDUCATION**

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INTRODUCTION

This document is an overview of legislation passed by the Florida Legislature during the 2013 Regular Legislative Session affecting the Florida Department of Education (FDOE). Bills approved by the Governor are identified by the Chapter law.

Access to all bills, their final action, legislative staff analyses, floor amendments, bill history and Florida Statutes citations are available through the Internet. The Internet address for the Florida Legislature Online Sunshine web site is <http://www.leg.state.fl.us>.

For additional information on legislation passed by the Florida Legislature you may contact the Commissioner's Office of Governmental Relations at 850-245-0507.

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SB 2 ETHICS
 (Ch. 2013-36, Laws of Florida)

Bill Sponsor: Ethics and Elections

Effective Date: Upon becoming a law (May 1, 2013)

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406
 David L. Jordan, Assistant General Counsel, Office of the General Counsel, 850-245-0409

Executive Summary:

Senate Bill 2 is a comprehensive ethics reform bill that substantially amends, creates, and repeals sections of the Florida Statutes relating to the code of ethics for public officers and employees. The bill addresses areas of ethics including, but not limited to, dual public employment, lobbying activities, ethics training, blind trusts, voting conflicts, public disclosure, electronic filing, gifts and honoraria, and complaints of violations. Sections of the bill that have implications for state and local education agencies are highlighted below.

Dual Public Employment

The bill creates s. 112.3125, F.S., Dual public employment, to prohibit dual public employment by elected public officers and candidates for elected public office under certain circumstances and restrict certain promotions or advancements. The bill uses the term “public officer” to include any person who is elected to state or local office or, for the period of his or her candidacy, any person who has qualified as a candidate for state or local office. The bill:

- Prohibits an elected public officer or candidate for elected public office, for the period of that candidacy, from obtaining new public employment after qualifying for elected public office if the officer knows, or should know, that the position is being offered for the purpose of gaining influence or other advantage; and
- Establishes criteria for determining whether the position is being offered for the purpose of gaining influence or other advantage. While persons who had public employment prior to qualifying as a candidate are allowed to keep their employment, they may not accept promotions, raises or any other additional compensation that is inconsistent with other similarly situated employees when the public officer knows, or should know, that the additional compensation is being given because of his/her office or candidacy.

Lobbying Activities

The bill prohibits a former member of the Florida Legislature from lobbying for compensation before an executive branch agency, agency official or employee for a period of two years after leaving the legislature.

Ethics Training

The bill requires “constitutional officers” to complete a minimum of four hours of training annually addressing ethics, open meetings and public records laws. The term “constitutional officers” includes the Governor, Lieutenant Governor, Attorney General, Chief Financial Officer, Agriculture Commissioner, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of circuit court, county commissioners, school board members and school superintendents. The annual training requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the

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required subjects are covered. The bill directs the Commission on Ethics to establish the minimum course content by rule.

Qualified Blind Trusts

The bill creates s. 112.31425, F.S., concerning qualified blind trusts and clarifies that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest. The bill:

- Allows public officers to place their assets in a blind trust that meets certain minimum requirements concerning the contents of the trust agreement and who can serve as trustee. If the public officer does not control the interests held by the trust, his or her official actions will not be influenced or appear to be influenced by private considerations. The public officer is required to make certain disclosures concerning the blind trust on his or her annual financial disclosure;
- Limits the communications between the public officer and the trustee;
- Requires the public officer to file a notice of the blind trust with the Ethics Commission;
- Provides that the only people or entities who can serve as trustee are a bank, trust company, institutional fiduciary, attorney, certified public accountant, and broker or investment adviser. The bill further provides that certain relatives, other public officers or employees, persons appointed by the public officer to serve in an agency, and business associates may not serve as the trustee or manager of the trust;
- Provides that all assets of the trust must be free of any restrictions with respect to transfer or sale and cannot contain assets for which transfer or sale is improbable or impractical without the officer's knowledge; and
- Requires the trustee to certify that the trust meets all statutory requirements.

Voting Conflicts

The bill:

- Refines the terms "principal by whom retained" and "special private gain or loss" as used in the voting conflicts law;
- Prohibits a state public officer from voting on matters that would inure to his or her special private gain or loss;
- Clarifies that a member of the Legislature may use a disclosure form created pursuant to the rules of his or her respective house to satisfy the voting conflict disclosure requirement; and
- Clarifies that where a public officer who also is an attorney is required to disclose the nature of an interest, he or she is not required to disclose specific information that would violate confidentiality or privilege.

Public Disclosure

The bill allows candidates who have qualified for office to use a certified public accountant (CPA) or an attorney to prepare financial disclosure filings. Provides a "safe harbor" when errors are made by a CPA or an attorney who was provided the necessary information to prepare the financial disclosure filing.

The bill requires a qualifying officer to forward an electronic copy of the full and public disclosure of financial interests (CE Form 6) of any candidate who qualifies for election prior to filing his or her financial disclosure to the Ethics Commission or to record the filing of a CE Form 1 filer as timely. If the candidate qualifies after he or she files an annual financial disclosure form, the candidate is permitted to file a copy of his or her financial disclosure form with the qualifying officer. All filers who file financial disclosure forms must designate whether they are using the dollar

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value threshold or the comparative (percentage) threshold to determine whether an interest is required to be disclosed.

- Creates a grace period to file a new final financial disclosure form to correct any errors on the original filing and, it provides a 30-day period in which to cure de minimis violations when a complaint is filed concerning a final financial disclosure filing.

Electronic Filing System

The bill:

- Creates s. 112.31445, F.S., Electronic filing system, to provide for an Internet system for recording and reporting full and public disclosure of financial interests or any other form that is required pursuant to s. 112.3144, F.S.;
- Requires that, beginning with the 2013 filing year, all full and public disclosures of financial interests filed with the Ethics Commission pursuant to s. 8, Art. I of the State Constitution or s. 112.3144, F.S., be scanned and made publicly available by the Commission through a searchable database; and
- Requires that by December 1, 2015, the Ethics Commission must submit to the Senate President and House Speaker a proposal for a mandatory electronic filing system that meets minimum criteria which are specified in the bill.

Collection Methods for Unpaid Automatic Fines for Failure to Timely File Disclosure

The bill authorizes the Commission on Ethics to collect unpaid automatic fines for failure to timely file financial disclosure forms. For current public officers and employees, the Ethics Commission may require the withholding of the lesser of 10 percent of the salary or the maximum amount allowed under federal law until the fine is satisfied. For an individual who is no longer a public officer or employee, the Ethics Commission may seek garnishment of wages. The Ethics Commission may refer unpaid fines to a collection agency chosen by the Chief Financial Officer, which may use any collection methods authorized by law. The bill establishes a statute of limitations for unpaid fines of 20 years.

Reporting and Prohibited Receipt of Gifts by Individuals Filing Full or Limited Public Disclosure of Financial Interests and by Procurement Employees

The bill clarifies that, for purposes of the gifts and honoraria laws, "procurement employee" means any employee of an officer, department, board, commission, council or agency of the executive branch or judicial branch of state government who has participated in the preceding 12 months in the procurement of contractual services or commodities if the cost exceeds or is expected to exceed \$10,000 in any fiscal year. The bill prohibits reporting individuals or procurement employees from soliciting any gift in excess of \$100 from a vendor doing business with the reporting individual's or procurement employee's agency. The term "vendor" is defined as a business entity doing business directly with an agency, such as renting, leasing or selling any realty, goods or services. Vendors are required to report any gifts to reporting individuals or procurement employees that are valued between \$25 and \$100 on a quarterly basis.

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Prohibition on Gifts Involving Political Committees

The bill prohibits a reporting individual, a procurement employee, and members of their immediate families from soliciting or knowingly accepting any gift from a political committee. A violation is subject to a civil penalty of up to three times the amount of the gift.

Solicitation and Disclosure of Honoraria

The bill expands the prohibition on accepting an honorarium to include accepting such from a vendor. The bill modifies the definition of a procurement employee who may not accept an honorarium to exclude those individuals who participate in procurements if the cost did not exceed \$10,000 in any fiscal year.

Lobbying

The Ethics Commission is directed to investigate complaints alleging that a lobbyist or principal provided a prohibited expenditure to an executive branch agency official, member or employee, and provides that the penalties for violation of the expenditure ban apply to lobbyists and principals. The bill also provides for a civil penalty of up to \$5,000 if a lobbyist, or anyone who is required to be registered as a lobbyist, fails to disclose any required information. That penalty is in addition to the authority of the Governor and Cabinet to reprimand or censure the violator, to prohibit the violator from lobbying all agencies for up to two years, and to assess a \$5,000 fine.

Procedures on Complaints of Violations

The Ethics Commission is directed to investigate an alleged violation upon receipt of a written complaint executed on a form prescribed by the Commission and signed under oath of affirmation by any person, or upon receipt of a written referral of a possible violation of the law or other possible breach of the public trust from the Governor, the Florida Department of Law Enforcement, a state attorney, or a United States attorney which at least six members of the Commission determine is sufficient to indicate violation of the law or any other breach of the public trust.

The bill provides that a complaint may not be filed against a candidate for 30 days preceding an election unless the complaint is based on personal information or information other than hearsay. Additionally, any complaint filed against a candidate must be based upon personal information or information other than hearsay.

The bill gives the Ethics Commission discretion to dismiss a complaint alleging a violation of the Code of Ethics if it determines that the violation is a de minimis violation. The bill clarifies that a de minimis violation is one that is unintentional and not material in nature. In determining whether or not the violation is de minimis, the Commission shall consider whether the public interests were protected despite the violation.

General Implementation Timeline:

Upon becoming law	The act takes effect.
December 1, 2015	Ethics Commission submits a proposal for a mandatory electronic filing system to the President of the Senate and the Speaker of the House of Representatives.

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HB 21 **BACKGROUND SCREENING FOR NONINSTRUCTIONAL CONTRACTORS ON SCHOOL GROUNDS**
(Ch. 2013-73, Laws of Florida)

Bill Sponsor: Representative Perry

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850--245-0509

Executive Summary:

Section 1:

Amends s. 1012.467, F.S., Noninstructional contractors who are permitted access to school grounds when students are present; background screening requirements, to:

- Require the Florida Department of Education (FDOE) to create a uniform, statewide identification badge that includes a photo and is to be worn by noninstructional contractors who have undergone a criminal history background check.
- Require FDOE to determine a uniform cost that a school district may charge for each badge, which is borne by the badge recipient. The badge is issued by the school district with a five year validity and indicates that the contractor:
 - Met the background screening standards of s. 1012.467, F.S., (2);
 - Is a resident and citizen of the United States or a permanent resident alien; and
 - Is 18 years of age or older.
- Require all school districts to honor the badge which must be worn by the noninstructional contractor while on school grounds.
- Require noninstructional contractors to notify his or her employer and the school district within 48 hours if he or she is arrested for any of the following disqualifying offenses:
 - Any offense listed in s. 943.0435(1)(a), F.S., relating to the registration of an individual as a sexual offender;
 - Section 393.135, F.S., relating to sexual misconduct with certain developmentally disabled clients and the reporting of such sexual misconduct;
 - Section 394.4593, F.S., relating to sexual misconduct with certain mental health patients and the reporting of such sexual misconduct;
 - Section 775.30, F.S., relating to terrorism;
 - Section 782.04, F.S., relating to murder;
 - Section 787.01, F.S., relating to kidnapping;
 - Any offense under Chapter 800, F.S., relating to lewdness and indecent exposure
 - Section 826.04, F.S., relating to incest; and
 - Section 827.03, F.S., relating to child abuse, aggravated child abuse or neglect of a child.
- Require that within 48 hours of the required arrest notification, the noninstructional contractor must return the badge to the issuing school district. This subsection does not apply to noninstructional contractors provided an exemption to background screening pursuant to s. 1012.798, F.S.

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General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 52 **USE OF WIRELESS COMMUNICATIONS DEVICES WHILE DRIVING**
(Ch. 2013-58, Laws of Florida)

Bill Sponsor: Senator Detert

Effective Date: October 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, (850) 245-0509

Executive Summary:

Section 1:

Creates s. 316.305, F.S., Wireless communications devices; prohibition, to:

- Prohibit the operation of a motor vehicle while using a wireless communications device for nonvoice interpersonal communication, including, but not limited to, texting, emailing and instant messaging;
- Define the term wireless communications device as "any handheld device used or capable of being used in a handheld manner, that is designed or intended to receive or transmit text or character-based messages, access or store data, or connect to the Internet or any communications service as defined in s. 812.15, F.S., and that allows text communications." A motor vehicle that is stationary is not being operated and is not subject to this prohibition;
- Establish that billing records for a wireless communications device are admissible as evidence in a criminal proceeding only in the event of a crash resulting in death or personal injury; and
- Require that enforcement of this section by state or local law enforcement agencies must be accomplished only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of another provision of Chapter 316, Chapter 320 or Chapter 322.

Section 2:

Amends s. 322.27, F.S., Authority of department to suspend or revoke driver license or identification card, to:

- Add unlawful use of a wireless device to the graduated scale of points assessed to individuals convicted of this offense; and
- Provide for two points to be assessed against a driver's license for the unlawful use of a wireless communications device within a school safety zone, in addition to the points assigned for the primary moving violation that caused the stop, and the violation for using a mobile device.

General Implementation Timeline:

October 1, 2013 The act becomes effective.

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HB 85 PUBLIC-PRIVATE PARTNERSHIPS
(Ch. 2013-223, Laws of Florida)

Bill Sponsor: Representative Steube

Effective Date: July 1, 2013

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

Executive Summary:

The bill amends various statutes to authorize public-private partnerships for public service work projects. Most significantly, amends Chapter 287, Part I, F.S., which governs procurement of commodities, insurance and contractual services by state agencies, to create a new section to govern the procurement process for public-private partnerships for public-purpose projects as an alternative to the competitive procurement process. The bill authorizes school boards, other political subdivisions and public bodies corporate and politic, among other entities, to enter public-private partnerships to contract for public service work projects. The bill authorizes such projects to include a public educational facility or other building or facility that is used or will be used by a public educational institution.

Section 1:

Amends s. 255.60, F.S., Special contracts with charitable or not-for-profit organizations, to:

- Authorize public-private partnerships to contract for public service work projects with charitable or not-for-profit organizations; and
- Provide an alternate procurement process for such contracts, compliance with which exempts the procurement from the competitive requirements of Chapters 255 or 287, F.S., or local government charter. When a public-private partnership elects to use this alternative procurement for public education buildings, the building must be at least 90,000 square feet.

Section 2:

Creates s. 287.05712, F.S., Public-private partnerships, to:

- Define terms, including "qualifying project," which includes an educational facility or other building or facility that is used or will be used by a public educational institution, and "responsible public entity," which includes school boards, other political subdivisions, and public bodies corporate and politic;
- Make a legislative finding that there are inadequate resources to develop new educational facilities and expresses legislative intent to encourage private investment in the state and to facilitate use of tax incentives, bond finance, private capital, and other funding sources to expand and accelerate meeting public-service needs;
- Establish the Partnership for Public Facilities and Infrastructure Act Guidelines Task Force to recommend guidelines for the Legislature to consider for creating a statewide uniform process for establishing public-private partnerships to foster uniformity across the state. The Governor must appoint six members, including one representative of a district school board. The task force's final report must be submitted to the Governor and legislative leadership by July 1, 2014;

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- Specify procurement procedures, including receipt of unsolicited proposals or solicitation of proposals, notice requirements, public-purpose criteria, provision for ownership by the public entity and, when a school board is the public entity, approval of the local governing body;
- Specify requirements for project approval; project qualification, based in part on public need or benefit, estimated cost in relation to similar facilities, and the private entity's plans resulting in timely development or operation of the project; notice to affected local jurisdictions; execution, expiration, or termination of interim and comprehensive agreements; fees; financing; and powers and duties of private entities;
- Specify that the section does not waive the sovereign immunity of a responsible public entity, an affected local jurisdiction, or an officer or employee thereof; and
- Provide that the section does not limit development of public projects pursuant to other statutory authority; does not grant additional powers or restrict local governments entering into cooperative agreements with the private sector for the planning, construction, or operation of a facility; and does not waive any requirement of s. 287.055, F.S., related to procurement of professional architectural, engineering, landscape architectural, or surveying and mapping services.

Section 3:

Creates s. 336.71, F.S., Public-private cooperation in construction of county roads, to:

- Authorize counties to utilize public-private partnerships for county road construction based on a solicited or unsolicited proposal, and if the notice and procedural requirements of the section are satisfied, exempts counties from the competitive bid requirements of s. 255.20, F.S.

Section 4:

Amends s. 348.754(2), F.S., Purpose and powers, to:

- Expand allowable terms of leases from 40 years to 99 years of the Orlando-Orange County Expressway Authority.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 112 FILING FALSE DOCUMENTS AGAINST REAL OR PERSONAL PROPERTY
(Ch. 2013-228, Laws of Florida)

Bill Sponsor: Committees on Rules, Criminal Justice, and Judiciary, Senator Dean

Effective Date: October 1, 2013

FDOE Contact: Dave Jordan, Assistant General Counsel Office of General Counsel, 850-245-0442

Executive Summary:

Section 1:

Creates s. 817.535, F.S., Unlawful filing of false documents or records against real or personal property, to provide:

- Definitions, including:
 - “Filer” means the person who presents an instrument for recording in an official record or causes an instrument to be presented for recording in an official record; and
 - “Public officer or employee” which would include the members of the State Board of Education (SBE), the Commissioner of Education, and all employees of the Florida Department of Education.
- A person who, with intent to defraud or harass another, files an instrument containing a materially false, fictitious, or fraudulent statement or representation that purports to affect an owner’s interest in the property described in the instrument commits a felony of the third degree;
- A person who fraudulently files an instrument a second or subsequent time commits a felony of the second degree;
- If the owner of the property affected by the false instrument is a public officer or employee, the first offense is a felony of the second degree, and the second or subsequent offense is a felony of the first degree;
- If the person who fraudulently filed the instrument did so while incarcerated or while participating in any form of pretrial release or on probation or parole, the first offense is a felony of the second degree, and the second or subsequent offense is a felony of the first degree. A copy of the judgment shall be forwarded to the correctional institution for consideration of disciplinary action and forfeiture of gain time and early release credits;
- If the owner of the property covered by the false instrument incurs financial loss as a result of the recordation, including costs and attorney fees incurred in correcting the recordation, the first offense is a felony of the second degree, and the second or subsequent offense is a felony of the first degree;
- A person who fraudulently records a claim of mechanics lien pursuant to part I of Chapter 713 is subject to the fraud provisions of that chapter and not this new section;
- A civil cause of action for correcting false recorded instrument, for actual and punitive damages, for a civil penalty of \$2,500 for each false instrument, and for award of attorney fees and costs to the prevailing party;
- If the false instrument appears to have been filed to defraud or harass a public officer or employee in his or her official capacity, a government agency may provide legal representation to the officer or employee; and
- This section does not apply to sealing or expungement of criminal history records.

Section 2:

Amends s. 843.0855, F.S., Criminal actions under color of law or through use of simulated legal process, to:

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- Clarify that the term “legal process” includes documents issued by, or filed with, a State or Federal court;
- Replaces the definition of public officers and employees found in s. 112.061, F.S., with the comprehensive definition of “public officer or employee” in s. 817.535, F.S.;
- Provides legislative intent that this section apply to a person acting as a public officer or employee purports to supersede or override any legislation, statute, or action of any court of this state;
- Expands the present third degree felony for falsely influencing a public officer or law enforcement officer to include harassment and retaliation against, and to include public employees;

Section 3:

Amends paragraphs (g), (h) and d (i) of subsection (3) of s. 921.0022, F.S., Criminal Punishment Code; offense ranking chart, to:

- Add s. 817.535(2)(a), F.S., third degree, Filing false lien or other unauthorized document; s. 843.0855(2), F.S., 3rd degree, Impersonation of a public officer or employee; s. 843.0855(3), F.S., third degree, Unlawful simulation of legal process; and 843.0855(4), F.S., third degree, Intimidation of a public officer or employee, to the list of Level 7 offenses;
- Add s. 817.535(2)(b), F.S., second degree, Filing false lien or other unauthorized document; second or subsequent offense; 817.535(3)(a), second degree, Filing false lien or other unauthorized document; property owner is a public officer or employee; s. 817.535(4)(a)1., F.S., second degree, Filing false lien or other unauthorized document; defendant is incarcerated or under supervision; and s. 817.535(5)(a), F.S., second degree, Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument, to the list of Level 8 offenses; and
- Add s. 817.535(3)(b), F.S., first degree, Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee; s. 817.535(4)(a)2., F.S., first degree, Filing false claim or other unauthorized document; defendant is incarcerated or under supervision; and s. 817.535(5)(b), F.S., first degree, Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument, to the list of Level 9 offenses.

Section 4:

- Provides a savings clause.

General Implementation Timeline:

October 1, 2013 The act takes effect.

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HB 113 **DISTRIBUTION OF MATERIALS HARMFUL TO MINORS**
(Ch. 2013-75, Laws of Florida)

Bill Sponsor: Representative Manny Diaz Jr.

Effective Date: October 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850-245-0509

Executive Summary:

Section 1:

Amends s. 847.012, F.S., Harmful materials; sale or distribution to minors or using minors in production prohibited; penalty to:

- Prohibit an adult from selling or distributing obscene/harmful material to a minor;
- Prohibit an adult from posting obscene/harmful material on school property; and
- Define school property as "the grounds or facility of any kindergarten, elementary school, middle school, junior high school or secondary school, whether public or nonpublic."

This does not apply to the distribution or posting of school-approved instructional materials that by design serve as a major tool for assisting in the instruction of a subject or course by school officers, instructional personnel, administrative personnel, school volunteers, educational support employees or managers as those terms are defined in s. 1012.01, F.S.

General Implementation Timeline:

October 1, 2013 The act becomes effective.

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HB 209 LAKE-SUMTER COMMUNITY COLLEGE
(Ch. 2013-24, Laws of Florida)

Bill Sponsor: Representative Metz

Effective Date: July 1, 2013

FDOE Contact: Randy Hanna, Chancellor, Division of Florida Colleges, 850-245-9449

Executive Summary:

Section 1:

Amends s. 288.8175, F.S., Linkage institutes between postsecondary institutions in this state and foreign countries, to:

- Change the name of one Florida College System (FCS) institution, Lake-Sumter Community College, to Lake-Sumter College.

Section 2:

Amends s. 1000.21, F.S., Systemwide definitions, to:

- Change the name of one FCS institution, Lake-Sumter Community College, to Lake-Sumter College.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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HB 269 PUBLIC CONSTRUCTION PROJECTS
(Ch. 2013-193, Laws of Florida)

Bill Sponsor: Representative Beshears

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850-245-0406

Executive Summary:

The bill amends a number of provisions related to building construction and the use of lumber, timber and other forest products in the pursuit of sustainable building construction in Florida. Provisions of the bill that may affect school district operations or facilities are summarized below.

The bill:

- Amends s. 125.022, F.S., related to development permits. The bill states that the county shall attach disclaimers to the issuance of a development permit and shall include a permit condition that all other applicable state or federal permits be obtained before development begins;
- Amends s. 162.12, F.S., related to notices to require a return receipt on certified mail. Notices can be sent to addresses in the county property appraiser's database or any other address known to the local government;
- Amends s. 166.033, F.S., related to development permits. The bill changes the wording from "may" to "shall." A municipality **shall** attach such a disclaimer to the issuance of development permits and **shall** include a permit condition that all other applicable state or federal permits be obtained before commencement of the development;
- Amends s. 255.20(3), F.S., regarding sustainable construction materials. The bill adds the requirement to s. 255.20(3), F.S., that lumber, timber, and other forest products produced and manufactured in the state be specified on the contract if there is wood used on the project, with the same exceptions as s. 255.2575(4), F.S.;
- Amends s. 255.2575, F.S., to add a new section that requires all state agencies, when constructing public bridges, buildings, and other structures, to use lumber, timber and other forest products produced and manufactured in Florida if wood is a component of the public work, and if such products are available and their price, fitness, and quality are equal to other available materials. Exceptions to this rule include:
 - Plywood used for monolithic concrete forms;
 - Timber that cannot be supplied by native species;
 - Construction financed in whole or part by federal funds with the requirement that there be no restrictions as to species or place of manufacture; and
 - Transportation projects for which federal aid funds are available.
- Amends s. 255.257(4)(a), F.S., regarding green building codes. The bill changes the wording to require the use of a sustainable building rating system or a national model green building code for each new building

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and renovation to an existing building. This language allows agencies to select different systems for each project instead of adopting a system for the entire agency.

NOTE: *“Sustainable building rating or national model green building code” means a rating system established by one of the following:*

- *United States Green Building Council (Leadership in Energy and Environmental Design rating system;*
- *International Green Construction Code;*
- *Green Building Initiative’s Green Globes rating system;*
- *Florida Green Building Coalition standards; or*
- *A nationally recognized, high-performance green building rating system as approved by the Department of Management Services (DMS). According to the DMS website:*

DMS has adopted the United States Green Building Council’s Leadership in Energy and Environmental Design rating system for new construction and renovation projects and then goes even further by evaluating life-cycle costs. Through the Florida Life-Cycle Cost Analysis Program, state agencies can now easily separate fact from perception when evaluating potential building design options.

The bill Repeals s. 553.992, F.S., and revises the following sections, which are unrelated to school board and facility operations:

- Section 381.0065(4)(aa), F.S., regarding onsite sewage treatment and disposal systems for a single-family home;
- Section 489.133(2), F.S., regarding changes required by section 11 of Chapter 2012-13, Laws of Florida, which are remedial and intended to clarify law;
- Section 489.127, F.S., paragraphs (C) and (F) of subsection 5 and subsection 6 amend wording from ‘shall’ and ‘is authorized’ to ‘may’ and sets penalties at a greater amount;
- Section 489.131(7)(a), F.S., trims the language regarding contracting compliance with state and local laws;
- Section 489.514, F.S., regards certification for registered contractors to be grandfathered in this provision. Applications must be made by November 1, 2015;
- Section 489.531(4)(C) and (f), F.S., Regarding penalties for unlicensed contractors, local counties and municipalities may enforce codes and levy fines not to exceed \$2,500;
- Section 553.71, F.S., subsections 6 through 11 are redesignated as subsections 7 through 12. A new subsection 6 is added to read: “Local technical amendment” means an action by a local governing authority that results in a technical change to the Florida Building Code and its local enforcement.”;
- Section 553.73(17), F.S., is amended to allow cost-saving incentives for residential fire sprinklers that are authorized in the International Residential Code;
- Section 553.74(1), F.S., regarding the Florida Building Commission. This bill adds a new member who will represent the natural gas distribution system;
- Section 553.79(5)(a), F.S., is amended and subsection 18 is added regarding permits, applications, issuance and inspections. Reference to s. 553.71(11), F.S., is changed to s. 553.71(12), F.S., and subsection 18 site plans for a building may be maintained as an electronic copy at the work site;
- Section 558.842(5)(a), F.S., regarding product evaluation and approval. “Impact protective systems” is added as a category of product. An application for state approval of a product can be made under subparagraph 1 or 3

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- Section 553.901, F.S., regarding purpose of thermal efficiency code. The Florida Building Commission shall adopt the Florida Building Code-Energy Conservation;
- Section 553.902, F.S., is reordered and amended to reference Florida Building Code-Energy Conservation;
- Section 553.903, F.S., regarding applicability is amended to reference Florida Building Code-Energy Conservation;
- Section 553.904, F.S., regarding thermal efficiency standards for new nonresidential buildings. Amended to reference Florida Building Code-Energy Conservation;
- Section 553.905, F.S., regarding thermal efficiency standards for new residential buildings. Amended to reference Florida Building Code-Energy Conservation;
- Section 553.906, F.S., regarding thermal efficiency standards for renovated buildings. Amended to reference Florida Building Code-Energy Conservation;
- Section 553.912, F.S., regarding air conditioners. Amended to reference Florida Building Code-Energy Conservation and specify residential applications;
- Section 553.991, F.S., regarding energy efficiency of buildings. Replace text “provide for a statewide uniform system” with “identify systems” ;
- Section 553.993, F.S., regarding definitions. Add definitions for building energy-efficiency rating system, energy auditor, energy-efficiency rating, energy rater;
- Section 553.994, F.S., regarding applicability. Building energy-efficiency rating systems apply to all public, commercial, and residential buildings in the state;
- Section 553.995, F.S., regarding energy-efficiency ratings for buildings. Removed subsection (1)(a), subsection 3, and reordered;
- Section 553.996, F.S., regarding energy-efficiency information provided by building energy-efficiency rating systems providers. Amended with the addition of: Building energy- efficiency rating system providers identified in this part shall prepare such information and make it available for distribution;
- Section 553.997, F.S., regarding public buildings. Amended to remove: “The department, together with other ...”; and
- Section 553.998, F.S., regarding compliance. All ratings must be determined using tools and procedures developed by the systems recognized under this part and must be certified by the rater as accurate and correct and in compliance with procedures of the system under which the rater is certified.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 284 SCHOOL EMERGENCIES
(Ch. 2013-63, Laws of Florida)

Bill Sponsor: Senator Negron

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850-245-0406
Pam Stewart, Chancellor, Division of Public Schools, 850-245-0509

Executive Summary:

Section 1:

Amends s. 1006.07, F.S., District school board duties relating to student discipline and school safety, to:

- Require that each school district's prescribed policies and procedures for emergency drills and actual emergencies list the emergency response agency that will be responsible for notifying the school district of emergencies including, but not limited to, fires, natural disasters, and bomb threats ;and
- Require each school district to establish model emergency management and emergency preparedness procedures, for the following life-threatening emergencies:
 - Weapon-use and hostage situations;
 - Hazardous materials or toxic chemical spills;
 - Weather emergencies, including hurricanes, tornadoes, and severe storms; and
 - Exposure as a result of a manmade emergency.

Section 2:

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

- Authorize public schools to purchase epinephrine auto-injectors from a wholesale distributor as defined in s. 499.003, F.S. Permit storage of epinephrine auto-injectors in a locked, secure location on campus for use when any student has an anaphylactic reaction. Require participating school districts to adopt a protocol by a licensed physician. Allow an authorized student to self-administer an epinephrine auto-injector that was purchased by the school. Require training of school personnel to recognize when a student is having an anaphylactic reaction and allow trained school personnel to administer an epinephrine auto-injector to a student. Removes school district employees', including the physician who provided the protocol from liability arising from administration of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction, unless the administration of the epinephrine auto-injector is done in a willful or wanton manner .

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Section 3:

Amends s. 1002.42, F.S., Private Schools, to:

- Require emergency response agencies, which are identified in each district's school board policy as responsible for notifying the district regarding threats to student safety, to provide the same notification to private schools in the district that have opted to follow the district's emergency notification procedures. This will allow a private school to be notified at the same time that the public school district is notified about an emergency occurrence in the local area that could threaten student safety.

Authorize public schools to purchase epinephrine auto-injectors from a wholesale distributor as defined in s. 499.003, F.S. Permit storage of epinephrine auto-injectors in a locked, secure location on campus for use when any student has an anaphylactic reaction. Require participating school districts to adopt a protocol by a licensed physician. Allow an authorized student to self-administer an epinephrine auto-injector that was purchased by the school. Require training of school personnel to recognize when a student is having an anaphylactic reaction and allow trained school personnel to administer an epinephrine auto-injector to a student. Removes school district employees', including the physician who provided the protocol from liability arising from administration of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction, unless the administration of the epinephrine auto-injector is done in a willful or wanton manner

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 454 **FLORIDA COLLEGE SYSTEM INSTITUTION POLICE OFFICERS**
(Ch. 2013-84, Laws of Florida)

Bill Sponsor: Senator Benacquisto

Effective Date: July 1, 2013

FDOE Contact: Randy Hanna, Chancellor, Division of Florida Colleges 850-245-0407

Executive Summary:

Section 1:

Amends s. 23.1225, F.S., Mutual aid agreements, to:

- Authorize Florida College System (FCS) institution police officers to enforce laws within a specified jurisdictional area as agreed upon in a voluntary cooperation written agreement.

Section 2:

Amends s. 316.640, F.S., Enforcement, to:

- Permit FCS institution police officers to enforce all the traffic laws of the state when:
 - The violation occurs within 1,000 feet of properties or facilities under the guidance, supervision, regulation, or control of the Florida College System institution; or
 - Such violations occur within a specified jurisdictional area as agreed upon in a mutual aid agreement entered into with a law enforcement agency pursuant to s. 23.1225, F.S.; or
 - Hot pursuit originates on or within 1,000 feet of any such property or facilities, or as agreed upon in accordance with the mutual aid agreement.

Section 3:

Amends s. 1012.88, F.S., Florida College System institution police, to:

- Extend the geographic area which FCS institution police have the authority to arrest suspects for violation of state law or applicable county or municipal ordinances. The area is extended by 1,000 feet from any property or facilities of the institution, any direct-support organization of the institution, or any other organization controlled by the institution as agreed upon in a mutual aid agreement with a law enforcement agency; and
- Extend the geographic area which FCS institution police have the authority to arrest suspects for violation of state law or applicable county or municipal ordinances while engaged in hot pursuit for violations committed on campus. The area is extended to include when hot pursuit originates within 1,000 feet of any property or facilities of the institution, any direct-support organization of the institution or any other organization controlled by the institution as agreed upon in a mutual aid agreement with a law enforcement agency.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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HB 461 **DEAF AND HARD-OF-HEARING STUDENTS**
(Ch. 2013-84, Laws of Florida)

Bill Sponsor: Representative Rooney

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, (850)-245-0509

Executive Summary:

Section 1:

Amends s. 1003.55, F.S., Instructional programs for blind or visually impaired students and deaf or hard-of-hearing students, to:

- Require the Florida Department of Education (FDOE) to develop a model communication plan to be used in the development of individual educational plans (IEPs) for deaf or hard-of-hearing students., in coordination with the Florida School for the Deaf and the Blind (FSDB) and with input from education stakeholders, including representatives of the auditory oral community;
- Require FDOE to make the model available online, disseminate the model to each school district, and provide technical assistance; and
- Require the individual education plan (IEP) team to address certain considerations in the development of an IEP for a student who is deaf or hard-of-hearing.

General Implementation Timeline:

July 1, 2013	The act becomes effective.
June-November, 2013	Stakeholder meetings, including the FSDB and representatives of the auditory-oral community, will be held to develop the model communication plan.
By December 31, 2013	State Board of Education (SBE) will adopt in rule a model communication plan.

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SB 520 **EMERGENCY MEDICAL SERVICES**
(Ch. 2013-128, Laws of Florida)

Bill Sponsor: Senator Bradley

Effective Date: July 1, 2013

FDOE Contact: Randy Hanna, Chancellor, Division of Florida Colleges 850- 245-0407

Executive Summary:

Section 1:

Amends s. 381.0034, F.S., Requirement for instruction on HIV and AIDS, to:

- Delete the requirement for emergency technicians and paramedics to obtain human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) training and continuing education instruction.

Section 2:

Amends s. 401.23, F.S., Definitions, to:

- Link the definitions of advanced life support and basic life support to the Emergency Medical Technician (EMT)-Paramedic National Standard and the EMT-Basic National Standard, respectively, as well as the National Emergency Medical Services (EMS) Education Standards of the United States Department of Transportation (USDOT).

Section 3:

Amends s. 401.24, F.S., Emergency medical services state plan, to:

- Add those National EMS Education Standards approved by the Department of Health (DOH) to the allowed standards on which EMS trainers may base their curricula.

Section 4:

Amends s. 401.27, Personnel; standards and certification, to:

- Increase the period of time within which an EMT or a paramedic must pass their required certification exam after completing their training program from one year to two years.

Section 5:

Amends s. 401.2701, F.S., Emergency medical services training programs, to:

- Add those National EMS Education Standards approved by DOH to the allowed standards on which EMS trainers may base their curricula.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

Florida Department of **EDUCATION**

HB 609 BULLYING IN THE PUBLIC SCHOOL SYSTEM
(Ch. 2013-36, Laws of Florida)

Bill Sponsor: Representative Fullwood

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, (850)-245-0509

Executive Summary:

Section 1:

Amends s. 1006.147, F.S., Bullying and harassment prohibited, to:

- Prohibit bullying or harassment of any student or employee of a public K-12 educational institution through the use of data or computer software, regardless of location or ownership, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim, or materially or substantially disrupts the education process or orderly operation of the school.
- Include cyberbullying as a form of bullying;
- Expand the type of bullying to include inflicting private humiliation;
- Define “cyberbullying” as “bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications.”
 - Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying”;
- Define “within the scope of a public K-12 educational institution” to mean “regardless of ownership, any computer, computer system, or computer network that is physically located on school property or at a school-related or school-sponsored program or activity”;
- Require any complaint of cyberbullying to be investigated using computers without web-filtering software or computers with web-filtering software that is disabled; and
- Expand requirements for providing instruction to include instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations.

The bill specifies that provisions regarding cyberbullying may not be construed to require school to staff or monitor any nonschool-related activity, function, or program.

General Implementation Timeline:

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July 1, 2013

The act becomes effective.

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HB 731 PUBLIC RECORDS/SPOUSES & CHILDREN OF LAW ENFORCEMENT PERSONNEL
(Ch. 2013-243, Laws of Florida)

Bill Sponsor: Representative Kerner

Effective Date: July 1, 2013

FDOE Contact: Mari M. Presley, Assistant General Counsel, 850- 245-0442

Executive Summary:

Section 1:

Amends s. 119.071, F.S., General exemptions from inspection or copying of public records, to:

- Update the term, "Department of Children and Family Services" to "Department of Children and Families";
- Create an exemption from public records for the names of the spouses and children of active or former sworn or civil law enforcement personnel and other specified agency personnel; and
- Create an exemption from public records for the names of the spouses and children of current or former state attorneys, assistant state attorneys, statewide prosecutors or assistant statewide prosecutors;

Section 2:

- Provides findings to explain why the public records exceptions created in Section 1 are necessary.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

Florida Department of **EDUCATION**

HB 801 **CERTIFIED SCHOOL COUNSELORS**
(Ch. 2013-89, Laws of Florida)

Bill Sponsor: Representative Eagle

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850--245-0509

Executive Summary:

Section 1:

Amends s. 322.091, F.S., Attendance requirements, to:

- To replace the name from "guidance counselor" to "certified school counselor."

Section 2:

Amends s. 381.0057, F.S., Funding for school health services, to:

- To replace the name from "guidance counselor" to "certified school counselor."

Section 3:

Amends s. 1002.3105, F.S., Academically Challenging Curriculum to Enhance Learning (ACCEL) options, to:

- To replace the name from "guidance counselor" to "certified school counselor."

Section 4:

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

- To replace the name from "guidance counselor" to "certified school counselor."

Section 5:

Amends s. 1003.43, F.S., General requirements for high school graduation, to:

- To replace the name from "guidance counselor" to "certified school counselor."

Section 6:

Amends s. 1003.491, F.S., Florida Career and Professional Education Act, to:

- To replace the name from "guidance counselor" to "certified school counselor."

Section 7:

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

- To replace the name from "guidance counselor" to "certified school counselor."

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Section 8:

Amends s. 1006.025, F.S., Guidance service, to:

- To replace the name from “guidance counselor” to “certified school counselor.”

Section 9:

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

- To replace the name from “guidance counselor” to “certified school counselor.”

Section 10:

Amends s. 1008.42, F.S., Public information on career education programs, to:

- To replace the name from “guidance counselor” to “certified school counselor.”

Section 11:

Amends s. 1009.53, F.S., Florida Bright Futures Scholarship Program, to:

- To replace the name from “guidance counselor” to “certified school counselor.”

Section 12:

Amends s. 1012.01, F.S., Definitions, to:

- To replace the name from “guidance counselor” to “certified school counselor.”

Section 13:

Amends s. 1012.71, F.S., The Florida Teachers Lead Program, to:

- To replace the name from “guidance counselor” to “certified school counselor.”

Section 14:

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

- To replace the name from “guidance counselor” to “certified school counselor.”

General Implementation Timeline:

July 1, 2013 The act becomes effective.

Florida Department of **EDUCATION**

SB 1036 INDEPENDENT LIVING
(Ch. 2013-178, Laws of Florida)

Bill Sponsor: Children, Families, and Elder Affairs

Effective Date: January 1, 2014

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509
Randy Hanna, Chancellor, Division of Florida Colleges 850- 245-0407

Executive Summary for Issues Affecting the Florida Department of Education:

Section 8:

Amends s.409.1451, F.S., The Road-to-Independence Program, maintains:

- A requirement for the Secretary of the Florida Department of Children and Families (DCF) to appoint a representative of the Florida Department of Education (FDOE) to the Independent Living Services Advisory Council.

Section 11:

Reads:

- Effective July 1, 2013, DCF shall work in collaboration with the Board of Governors (BOG), the Florida College System (FCS), and FDOE to help address the need for a comprehensive support structure in the academic arena to assist children and young adults who have been or continue to remain in the foster care system in making the transition from a structured care system into an independent living setting. The State University System (SUS) of Florida and FCS shall provide postsecondary educational campus coaching positions that will be integrated into FCS institutions' and university institutions' general support services structure to provide current and former foster care children and young adults with dedicated, on-campus support. DCF has the sole discretion to determine which state college or university will offer a campus coaching position, based on departmental demographic data indicating greatest need. These campus coaching positions shall be employees of the selected educational institutions, focused on supporting children and young adults who have been or continue to remain in the foster care system. The Chancellors of FCS and BOG shall report annually to DCF specific data, subject to privacy laws, about the children and young adults served by the campus coaches, including academic progress, retention rates for students enrolled in the program, financial aid requested and received, and information required by the National Youth in Transition Database.

General Implementation Timeline:

July 2013 Section 8 of the bill requires, the DCF to work in collaboration with FCS and BOG to postsecondary campus coaching positions.

January 1, 2014 The act becomes effective.

Florida Department of
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HB 1075 PUBLIC RECORDS
(Ch. 2013-248, Laws of Florida)

Bill Sponsor: Representative Rangel

Effective Date: July 1, 2013

FDOE Contact: Mari M. Presley, Assistant General Counsel, 850- 245-0442

Executive Summary:

The bill creates an exemption from public records for a complaint of misconduct filed with an agency against an agency employee. The complaint and all information obtained pursuant to the agency's investigation is confidential and exempt from public records until the investigation ceases to be active, or until the agency notifies the employee that it has either (1) concluded its investigation with a finding not to proceed with disciplinary action or to file charges; or (2) concluded its investigation with a finding to proceed with disciplinary action or to file charges.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 1076 K-20 EDUCATION
(Ch. 2013-27, Laws of Florida)

Bill Sponsor: Senator Legg

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509
 Randy Hanna, Chancellor, Division of Florida Colleges 850- 245-0407
 Rod Duckworth, Chancellor, Division of Workforce Education 850- 245-9463
 Linda Champion, Deputy Commissioner, Finance and Operations 850- 245-0406

Executive Summary:

The bill establishes new standard high school diploma requirements for students entering 9th grade in the 2013-14 school year, alters course and testing requirements for current 9th-10th graders, and establishes Scholar and Merit diploma designations. Current and future high school students may earn a Scholar and Merit designation if they satisfy course and testing requirements above-and-beyond those required for a standard diploma.

The bill increases emphasis on digital literacy, financial literacy and industry certification; establishes a process for creating career education courses that enable students to simultaneously earn career and core academic credit; delays implementation of performance funding related to student passage of End-of-Course (EOC) assessments; revises the funding methodology for industry certification and career-themed courses and requires the State Board of Education (SBE) to annually approve a Postsecondary Industry Certification Funding List; creates a bonus program for teachers of industry certification courses; expands existing bonus programs for Advanced Placement (AP) and International Baccalaureate (IB) teachers; requires the SBE to adopt an implementation schedule to transition from existing statewide assessments in mathematics and English language arts to common core assessments.

In addition, the bill includes higher education and workforce related provisions regarding designation of preeminent state universities; funding for a preeminent university to establish an online university; fee waiver authority for Florida College System (FCS) institutions regarding the \$10,000 degree program; performance funding for workforce education programs, FCS institutions, and state universities; and repeals the "Florida Application for Federal Student Aid (FAFSA) requirement" for Bright Futures eligibility. The bill also renames the Degree Completion Pilot Project as the Complete Florida Degree Program and revises the duties of the University of West Florida in administering the program.

Section 1:

Amends s. 1000.03, F.S., Function, mission and goals of the Florida K-20 education system, to:

- Establish policy goals aimed at preparing students to enter the workforce or enter postsecondary education after exiting high school, by providing information of opportunities available to students and parents through websites, handbooks, manuals and other regularly provided communication.

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Section 2:

Amends s.1000.21, F.S., System-wide definitions, to:

- Revise statutory definition of Next Generation Sunshine State Standards (NGSSS) to include Common Core State Standards (CCSS) in English language arts (ELA) and mathematics.

Section 3:

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

- Provide a district school board with the power to appoint a Technical Center Governing Board, for the school district technical center or system of technical centers;
- Provide the purpose of the Technical Center Governing Board is to align educational programs with the needs of local business for industry certifications;
- Provide that if a Technical Center Governing Board is appointed, it shall be comprised of seven (7) members, three (3) school board members or their designee and four (4) local business leaders;
- Require that the district school board shall delegate to the Technical Center Governing Board decisions regarding entrance requirements for students, curriculum program development, budget and funding allocations, and the development of business partnerships;
- Provide that the Technical Center Governing Board may approve only courses and programs:
 - That contain industry certification; and;
 - That a minimum of 25 percent of the students enrolled in the course attain industry certification. If fewer than 25 percent of students enrolled do not attain an industry certification, the course **MUST** be discontinued the following year.

Section 4:

Amends s.1002.3105, F.S., Academically Challenging Curriculum to Enhance Learning (ACCEL) options, to:

- Provide additional options to students who are eligible for ACCEL. The additional options shall include:
 - Rigorous industry certifications that are articulated to college credit; and
 - Work-related internships and apprenticeships;
- Award a standard high school diploma to students who:
 - Meet requirements under s. 1003.4282(3)(a)–(e), F.S., a (new) section identifying course and assessment requirements;
 - Earn three credits of electives; and
 - A cumulative grade point average of 2.0 on a 4.0 scale.

Section 5:

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

- Conform statutory language to include NGSSS and statutory cross references to (new) S.1003.4282, F.S., award of standard high school diploma.

Section 6:

Amends s.1002.37, F.S., The Florida Virtual Schools, to:

- Require that beginning in the 2016-17 fiscal year, the reported Full Time Equivalent (FTE) students enrolled in courses requiring passage of a statewide EOC assessment under S. 1003.4282, F.S., shall be adjusted if

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a student does not pass the EOC assessment. However, no adjustment is made if a student enrolls in a segmented remedial course delivered online.

Section 7:

Repeals s. 1002.375, F.S., Alternative credit for high school courses; pilot project

Section 8:

Amends s. 1002.45, F.S., Virtual instructions program, to:

- Conform statutory language to include NGSSS and statutory cross references to (new) S. 1003.4282, F.S., award of standard high school diploma; and
- Require that beginning in the 2016-17 fiscal year, the reported FTE students enrolled in courses requiring passage of a statewide EOC assessment under S. 1003.4282, F.S., shall be adjusted if student does not pass the EOC assessment. However, no adjustment is made if a student enrolls in a segmented remedial course delivered online.

Section 9:

Amends s.1003.02, F.S., District school board operation and control of public K-12 education within the school district, to:

- Delete cross reference of repealed S. 1003.429, F.S., providing for accelerated graduation.

Section 10:

Amends s.1003.03, F.S., Maximum class size, to:

- Incorporate reference to S. 1003.428, F.S., general requirements for high school graduation; Allow district school boards to consider implementation of the early graduation requirements as provided in S. 1003.4281, F.S., to meet class-size requirements; and
- Delete provision allowing district school boards to adopt policies based on students that pass the Grade 10 Florida Comprehensive Assessment Test (FCAT) 2.0.

Section 11:

Amends s.1003.41, F.S., Next Generation Sunshine State Standards, to:

- Revise the statutory definition of the NGSSS to include the adoption of CCSS in mathematics and ELA.
- Emphasize the use of technology, rigorous curriculum and workforce-literacy skills;
- Require specific curricular content for ELA, science, social studies and mathematics;
- Delete requirement mandating financial literacy as part of the mathematics NGSSS and adds a requirement that social studies NGSSS must establish specific curricular content for economics to include financial literacy;
- Provide the definition of financial literacy as the knowledge, understanding, skills, behaviors, attitudes and values that will enable a student to make responsible and effective financial decisions on a daily basis;
- Require the Commissioner of Education (commissioner) to propose—as needed—revisions to standards and submit those revisions to the SBE for adoption;
- Specify that the commissioner must prepare an analysis of costs associated with implementation of a one-half credit course in financial literacy
 - Require the commissioner to present the Senate President and Speaker of the House with a cost analysis, no later than October 1, 2013;

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- Provide requirements for the financial literacy course;
- Require the commissioner to work with one or more nonprofit organizations and provide free resources that can be used for instruction; and
- Require SBE adopt rules to administer this section.

Section 12:

Repeals s. 1003.413, F.S., Florida Secondary School Redesign Act.

Section 13:

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

- Incorporate references to S. 1008.22, F.S., identifying requirements for student assessments;
- Require that beginning with the 2012-13 school year, in order to earn high school credit for Geometry and/or a Biology course, a middle grades student must take the statewide, standardized assessment, which will constitute 30 percent of the student's final grade, and the student must earn a passing grade in the course. A middle grades student would not be required to earn a passing score on the statewide, standardized Geometry and/or Biology EOC Assessment in order to earn high school credit. However, if a middle grades student chooses a Scholar designation then the student would be required to earn passing scores on the Algebra I, Geometry and Biology EOCs and on the Algebra II common core assessment (when the state transitions to common core assessments);
- Delete requirement mandating a semester class in state and federal government in social studies curriculum;
- Require each school district to offer middle school grades (grades 6-8), courses on career and education emphasize the importance of entrepreneurship skills, be internet-based and include research-based assessments;
- Require that each school district's student academic and career plan include an explanation of diploma designation options, career education courses, and industry certification pursuant to S. 1003.4282 and S. 1003.492 or s. 1008.44, F.S.;
- Require that beginning in the 2013-14 school year, each student's performance on the statewide, standardized EOC assessment in civics education required under S. 1008.22, F.S., constitutes 30 percent of the student's final course grade;
- Delete provision allowing student with disability to waive EOC and remove proviso requiring intensive reading courses for students scoring a level 1 on the FCAT2.0 Reading;
- Delete exemption permitting exclusion of remediation for students that scored a level 1 in reading, but did not score below a level 3 in the previous three years; and
- Delete language distinguishing remediation strategies for middle grades student scoring level 1 or 2 on the FCAT 2.0. Instead, middle grades students scoring a level 1 *or* 2 in ELA or mathematics have the option of enrolling in either a remedial content area course or a course with ELA or mathematics remediation strategies incorporated in the content delivery.

Section 14:

Amends s. 1003.4203, F.S., Digital materials, recognitions, certificates, and technical assistance, to:

- Specify that school districts shall make digital materials available for students to attain digital skills;
- Delete references to a digital curriculum with competencies in web communications/design;
- Allow open access of digital materials and integrate those materials to subject area curricula, subject to available funding;

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- Expand the availability for students to attain digital skills from prekindergarten through grade 12;
- Require school districts to make digital instructional materials available for student with disabilities in prekindergarten through grade 12 beginning in the 2013-14 school year;
- Require FDOE to contract by December 1, 2013, with a technology company or affiliated nonprofit organization that has approved industry certifications for the development of a Florida Cyber Security Recognition (FCSR) and a Florida Digital Arts Recognition (FDAR) to indicate a student's attainment of knowledge and skills in digital technology, subject to available funding;
- Require FDOE to identify the knowledge and skills for mastery in a FCSR and a FDAR;
- Specify that the FCSR be based on understanding of computer processing operations and cyber security skills and that the FDAR reflect a balance of skills in technology and the arts;
- Require the FCSR and FDAR be available to public elementary school students at no cost to districts and companies provide open-access of materials for teaching and learning;
- Require each elementary school advisory council be notified of the methods of delivery of the open-access content and assessments for recognitions;
- Require the FDOE to contract with one or more technology companies that have approved industry certifications by December 1, 2013, to develop a Florida Digital Tools Certificate (FDTC) to indicate a student's technology skills, subject to available funding;
- Specify that the FDTC will be available to all public middle school students at no cost to districts.
- Specify the targeted skills to be mastered for the FDTC should be those required for academic work and future employment, including, but not limited to, word processing, spreadsheet display, and the creation of presentations, consistent with industry certifications;
- Require the contracted companies which provide the FDTC offer open-access materials for teaching and learning the necessary skills;
- Declare the legislative intent is that 75 percent of middle school students earn the FDTC by 7/1/ 2018.
- Allow school districts to seek partnerships with other school districts, private businesses, colleges, universities or consultants to provide the digital materials and certificates;
- Specify the FDOE or companies contracted provide technical assistance to school districts; and
- Require the SBE to adopt rules to administer section.

Section 15:

Amends s. 1003.428, F.S., General requirements for high school graduation, revised, to:

- Specify that the 24 credits earned for graduation may include career education courses approved by the FDOE;
- Include financial literacy as part of half-credit in economics;
- Delete provision allowing the commissioner to award a standard high school diploma to honorably discharged veterans who started high school between 1937 and 1946 and were scheduled to graduate between 1941 and 1950, but were inducted into to the Armed Forces; and
- Delete provision allowing the commissioner to award standard high school diploma to veterans of the Armed Forces involved in the Korean conflict from June 1950 through January 1955.

Section 16:

Amends s. 1003.4281, F.S., Early high school graduation, to:

- Include (new) S. 1003.4282, which requires that for purposes of early high school graduation, a student would have the option to satisfy this under the requirements of a standard diploma.

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Section 17:

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

- Establish the requirements for a standard high school diploma. The changes to the requirements for a standard high school diploma are outlined in the table below:

Subject	Prior to SB 1076 - 24 Credit Standard Diploma for 9 th Grade Cohort 2012-2013	SB 1076 - 24 Credit Standard Diploma
English	4 credits: Must pass 10 th grade FCAT 2.0 Reading. Must take FCAT Writing.	Credits in ELA I, II, III, and IV: Must pass 10 th grade FCAT 2.0 Reading upon transition to Common Core the 10 th grade ELA assessment. FCAT writing is not mentioned in this section
Math	4 credits, including: Algebra I, Geometry, and Algebra II. Must pass Algebra I and Geometry EOC assessments.	4 credits which must include Algebra I and Geometry. The Algebra I EOC assessment is 30 percent of course grade and passage is required for a standard diploma. The Geometry EOC assessment is 30 percent of course grade. Students enrolled in Algebra II must take the Common Core Algebra II EOC once in place and the assessment would be 30 percent of the course grade. Industry certification courses that lead to college credit may be substituted for up to 2 mathematics credits.
Science	3 credits, including: Biology I. Two of the credits must have a lab component. Must pass the Biology I EOC assessment.	3 credits including Biology I and two credits in equally rigorous courses. The Biology I EOC assessment is 30 percent of course grade. Two of the credits must have a lab component Industry certification courses that lead to college credit may be substituted for up to 1 science credit.
Social Studies	3 credits: 1 U.S. History, 1 World History, .5 Economics, .5 U.S. Government. The U.S. History EOC assessment is 30 percent of the course grade.	3 credits: 1 U.S. History; 1 World History; .5 Economics, including financial literacy; .5 U.S. Government. The U.S. History EOC is 30 percent of the course grade.
Fine/ Performing Arts	1 credit in fine or performing arts, speech and debate, or a practical arts course comprised of artistic or creative concepts.	1 credit.
PE w/Health	1 credit.	1 credit.
Electives	8 credits.	8 credits: School districts must develop and offer coordinated electives so that students may develop knowledge and skills in their area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to

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		<p>earn college credit, including industry-certified career education programs or series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit.</p>
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*Specific requirements for each high school graduation designation are addressed in the next section (section 18) of this bill summary

- Provide that beginning with students entering grade 9 in the 2013-14 school year, receipt of a standard high school diploma requires successful completion of 24 credits, an IIB curriculum, or an Advanced International Certificate of Education (AICE) curriculum;
- Allow students to earn required credits through equivalent, applied, or integrated courses or career education courses, including work-related internships approved by the SBE. However, any must-pass assessments must be met;
- Specify that an equivalent course is one or more courses identified by content-area experts as being a match to the core-curricular content of another course, based on NGSSS for that subject, and includes real-world applications of a career education standard used in business or industry;
- Require districts notify students and parents, in writing, of the requirements for a standard high school diploma, available designations, and the eligibility requirements for state scholarships;
- Require FDOE, directly and through the school districts, to notify registered private schools of course credit and assessment requirements. Private schools must make that information available to students and parents;
- Require one course within the 24 credits, excluding a driver education course, to be completed through online learning provided by the Florida Virtual School, a provider approved by the SBE, a high school or an online dual enrollment course. Online course taken in middle grades satisfies the requirement;
- Prohibit a district from requiring students to take online course outside the school day or in addition to a student's course for a given semester;
- Exempt online course requirement to students whose individual educational plan (IEP) indicates it is inappropriate;
- Mandate an intensive remediation course or content course that includes remediation strategies for students performing at a level 1 or 2 on the grade 10 state-standardized assessment (e.g., common core ELA or math assessment);
- Provide a forgiveness policy limited to replacing a grade of "D" or "F" with a grade of "C" or higher earned subsequently in the same or comparable course. The only exception is for middle grade students that take any high school course and earns a "C" or lower may replace the grade with a higher grade earned in the same course or comparable course;
- Detail uniform transfer rules for out of country, out of state, a private school, or home education program; which require the student must pass all assessments to earn a standard high school diploma, unless student earned a comparative score pursuant to S. 1008.22, F.S., or passed the statewide assessment transferring entity uses to satisfy the requirements of the Elementary and Secondary Education Act, 20 U.S.C. s. 6301;

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- Require, by July 14, 2014, the FDOE shall develop, for approval by SBE, multiple, additional career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5), F.S., and allow students to earn credit in both the career education course and course required for high school graduation;
- Require SBE to determine if sufficient academic standards are covered to warrant the award of academic credit for career education courses;
- Specify that career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and rigorous coursework;
- Mandate the FDOE negotiate state licenses for material and testing for industry certification.
- Allow school districts to work with local workforce boards, local business, industry leaders and postsecondary institutions to establish partnerships for the purpose of creating career education courses. Before implementing, though, districts must submit recommendations for career-education courses to the FDOE for SBE approval;
- Specify that Regional Consortium Service organizations, established under s. 1001.451, F.S., shall work with school districts, local workforce boards, postsecondary institutions, and local business and industry leaders to create career education courses and submit those recommendations to the FDOE for SBE approval; and
- Require SBE adopt rules to administer section.

Section 18:

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

- Delete designations that include, among other things, student's major area of interest and competition of an Advanced Placement program;
- Create a "Scholar" designation if the student meets the certain criteria. A Scholar designation requires:
 - Passage of 11th grade ELA common core assessment;
 - Earn one credit in Algebra II and one credit in statistics or equally rigorous course;
 - Pass the Algebra II Common Core assessment ;
 - Pass Biology EOC Assessment and earn one credit in Chemistry or Physics and one credit in a course equally rigorous;
 - Pass statewide, standardized U.S. History EOC assessment;
 - Earn two credits in the same foreign language; and,
 - Earn at least one credit in AP, an IB, an AICE or a dual enrollment course.
- Create a "Merit designation" if student attains one or more industry certifications;
- Specify that parents shall be provided information about diploma information online; and
- Allow SBE to make recommendations regarding the establishment of additional designations.

Section 19:

Creates s. 1003.4286, F.S., Award of standard high school diploma to honorably discharged veterans, to:

- Allow the commissioner, pursuant to rules adopted by the SBE and in consultation with the Department of Military Affairs, to award a standard high school diploma to an honorably discharged veteran who has not completed high school graduation requirements.

Section 20:

Repeals s. 1003.429, F.S., Accelerated high school graduation options.

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Section 21:

Amends s. 1003.4295, F.S., Acceleration Options, to:

- Delete requirement references to s.1003.429, F.S., repealed section;
- Specify that, under the Credit Acceleration Program (CAP), a district shall award high school credit in Algebra I, Algebra II, Geometry, U.S. History or Biology to a student who is not enrolled in or completed the course, but attains a passing score in on the corresponding statewide, standardized assessment; and
- Delete proviso specifically requiring passage of EOC assessment, and replace language with “statewide standardized assessment.”

Section 22:

Repeals s. 1003.43, F.S., General requirements for high school graduation.

Section 23:

Amends s. 1003.433, F.S., Learning opportunities for out-of-state and out-of country transfer students and students needing additional instruction to meet high school graduation requirements, to:

- Add cross references to S. 1008.22, F.S., section providing assessment programs in public schools;
- Require additional learning opportunities for students that acquire the 24 credits necessary for the standard high school diploma, but did not pass required assessments provided by statutes;
- Delete provision requiring exemption of tuition for students attending adult education programs.
- Allow students in adult general education programs to take must-pass assessments an unlimited number of times in order to receive standard high school diploma;
- Allow students enrolled in the English for Speakers Other Languages (ESOL) program for less than two years and met all requirements for a standard high school diploma, except for required assessments provided by statutes, to receive immersion English language instruction; and
- Delete requirement for superintendents to notify parents of consequences of failure to earn a standard high school diploma.

Section 24:

Amends s. 1003.435, F.S., High school equivalency diploma program, to:

- Delete SBE authority to adopt rules to award standard high school diploma to students who earn diplomas under the high school equivalency program.

Section 25:

Amends s. 1003.436, F.S., Definition of “credit”, to:

- Add to the definition of credit, to include course credit earned under the (CAP). Students may earn course credit if a passing score is earned on specific assessments without being enrolled in a course.

Section 26:

Amends s. 1003.438, F.S., Special High school graduation requirements for certain exceptional students, to:

- Add exemption from S. 1003.4282, F.S., outlining requirements for a standard high school diploma

Section 27:

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Amends s. 1003.491, F.S., Florida Career and Professional Education Act, to:

- Include statutory reference to S. 1003.4156(1)(e), F.S., requiring a course in career and education planning for middle grades students.

Section 28:

Amends s. 1003.4935, F.S., Middle grades career and professional academy courses and career-themed courses to:

- Delete SBE requirement of adopting a list of industry certifications in science, technology, engineering, and mathematics for middle schools students.

Section 29:

Amends s. 1003.51, F.S., Other public education services to:

- Change the reporting requirements with the Department of Juvenile Justice (DJJ) on data relating to student performance on assessments as provided by S. 1008.22, F.S.

Section 30:

Amends s. 1003.621, F.S., Academically high-performing school districts, to:

- Simplify the description of the required data elements to be reported based on high-performing status to report longitudinal performance of students on all standardized assessments taken under S.1008.22, F.S.

Section 31:

Amends s. 1004.935, F.S., Adults with Disabilities Workforce Education Pilot Program, to:

- Add reference to S. 1003.4282, F.S., outlining requirements for a standard high school diploma.

Section 32:

Amends s. 1007.271, F.S., Dual enrollment programs, to:

- Add reference to S. 1003.4282, F.S., outlining requirements for a standard high school diploma.
- Change term “vocational preparatory instruction” to “applied academics for adult education”;
- Specify that industry certification, as authorized under s. 1008.44, F.S., shall count as credit toward a high school diploma;
- Add that career enrollment shall be available for secondary students seeking a degree and industry certification through a career education program or course; and
- Adjust language to identify of career early admission through the FCS institution in postsecondary programs leading to industry certifications listed in S. 1008.44, F.S.

Section 33:

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

- Specify the statewide assessment program must:
 - Assess achievement level and annual learning gains in ELA, mathematics, and all other subjects assess;
 - Provide data for decision regarding accountability and improvement of operations;
 - Identify strengths and needs of students;
 - Assess educational goals and curriculum standards; and
 - Provide information to aid in evaluation and development of educational programs and policies.

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- Require the commissioner to implement statewide, standardized assessment program aligned to the core curricular content established in the NGSSS;
- Provide that the commissioner must develop a common battery of assessment tools that will be used in all juvenile justice education programs in the state;
- Specify participation in the assessment program is mandatory for all districts and students in public schools and students in the DJJ education programs. District must notify parents of students who do not participate of the consequences of nonparticipation;
- Provide administration requirements for FCAT 2.0 until it is replaced by common core assessments;
- Change the graduation requirements related to the statewide assessment program. Students will only be required to pass the Algebra I EOC assessment and the Grade 10 FCAT 2.0 Reading, to earn a standard diploma.
 - Once the state transitions to the common core assessments all students will need to pass the Grade 10 ELA and Algebra 1 common core assessments; and
 - Students who choose the scholars designation will need to earn a passing score on the Biology EOC Assessment to earn the scholars designation.
- Provide that middle grades students enrolled in Algebra I and Geometry must take the statewide standardized EOC assessments and are not requirement to take the corresponding grade-level FCAT 2.0;
- Provides that student performance on EOC assessments will constitute 30 percent of the student's final course grade for earning a standard high school diploma unless the student has chosen the Scholar designation.;
- Revise the promotion requirements for middle school students on the Civics EOC Assessment; student performance on the Civics EOC Assessment will now constitute 30 percent of the student's final course grade;
- Require the commissioner to adopt a concordant score on the SAT and ACT for the Grade 10 FCAT 2.0 Reading and equivalent scores on at least one assessment for the Algebra I EOC assessment. The commissioner may identify equivalent scores for other statewide, standardized EOC assessments;
- The bill requires that concordant scores remain in place when the standards change until new concordant scores are set. This means that even though the standards have changed students would not be required to meet the standard if they can attain the previous concordant score;
- The bill requires that if the commissioner is modifying the existing achievement levels or scale scores, the commissioner must provide a copy of the recommendations to the Senate President and the Speaker of the House at least 90 days before submission to SBE;
- Provide that all students enrolled in Geometry and Biology must take the corresponding EOC assessment;
- Allow the commissioner to select one or more nationally developed comprehensive examinations to earn national industry certifications identified in the Industry Certification Funding List, for use as EOC assessments. Use of examination must be approved by SBE;
- Allow the commissioner to establish a schedule for the implementation of additional EOC assessments approved by the SBE and contingent on funding. If approved, student performance on assessment constitutes 30 percent of a student's final course grade;
- Require that EOC assessments be administered online, unless IEP determines state, standardized assessments do not accurately measure student's ability;
- Provides for the waivers of assessment results as part of a course grade or a requirement for a standard high school diploma if an IEP team determines the statewide standardized assessment cannot accurately measure a student's ability;
- Require SBE to adopt rules providing for assessment accommodations;

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- Prohibit accommodations that negate the validity of a statewide, standardized assessment are not allowed. However, instructional accommodations are allowed if identified in IEP;
- Require parent to sign a consent form to receive an instructional accommodation not permitted on the state standardized assessment;
- Provide an alternative assessment for students with significant cognitive disabilities;
- Mandate common core assessments in ELA grades 3 through 11 – in mathematics in grades 3 through 8, and common core assessments in Algebra I, Geometry, and Algebra II. Retake opportunity in Grade 10 ELA assessment and Algebra I must be provided;
- Common Core assessment shall be administered online;
- Exempt students taking common core assessments from taking FCAT 2.0;
- Provide that the SBE must provide an implementation schedule for transition from FCAT 2.0 to common core assessments;
- Direct that the FDOE to publish minimum and recommended technology requirements to facilitate school district compliance with online requirements;
- Require all statewide, standardized EOC assessments and FCAT 2.0 reading, mathematics and science use scaled scores that shall range from 1 through 5, with level 1 being the lowest and level 3 indicating satisfactory performance. FCAT Writing student achievement shall be scored using a scale of 1 through 6;
- Direct SBE to designate a passing score for each EOC and FCAT 2.0 assessment;
- Allow the commissioner to revise statewide, standardized assessment if approved by SBE. The commissioner shall provide a copy to the implementation plan to the Senate President and the House Speaker at least 90 days before submission to the SBE for review;
- Permit the commissioner, with approval from SBE, to discontinue the administration of a former assessment, but change will not apply retroactively;
- Direct the commissioner to establish schedules for administration of assessment and the reporting of assessment results;
- Require that by August 1 of each year, the commissioner shall notify each school district the schedule, at a minimum the school year following the upcoming school year. Assessment results must be made available no later than June 8 to districts;
- Specify that administration of FCAT Writing or alternative assessment be no earlier than March 1;
- Prohibit districts from suspending regular program of curricular for purposes of administering practice assessments, unless for individualized instructions for students earning a level 1 or 2 or for assessment preparation or diagnostic assessment administered through the school;
- Direct the commissioner to contract with vendors to develop assessments;
- Specify that student performance data must be provided to parents and used by districts in developing improvement plans and evaluating instructional and administrative personnel;
- Identify that, beginning in the 2014-15 school year, each school district shall administer for each course offered a student assessment of mastery of the content;
- Direct the commissioner to assist and support districts in development of assessments; and
- Require SBE adopt rules to administer section.

Section 34:

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

- Expand the requirements for a district comprehensive student progression plan to include a provision for instructional sequences so students in kindergarten through high school may attain higher levels of digital tools and application skills use;

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- Add that district comprehensive student progression plan must specify that instructional sequences must include participation in curricular and instructional options and the demonstration of competence of the NGSSS and digital curriculum through attainment of industry certifications. The comprehensive plan must also include other means of demonstrating credit requirements identified via ACCEL options, digital curriculum, and CAP as specified under SS. 1002.3105, 1003.4203, and 1003.4295, F.S., respectively;
- Modify exemption to mandatory retention to include reference to student with a level 2 on the FCAT 2.0 Reading or the common core ELA, as applied by statutes. This section also adds an ELA requirement under S. 1008.22, F.S., as before a student showing two year deficiency may be exempted;
- Delete language requiring a district to conduct a review of third grade students that did not score above a level 1 on the FCAT 2.0 Reading;
- Require third grade students retained under section to participate in summer reading camp;
- Delete alignment of proficiency standards to FCAT 2.0 and instead implement procedures requiring mid-year promotions to satisfy S. 1008.22, F.S., on assessment programs in public schools ;
- Specify that a “highly-effective” teacher, as required for students retained under the section, is determined by the teacher’s performance evaluation under S. 1012.34, F.S.;
- Delete instructional support options to parents (e.g., supplemental tutoring);
- Delete the school district requirement of establishing a read initiative focused on third grade students;
- Delete requirements, under the acceleration program, to require weekly progress measures and reports to FDOE and SBE; and
- Delete the FDOE requirement to establish uniform format for district to report information.

Section 35:

Amends s. 1008.30, F.S., Common placement testing for public postsecondary education, to:

- Add ELA and Algebra I assessments under S. 1008.22, section on assessment plans for schools.

Section 36:

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

- Include language addressing transition to common core assessments;
- Replace statutory language requiring EOC assessment with “statewide standardized assessments” under S. 1008.22, F.S.
- Delete references to FCAT 2.0 and replace with “statewide standardized assessments”;
- Specify that student assessment data used in determining grades shall include EOC assessments administered under S.1008.22 (3)(b)4 and 5, F.S.;
- Include reference to S. 1008.22, F.S., on assessment programs in public schools.

Section 37:

Creates s. 1008.44, F.S., Industry Certification Funding List and Postsecondary Industry Certification Funding, to:

- Provide a new section of law for SBE to identify and adopt the Industry Certification Funding List and Postsecondary Industry Certification Funding List;
- Require that annually, SBE adopt a Postsecondary Industry Certification Funding List;
- Provide the commissioner with the authority to recommend adding certifications;
- Require the Chancellor of the SUS, Chancellor of the FCS, and Chancellor of Career and Adult Education to recommend to the commissioner industry certifications to be placed on the list. The chancellors must consider the results of the economic security report when making recommendations;

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- Establish that the postsecondary funding list be used in determining the annual performance funding distributions to school districts and colleges under SS. 1011.80 and 1011.81, F.S.;
- Require the commissioner to differentiate content, instructional, and assessment requirements for students to attain the rigorous industry certifications that have embedded prerequisite minimum age, grade level, diploma or degree, post-graduation period of work experience of at least 12 months, or other reasonable requirements that any limit the extent to which a student can complete all requirements for the certification recognized by industry for employment purposes; and
- Permit the commissioner to recommend exemptions from embedded prerequisite minimum age, grade level, diploma or degree, post-graduation work experience of at least 12 months for industry certifications. These differentiated requirements must be included in the Industry Certification Funding List at the time it is adopted.

Section 38:

Amends s. 1011.61, F.S., Definitions, to:

- Identify that, beginning in the 2016-17 fiscal year, FTE will be adjusted if student does not pass the Algebra I EOC assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online. Condition applies to full-time and part-time student in virtual schools and all FTE students in courses requiring passage of statewide, standardized assessment; and
- Delete provision allowing FTE for alternative high school course credit authorized under repealed S.1002.375, F.S.

Section 39:

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

- Revise the method for calculating teacher bonuses, of teachers who teach AP courses.
 - Increase the cap for bonuses awarded from \$2000 to \$3000;
 - Teachers will receive a bonus of \$50 per student for students who score at 3 or higher on an AP exam if at least 50 percent of the students enrolled in the course earn a score of 3 or higher; and
 - Raise the amount of the additional bonus given to each AP teach in a school designated with a grade of "D" or "F" from \$500 to \$1000, with the additional requirement that at least 25 percent of students in the teacher's class score a 3 or higher on the AP exam.
- Establish a cost factor for career education programs equal to basic programs grades 9-12;
- Delete the completion of a career and professional academy from the funding requirement;
- Establish new funding weights of 0.1 or 0.2 the FTE student membership for students earning industry certifications. Value of 0.2 FTE is calculated for each student who earns an industry certification with a statewide articulation agreement for college credit adopted by the SBE. Value of 0.1 for all other certifications on the Industry Certification Funding List;
- Delete the requirement for high school graduation or promotion to the 9th grade for a student to qualify for the additional FTE;
- Limit funding for industry certifications to students in high school;
- Permit industry certifications earned through dual enrollment to be funded pursuant statutes
- Specify that the funds provided for this allocation may not be used to supplant funds provided for the basic operation of the program;
- Raise the funding cap to \$60 million from \$15 million;
- Create a compensation bonus program for teachers whose instruction lead to the students' attainment of an industry certifications;

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- \$25 for each student who attained an industry certification with a weight of 0.1; and
- \$50 for each student who attained an industry certification with a weight of 0.2.
- Establish a maximum bonus of \$2,000 in a given school year and must be in addition to regular wages or other bonuses;
- Require each school district to certify by June 30 of each year to FDOE, each elementary school that achieves 50 percent of student attainment of the FCSR and FDAR;
- Provide for funding in the 2013-14 fiscal year for students enrolled in 2012-13 and who earned a certification earned in 2009-10 through 2011-12 and was not previously funded; and
- Provide a \$50 bonus to public middle schools for each student who earns the FDTC and the minimum award per school is \$1,000 and the maximum \$15,000 annually.

Section 40:

Amends s. 1012.22, F.S., Public school personnel; power and duties of the district school board to:

- Replace term "FCAT scores" with "statewide standardized scores."

Section 41:

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

- Make a technical change which includes adjusting for syntax and grammar.

Section 42:

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

- Make a technical change which includes adjusting for syntax and grammar.

Section 43:

Reads:

- "Any student who selected and is participating in an accelerated high school graduation option under s. 1003.429, F.S., before July 1, 2013, may continue that option, and all statutory program requirements of the accelerated high school option shall remain applicable to the student as long as the student continues participation in the option."

Section 44:

Reads:

- "The Division of Law Revision and Information is requested to prepare a reviser's bill for the Regular Session of the Legislature to change the term "Sunshine State Standards" to "Next Generation Sunshine State Standards" wherever the term appears in the Florida Statutes."

Section 45:

Amends s. 1001.706, F.S., Powers and Duties of Board of Governors, to:

- Direct the BOG to develop a strategic plan specifying goals and objectives for the SUS;
- Expand performance metric criteria in the strategic plan to include percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, average wages of employed graduates, and average cost per graduate; and
- Incorporate into the strategic plan criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis. Fifty percent of the criteria for

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designation as high-demand programs of emphasis must be based on achievement of performance outcome thresholds, determined by the BOG, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:

- Job placements of 36 hours per week and average full-time wages of graduates of the degree programs one and five years after graduation; and
- Data-driven gap analysis of the state's job market demands.

Section 46:

Creates s. 1001.7065, F.S., Preeminent state research universities program, to:

- Establish legislative intent to elevate the academic research preeminence of Florida's highest performing state research universities;
- Create 12 academic and research excellence standards which include:
 - Average weighted grade point average of 4.0 or higher on 4.0 scale and average SAT score of 1800 or higher;
 - Top-50 ranking on at least two well-known and respected national public university ranks;
 - Freshman retention rate of 90 percent or higher for full-time first-time-in-college (FTIC) students;
 - A 6 year graduation rate of 70 percent or higher for full-time FTIC students;
 - Six or more faculty members are members of a national academy ;
 - Total annual research expenditures of \$200 million or more;
 - Total annual research expenditures in diversified nonmedical sciences of \$150 million, or more;
 - Top-100 university national ranking in five or more categories of study as specified by statute;
 - One hundred or more total patents awarded;
 - Four hundred or more doctoral degrees awarded annually;
 - Two hundred or more postdoctoral appointees annually; and
 - An endowment of \$500 million or more.
- Direct BOG to designate each university that meets at least 11 of 12 standards as a preeminent state research university;
- Provide that, as of July 1, 2013, a university that meets all 12 criteria shall establish an institute for online learning;
 - Specify that by August 1, 2013, the BOG shall convene an advisory board to support development of a high-quality online baccalaureate degree program at the university.
- Provide that the advisory board shall:
 - Offer expert advice;
 - Advise on release of funding; and
 - Monitor, evaluate, and report on the implementation of the plan to BOG, Governor, Senate President, and Speaker of the House.
 - Require the advisory board, in consultation with the president of the university, be made up of the following five members, Chair of the BOG or designees;
 - A member with expertise in online learning, appointed by BOG;
 - A member with expertise in global marketing, appointed by the Governor;
 - A member with expertise in cloud virtualization, appointed by the President of the Senate; and
 - A member with expertise in disruptive innovation, appointed by the Speaker of the House of Representatives.
- Mandate that by September 1, 2013, the university shall submit to the advisory board a comprehensive plan to expand high-quality, fully online baccalaureate degree program offerings. The statute lists several of the

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requirements for the plan which include, among other things, tuition and fee structure and timeline for offering, marketing, and enrolling students;

- Provide that, upon recommendation of the plan, the BOG shall award the university \$10 million in nonrecurring funds and \$5 million in recurring funds for the 2013-14 fiscal year and \$5 million annually thereafter, subject to the General Appropriations Act;
- Direct the university to begin offering fully online baccalaureate degrees starting January 2014.
- Permit the university to offer fully online master's degree programs;
- Allow the university to develop and offer degree programs and courses that are competency based.
- Require the university that for students classified as residents for tuition purposes, tuition for an online baccalaureate degree program shall be set at not more than 75 percent of the tuition rate as specified in the General Appropriations Act and 75 percent of the tuition differential; Prohibit distance learning fees, fees for campus facilities, or fees for on-campus services;
- Require the university to accept advance payment contracts and student financial aid;
- Specify that 50 percent of revenues will be directed to enhance the online institute offerings and 50 percent to the university's research programs and facilities;
- Allow additional user fees to be authorized by the university's BOG;
- Provide that a university that meets all 12 criteria for designation as a preeminent state research university shall submit a five-year benchmark plan to the BOG. Upon meeting the benchmark, the BOG shall award the university an amount specified in the General Appropriations Act annually throughout the five-year period;
- Provide that a university that meets 11 of 12 criteria for designation as a preeminent research university shall submit a five-year benchmark plan to the BOG. Upon meeting the benchmark, the BOG shall award the university an amount specified in the General Appropriations Act annually throughout the five-year period for the purposes of recruiting National Academy Members, expediting the provision of master's degree in cloud virtualization, and instituting an entrepreneurs-in-residence program thought the campus; and
- Allow a university that is designated as a preeminent research university, to require FTIC students to take a 9-to-12-credit set of unique courses determined by the university, and may stipulate that credit for such course may not be earned through any acceleration mechanism.

Section 47:

Amends s. 1004.02, F.S., Definitions, to:

- Substitute "vocational preparatory instruction" with "applied academics and adult education."

Section 48:

Creates s. 1004.082, F.S., Talent retention programs, to read:

- Provide that the Chancellor of the State University System and the Commissioner of Education shall work with state university department chairs to enable department chairs of outstanding state university departments to send letters to students who indicate an interest in or aptitude for physics and mathematics; and .
- Require, at a minimum, the letter provide an open invitation for the student to communicate with the department, at least annually, and to schedule a tour of the department and the campus.

Section 49:

Amends s. 1004.91, F.S., Requirements for career education program basic skills, to:

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- Substitute term “career preparatory” with “applied academics”;
- Direct school district and FCS intuition to replace award of credit with technical certificates;
- Exempt students who demonstrate readiness for public postsecondary education pursuant to S. 1008.30, F.S., and applicable rules adopted by SBE; and
- Exempt student that passes a state or national industry certification identified by the SBE and aligned to the career education program in which the student is enrolled.

Section 50:

Amends s. 1004.93, F.S., Adult general education, to:

- Provide that, after July 1, 2013, adult general education programs must complete action-steps-to-employment activity before completion of the first term; and
- Require action-steps-to-employment activity to identify employment opportunities, create a personalized employment goal, conduct a personalized skill and knowledge inventory, compare skills needed to attain the personalized employment goal, and upgrade skills and knowledge needed to pursue goals.

Section 51:

Amends s. 1006.735, F.S., Complete Florida Degree Program, to:

- Replace “Degree Completion Pilot Project” terminology with “Complete Florida Degree Program”;
- Require that the University of West Florida act as the lead institution, in consultation with FCS institutions, state universities, and private postsecondary institutions, as appropriate;
- Direct consideration of BOG’s gap analysis to identify specific workforce needs and targeted occupations of the state;
- Delay implementation to the end of the 2013-14 academic year.
- Require the program identify proposed changes to the statewide computer-assisted student advising system established pursuant to S. 1006.73, F.S.
- Includes the chancellors of the FCS and the SUS to list of entities receiving reports on program’s effectiveness;
- Delete additional references in statute to partnerships with the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College; and
- Provide that the University of West Florida, in collaboration with its partners, must submit, to the legislature, BOG and SBE a detailed program plan.

Section 52:

Amends s. 1007.263, F.S., Florida College System institutions; admissions of students, to:

- Include a minor revision to statute—adding word “education” to career programs.

Section 53:

Amends s. 1008.37, F.S., Postsecondary Feedback of information to high schools, to:

- Replace term “vocational preparatory” with “applied academics for adult education.”

Section 54:

Amends s. 1009.22, F.S., Workforce education postsecondary student fees, to:

- Replace term “vocational preparatory” with “applied academics for adult education.”

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Section 55:

Amends s. 1009.22, F.S., Fee exemptions, to:

- Replace term “vocational preparatory” with “applied academics for adult education.”

Section 56:

Amends s. 1009.22, F.S., Fee waivers to:

- An FCS institution may waive any portion of the tuition, the activity and service fee, the financial aid fee, the technology fee, the capital improvement fee, and distance learning fee for the purpose of offering a baccalaureate degree for state residents for which the cost of tuition and the fees specified in this subsection does not exceed \$10,000 for the entire degree program.

Section 57:

Amends s. 1009.531, F.S., Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards, to:

- Delete provision requiring students to submit the Free Application for Federal Student Aid for an initial or renewal Florida’s Bright Future Scholarship disbursement.

Section 58:

Amends s. 1011.80, F.S., Funds for operation of workforce education programs, to:

- Delete provisions outlining requirements for performance output measures relating to career programs and provide additional criteria for measuring retention in adult education programs;
- Delete statutory references and include statutory cross references to S.1009.22(3)(d), F.S.
- Direct funding industry certifications that emphasize state, national, or corporate grants;
- Require the Chancellor of Career and Adult Education to identify the industry certifications eligible for funding;
- Provide each school district \$1000 for each industry certification earned by a workforce education student, with the maximum amount funded for performance limited to \$15 million annually. However, if funds are insufficient to fully fund the calculate total, such funs shall be prorated; and
- Direct the FDOE to develop list of courses to be designed as core curricula courses for the purposes of dual enrollment.

Section 59:

Amends s. 1011.81, F.S., Florida College System Program Fund, to:

- Direct funding industry certifications that emphasize state, national, or corporate grants;
- Require Chancellor of Career and Adult Education identifies industry certifications eligible for funding; and
- Provide each FCS institution \$1000 for each industry certification earned by a workforce education student, with the maximum amount funded for performance limited to \$15 million annually. However, if funds are insufficient to fully fund the calculate total, such funs shall be prorated.

Section 60:

Amends s. 1011.905, F.S., Performance funding for state universities, to:

- Require indicators based on performance expectations for funding the SUS;

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- Include addition of criteria in measuring university scores. More specifically, beginning in the 2013-14 and 2014-15 fiscal years, scores will in part be based on the percentage of employed graduates who have earned degrees in:
 - High-demand program included in programs (as determined by the BOG gap analysis);and
 - Master's degree in cloud virtualization technology and related large data management.
- Direct the BOG to award \$15 million, subject to appropriation in General Appropriations Act to the highest ranked state universities in support of programs in: (1) Computer and information science; (2) Computer engineering; (3) Information systems technology; (4) Information technology; and (5) Management information systems.

Section 61:

Reads:

- By October 31, 2013, the SBE shall recommend to the legislature a methodology for allocating performance funding for FCS institutions, and the BOG shall recommend to the legislature a methodology for allocating performance funding for SUS institutions, based on the percentage of graduates employed or enrolled in further education, the average wages of employed graduates, and the average cost per graduate.

Section 62:

Provide the Act shall take effect July 1, 2013.

General Implementation Timeline:

October 1, 2013	Specify that the commissioner must prepare an analysis of costs associated with implementation of a one-half credit course in financial literacy. Require the commissioner to present the Senate President and Speaker of the House with a cost analysis, no later than October 1, 2013.
October 31, 2013	By October 31, 2013, SBE shall recommend to the Legislature a methodology for allocating performance funding for FCS institutions, and the BOG shall recommend to the Legislature a methodology for allocating performance funding for SUS institutions, based on the percentage of graduates employed or enrolled in further education, the average wages of employed graduates, and the average cost per graduate.
December 1, 2013	Require FDOE to contract by December 1, 2013, with a technology company or affiliated nonprofit organization that has approved industry certifications for the development of a FCSR and a FDAR to indicate a student's attainment of knowledge and skills in digital technology, subject to available funding.
December 1, 2013	Require FDOE to contract with one or more technology companies that have approved industry certifications by December 1, 2013, to develop a FDTC to indicate a student's technology skills, subject to available funding.

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July 14, 2014

By July 14, 2014, the department shall develop, for approval by SBE, multiple, additional career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5), F.S., and allow students to earn credit in both the career education course and course required for high school graduation.

June 30 Annually

Require each school district certify by June 30 of each year to the FDOE each elementary school that achieves 50 percent of student attainment of the FCSR and FDAR.

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SB 1096 REPEAL OF EDUCATION PROVISIONS
(Ch. 2013-36, Laws of Florida)

Bill Sponsor: Senator Montford

Effective Date: Upon becoming law (April 29, 2013), except as otherwise expressly provided.

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406
Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509

Executive Summary:

Section 1:

Amends s. 403.7032, F.S., Recycling, to:

- Delete the requirement that K-12 public schools must report annually to their county regarding recycled materials.

Section 2:

Amends s. 1001.26, F.S., Public broadcasting program system, to:

- Repeal subsection (3) to eliminate State Board of Education (SBE) rulemaking requirements.

Section 3:

Repeals s. 1001.435, F.S., K-12 foreign language curriculum; plan submittal, to:

- Delete the requirement that each district submit a K-12 foreign language curriculum plan by June 30, 2004.

Section 4:

Amends s. 1002.23, F.S., Family and School Partnership for Student Achievement Act, to:

- Repeal subsection (4) to eliminate the requirement to establish a parent response center;
- Repeal subsection (6) to eliminate the requirement for districts to submit rules on parent involvement to the Florida Department of Education (FDOE); and
- Repeal subsection (9) to eliminate the requirement for SBE to annually review district compliance with this section.

Section 5:

Amends s. 1002.32, F.S., Developmental research (laboratory) schools, to:

- Repeal subsection (10) to eliminate SBE rulemaking requirements.

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Section 6:

Repeals s. 1002.361, F.S., Florida School for the Deaf and the Blind; direct-support organization; authority, to:

- Eliminate the authority for the Florida School for the Deaf and the Blind to establish a direct-support organization.

Section 7:

Repeals s. 1002.375, F.S., Alternative credit for high school courses; pilot project, to:

- Eliminate obsolete pilot project.

Section 8:

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

- Repeal subsection (1) regarding diploma designations for a student's major area of interest.

Section 9:

Repeals s. 1003.43, F.S., General requirements for high school graduation, to:

- Remove obsolete requirements for high school graduation.

Section 10:

Amends s. 1003.433, F.S., Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements, to:

- Repeal subsection (5) to eliminate SBE rulemaking authority.

Section 11:

Amends s. 1003.453, F.S., School wellness and physical education policies; nutrition guidelines, to:

- Repeal subsection (2) requiring each school district to provide the FDOE with a copy of its wellness and physical education policy, and requiring the FDOE to post links to these policies on its website for public view.

Section 12:

Repeals s. 1003.496, F.S., High School to Business Career Enhancement Program, to:

- Eliminate this optional program

Section 13:

Repeals s. 1004.05, F.S., Substance abuse training programs, to:

- Eliminate express permission for state universities and Florida College System (FCS) institutions to develop courses designed for public school teachers, counselors, physicians, law enforcement personnel and other professionals to assist in recognizing symptoms of substance abuse.

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Section 14:

Amends s. 1004.435, F.S., Cancer control and research, to:

- Eliminate rulemaking requirements for the Board of Governors (BOG) and the State Surgeon General.

Section 15:

Amends s. 1004.45, F.S., Ringling Center for Cultural Arts, to:

- Eliminate rulemaking authority of Florida State University regarding the sale or exchange of works of art.

Section 16:

Repeals s. 1004.62, F.S., Incentives for urban or socially and economically disadvantaged area internships, to:

- Eliminate this internship program.

Section 17:

Repeals s. 1004.77, F.S., Centers of technology innovation, to:

- Eliminate an allowance for the SBE to designate centers of technology innovation at single FCS institutions, consortia of FCS institutions, or consortia of FCS institutions with other educational institutions.

Section 18:

Repeals s. 1006.02, F.S., Provision of information to students and parents regarding school-to-work transition, to:

- Eliminate requirement of K-12 schools to document the manner in which they have prepared students to enter the workforce, assess students' preparation to enter the workforce and provide information to parents or guardians.

Section 19:

Repeals s. 1006.035, F.S., Dropout reentry and mentor project, to:

- Eliminate this project.

Section 20:

Repeals s. 1006.051, F.S., Sunshine Workforce Solutions Grant Program, to:

- Eliminate this grant program.

Section 21:

Amends s. 1006.09, F.S., Duties of school principal relating to student discipline and school safety, to:

- Repeal paragraph (d) of subsection (1) which reads, "The principal or the principal's designee shall include an analysis of suspensions and expulsions in the annual report of school progress."

Section 22:

Repeals ss. 1006.17 and 1006.70, F.S., Sponsorship of athletic activities similar to those for which scholarships offered; rulemaking, to:

- Eliminate the requirement for school districts or FCS institutions that sponsor an athletic activity or sport that is similar to a sport for which a FCS institution or state university offers an athletic scholarship to sponsor the athletic activity or sport for which the scholarship is offered.

Section 23:

Repeals s. 1006.65, F.S., Safety issues in courses offered by public postsecondary educational institutions, to:

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- Eliminate a requirement for the SBE to adopt rules to ensure that policies and procedures are in place to protect the health and safety of students, instructional personnel and visitors who participate in courses offered by a FCS institution.

Section 24:

Repeals s. 1007.21, F.S., Readiness for postsecondary education and the workplace, to:

- Eliminate a requirement for students to develop a post-high school plan that is addressed in another section of statute.

Section 25:

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

- Repeal subsection (10) eliminate SBE rulemaking authority.

Section 26:

Amends s. 1008.31, F.S., Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements, to:

- Repeal paragraphs (d) and (e) of subsection (3) to eliminate the FDOE's annual requirements to review district paperwork burdens and prepare a report.

Section 27:

Repeals s. 1009.68, F.S., Florida Minority Medical Education Program, to:

- Eliminate this program.

Section 28:

Amends s. 1009.86, F.S., Student Loan Operating Trust Fund, to:

- Eliminate this trust fund.

Section 29:

Repeals s. 1012.58, F.S., Transition to Teaching Program, to:

- Eliminate this program.

Section 30:

Amends s. 1012.71, F.S., The Florida Teachers Lead Program, to:

- Repeal subsection (6), which authorized for 2009-10 a pilot program for managing this program through a centralized electronic system.

Section 31:

Repeals s. 1013.231, F.S., Florida College System institution and university energy consumption; 10-percent reduction goal, to:

- Eliminate a requirement to have reduced, by January 1, 2011, each FCS institution and state university's energy consumption by 10 percent from the 2007-08 fiscal year and report on compliance by January 1, 2011.

Section 32:

Repeals s. 1013.32, F.S., Exception to recommendations in educational plant survey, to:

- Eliminate exceptions to plant survey policy.

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Section 33:

Repeals s. 1013.42, F.S., School Infrastructure Thrift (SIT) Program Act, and s. 1013.72, F.S., SIT Program award eligibility; maximum cost per student station of educational facilities; frugality incentives; recognition awards to:

- Eliminate SIT program and award eligibility.

Section 34:

Repeals s.1013.502, F.S., A Business-Community (ABC) school facilities; standards, and s. 1013.721, F.S., A Business-Community (ABC) School Program, to:

- Eliminate ABC school program and ABC school facilities program.

Section 35:

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

- Eliminate subsection (7), which repeals the requirement for the school districts of Wakulla, Liberty and Calhoun counties to contribute ad valorem taxes for special facilities projects.
- This change takes effect on July 1, 2013.

Section 36:

Repeals s. 1013.73, F.S., Effort index grants for school district facilities, to:

- Remove efforts index grants for school district facilities.

Sections 37 through 66 conform cross references.

Section 67:

- Provides an effective date of upon becoming law, except as otherwise expressly provided.

General Implementation Timeline:

April 29, 2013, The act becomes effective.

July 1, 2013 Section 35 becomes effective.

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SB 1108 EXCEPTIONAL STUDENT EDUCATION
(Ch. 2013-236, Laws of Florida)

Bill Sponsor: Senator Gardiner and Senator Thrasher

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509

Executive Summary:

Section 1:

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

- Prohibit any school district personnel from objecting to the attendance of any adult, or discouraging or attempting to discourage, through any action, statement or other means, parents from inviting another person of their choice to attend any meeting;
- Prohibit actions that include, but are not limited to, attempted or actual coercion or harassment of parents or students, or retaliation or threats of consequences to parents or students;
- Require that the meetings expressly named in this section include any meetings related to:
 - Eligibility for exceptional student education (ESE); individual educational plan (IEP) meetings;
 - Individual family support plan meetings (IFSP); 504 plan development (i.e., section 504 of the Rehabilitation Act of 1973);
 - The transition of a student from early intervention services to other services; development of postsecondary goals for a student and transition services needed to reach those goals; or
 - Other issues that may affect a student's educational environment, discipline, or placement.
- Require that parents and school district personnel sign a document at the conclusion of meetings that will state whether any school district personnel have prohibited, discouraged or attempted to discourage the parents from inviting a person of their choice to the meeting.

Section 2:

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

- Require a sponsor to reimburse a charter school for expenditures of federal funds on a monthly basis, unless another method of disbursing federal funds is mutually agreed to by the charter school and sponsor. The charter school must provide invoices evidencing expenditures to the sponsor at least 30 days before the monthly reimbursement date set by the sponsor;
- Charter schools that choose to receive federal funds on a reimbursement basis must comply with applicable state and federal requirements governing use of federal funds. In order to receive federal funds on a reimbursement basis, a charter school must submit to the sponsor for approval a plan outlining the charter school's use of federal funds; and
- Require that the sponsor has 30 days to review and approve any plan submitted.

Section 3:

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

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- Define specific terminology to describe the instructional setting for a student with a disability, ages 6 through 21 years of age, who is not educated in a setting accessible to all children who are together at all times. Those terms are as follows:
 - “Exceptional student education center” or “special day school” means a separate public school to which nondisabled peers do not have access;
 - “Other separate environment” means a separate private school, residential facility, or hospital or homebound program;
 - “Regular class” means a class in which a student spends 80 percent or more of the school week with nondisabled peers;
 - “Resource room” means a classroom in which a student spends between 40 to 80 percent of the school week with nondisabled peers;
 - “Separate class” means a class in which a student spends less than 40 percent of the school week with nondisabled peers; and
 - “Inclusion” means that a student is receiving education in a general education regular class setting, reflecting natural proportions and age-appropriate heterogeneous groups in core academic and elective or special areas within the school community; a student with a disability is a valued member of the classroom and school community; the teachers and administrators support universal education and have knowledge and supports available to enable them to effectively teach all children; and a student is provided access to technical assistance in best practices, instructional methods, and supports tailored to the student’s needs based on current research.
- State that a student may not be given special instruction or services as an exceptional student until after he or she has been properly evaluated and found eligible as an exceptional student;
- Require that if an exceptional student is evaluated and found eligible or ineligible, the parent must be notified of each evaluation and determination;
- Require that such a notice must inform the parent that he or she is entitled to a due process hearing on the identification, evaluation, and eligibility determination, or lack thereof;
- Require, to the extent appropriate, that students with disabilities, including those students in public or private institutions or other facilities, must be educated with students who are not disabled;
- Require that once every three years, each school district and school must complete a Best Practices in Inclusive Education (BPIE) assessment with a Florida Inclusion Network (FIN) facilitator and include the results of this assessment and all planned short-term and long-term improvement efforts in the school district’s exceptional student education policies and procedures document; and
- Require that district school boards provide each parent with information regarding the amount that the school district receives from the state appropriation for each of the five exceptional student education support levels for full-time students. The school district must provide this information at the initial meeting of a student’s IEP team.

Section 4:

Creates s. 1003.5715, F.S., Parental consent; individual education plan, to:

- Require the Florida Department of Education (FDOE) to adopt separate parental consent forms that school districts must use for specific types of actions identified in a student’s IEP. Those actions include 1) the administration of an alternate assessment pursuant to s. 1008.22, F.S., and the provision of instruction in the state standards access points curriculum; and 2) placement of the student in an ESE center;

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- Include specific content that is required in a consent form that addresses the actions described above. In accordance with Title 34 of the Code of Federal Regulations (CFR), Section 300.53, each form must be provided in the parent's native language and include:
 - A statement that the parent is a participant of the IEP team and has the right to consent or refuse consent to the actions described above.
 - A statement that the refusal of parental consent means that the school district may not proceed with the actions described above without a school district due process hearing in accordance with 34 CFR §§ 300.507 and 300.508.
 - Boxes to indicate either "does consent" or "does not consent" in addition to a signature line; and
 - An information statement of the benefits and consequences of giving parental consent to the actions described.
- Prohibit a school district from proceeding with administration of an alternate assessment, instruction in access points curriculum or placement in an ESE center without parental consent unless the school district documents reasonable efforts to obtain the parent's consent and the child's parent has failed to respond, or the school district obtains approval through a due process hearing in accordance with 34 C.F.R. §§ 300.507 and 300.508 and resolution of appeals;
- Allow exceptions for circumstances related to a change of placement for disciplinary reasons, school districts are required to hold an IEP team meeting for decisions related to administration of an alternate assessment, instruction in access points curriculum, or placement in an ESE center school. The IEP team meeting must include the parent and must discuss the reason for the change. The school must provide written notice of the meeting to the parent at least 10 days before the meeting. The notice must indicate the purpose, time, and location of the meeting and who, by title or position, will attend the meeting. The IEP team meeting requirement may be waived by informed consent of the parent after the parent receives the written notice.
 - For those actions described (administration of alternate assessment, instruction in access points curriculum, and placement in an ESE center school), the school district may not implement the change without parental consent, unless the school district documents reasonable efforts to obtain the parent's consent and the child's parent has failed to respond or the school district obtains approval through a due process hearing in accordance with 34 CFR §§ 300.507 and 300.508 and resolution of appeals.
- Require that during pendency of a due process hearing or appellate proceeding regarding a due process complaint, pursuant to 34 CFR §300.518, the student must remain in his or her current educational assignment while awaiting the decision of any impartial due process hearing or court proceeding, unless the parent and the district school board otherwise agree; and
- Require the State Board of Education to adopt rules to implement this section of law, including, but not limited to, developing parental consent forms.

Section 5:

Creates s. 1003.572, F.S., Collaboration between public and private instructional personnel, to:

- Define the term "private instructional personnel" to mean the following:
 - Individuals certified under S. 393.17, F.S., licensed under Chapter 490 or 49, F.S., 1 for applied behavior analysis services as defined in SS. 627.6686 and 641.31098, F.S.;
 - Speech-language pathologists licensed under S. 468.1185, F.S.;
 - Occupational therapists licensed under Part III of Chapter 468, F.S.;
 - Physical therapists licenses under Chapter 486, F.S.;
 - Psychologists licensed under Chapter 490, F.S.; and

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- Clinical social workers licensed under Chapter 491, F.S.
- Describe the collaboration of public and private instructional personnel as designed to enhance, but not supplant, the school district's responsibilities under the Individuals with Disabilities Education Act (IDEA). The school district, as the local education agency must provide therapy services to meet the expectations provided in federal law and regulations and state statutes and rules. Collaboration of public and private instructional personnel will work to promote educational progress in acquiring essential skills. Where applicable, public and private instructional personnel must undertake collaborative programming. Coordination of services and plans between a public school and private instructional personnel is encouraged to avoid duplication or conflicting services or plan; and
- Require that private instructional personnel who are hired or contracted by parents to collaborate with public instructional personnel must be permitted to observe the student in the educational setting, collaborate with instructional personnel in the educational setting, and provide services in the educational setting according to the following requirements:
 - The student's public instructional personnel and principal consent to the time and place; and
 - The private instructional personnel satisfy the requirements of ss. 1012.32, F.S., Qualifications of personnel or 1012.321, F.S., Exceptions for certain instructional personnel from background screening requirements.

Section 6:

Amends s.1003.58, F.S., Students in residential care facilities, to:

- Revise a reference to statute s. 1003.57, F.S.

Section 7:

Creates s. 1008.212, F.S., Students with disabilities; extraordinary exemptions, to:

- Establish two definitions for this proposed section of law. Those definitions are as follows:
 - "Circumstance" is defined to mean a situation in which accommodations allowable for use on the statewide standardized assessment, a statewide standardized end-of-course (EOC) assessment, or an alternate assessment pursuant to S. 1008.22(3)(c), F.S., are not offered to a student during the current year's assessment administration due to technological limitations in the testing administration program that lead to results that reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized EOC assessment, or an alternate assessment; and
 - "Condition" is defined to mean an impairment, whether recently acquired or longstanding, that affects a student's ability to communicate in modes deemed acceptable for statewide assessments, even if appropriate accommodations are provided, and creates a situation in which the results of administration of the statewide standardized assessment, an EOC assessment, or an alternate assessment would reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by the statewide standardized assessment, a statewide standardized EOC assessment, or an alternate assessment.
- State that for a student with a disability for whom the IEP determines that a circumstance or condition (as defined above) prevents the student from physically demonstrating the mastery of skills that have been acquired and are measured by a statewide standardized assessment, a statewide standardized EOC assessment, or an alternate assessment pursuant to s. 1008.22(3)(c), F.S., shall be granted an extraordinary exemption from the administration of the assessment;

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- Clarify that a learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with Rule 6A-6.03020, F.A.C., is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption;
- Establish the following process for determining eligibility for an extraordinary exemption:
 - No later than 60 days before the current year's assessment administration for which the request is made, the IEP team, which must include the parent, may submit to the district school superintendent a written request for an extraordinary exemption. The request must include all of the following information:
 - A written description of the student's disabilities, including a specific description of the student's impaired sensory, manual or speaking skills;
 - Written documentation of the most recent evaluation data;
 - Written documentation, if available, of the most recent administration of the statewide standardized assessment, an EOC assessment, or an alternate assessment;
 - A written description of the condition's effect on the student's participation in the statewide standardized assessment, an EOC assessment or an alternate assessment;
 - Written evidence that the student has had the opportunity to learn the skills being tested;
 - Written evidence that the student has been provided appropriate instructional accommodations;
 - Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of the statewide standardized assessment, an EOC assessment, or an alternate assessment in prior assessments; and
 - Written evidence of the circumstance or condition as defined above.
- Require the school district superintendent, based upon the documentation provided by the IEP team, shall recommend to the Commissioner of Education (commissioner) whether an extraordinary exemption for a given assessment administration window should be granted or denied;
- Require that a copy of the school district's procedural safeguards, as required by Rule 6A-6.03311, F.A.C., must be provided to the parent;
- Require that if a parent disagrees with the IEP team's recommendation, the dispute resolution methods described in the procedural safeguards must be made available to the parent;
- Require the commissioner, upon receipt of the request, documentation, and recommendation, must take the following actions within 30 days after the receipt of the request:
 - Verify the information documented;
 - Make a determination; and
 - Notify the parent and the school district in writing whether the exemption request has been granted or denied.
- Require that, if the commissioner grants the exemption, the student's progress must be assessed in accordance with the goals established in the student's IEP;
- Require that, if the commissioner denies the exemption, the notification must state the reasons for the denial;
- Allow a parent of a student with a disability who disagrees with the commissioner's denial of an extraordinary exemption may request an expedited hearing. In that event, the following actions are required:
 - The FDOE must provide information to the parent regarding any free or low-cost legal services and other relevant services available in the area;

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- FDOE must arrange a hearing with the Division of Administrative Hearings (DOAH), which must commence within 20 school days after the parent's request for the expedited hearing; and
- The administrative law judge at DOAH must make a determination within 10 school days after the expedited hearing.
- The standard of review for the expedited hearing is de novo, and FDOE has the burden of proof.
- Require that beginning June 30, 2014, and each June 30th thereafter, the Commissioner of Education must submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives the number of extraordinary exemptions requested under this section, the number of extraordinary exemptions granted under this section, and the criteria by which all decisions were made; and
- Require SBE to adopt rules for the administration of the statute.

Section 8:

Creates s. 1008.3415, F.S., School grade or school improvement rating for exceptional student education centers, to:

- Require that each ESE center must choose to receive either a school grade in accordance with S. 1008.34, F.S., or a school improvement rating in accordance with S. 1008.341, F.S.;
- Require that the achievement scores and learning gains of a student with a disability who attends an ESE center and has not been enrolled in or attended a public school, other than an ESE center for grades K-12 within the school district, will not be included in the calculation of the home school's grade if the student is identified as scoring on the emergent level on the alternate assessment tool described in S. 1008.22, F.S.; and
- Require the SBE to adopt rules for the implementation of this statute and to define ESE centers.

Section 9:

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

- Require, beginning July 1, 2014, an applicant for renewal of a professional certificate to earn at least one college credit or equivalent inservice points in instruction for teaching students with disabilities;
- Specify that this requirement may not increase the total hours required for certificate renewal; and
- Permit the SBE to adopt rules for implementation of this section.

General Implementation Timeline:

July 1, 2013	The act becomes effective.
July – December 2013	Provide technical assistance regarding statutory changes to school districts and other stakeholders. Revise template for the Exceptional Student Education Policies and Procedures document provided to school districts. Initiate required rule development to address the revisions to, or creation of, the following statutes: S.1003.57 F.S., Exceptional Student Education S. 1003.5715, F.S., Parental consent; individual education plan S. 1008.212, F.S., Students with disabilities; extraordinary exemption

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S. 1008.3415, F.S., School grade or school improvement rating for exceptional student education centers

Revise work scope for the FIN project; work with project staff to plan implementation of requirement to support BPIE assessments in districts and schools.

Create parental consent forms that school districts must use for the following actions in a student's IEP: instruction in access points curriculum, administration of the Florida Alternate Assessment, and placement in an ESE center.

June 30, 2014

Submit first annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the number of extraordinary exemptions requested, the number of extraordinary exemptions granted, and the criteria by which all decisions were made.

July 1, 2014

Beginning on this date and thereafter, all applicants for renewal of a professional certificate must earn a minimum of one college credit or the equivalent inservice points in the area of instruction for teaching students with disabilities.

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HB 1145 STATE-OWNED OR STATE-LEASED SPACE
(Ch. 2013-152, Laws of Florida)

Bill Sponsor: Representative La Rosa

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

The bill addresses various inventory, sales, lease and reporting requirements applicable to state-owned and state-leased property. The bill:

- Revises reporting requirements applicable to the annual inventory of state-owned facilities, and provides and revises various reporting and notice requirements applicable to surplus property;
- Requires the Division of State Lands in the Department of Environmental Protection (DEP) to consider a comparable sales analysis or a broker's opinion of value, as opposed to an appraisal, when determining the sale price of certain surplus lands;
- Requires a state agency, state university, or FCS institution to submit a plan for the proposed use of a building or parcel determined to be surplus that the entity seeks to lease;
- Requires the Board of Trustees of the Internal Improvement Trust Fund to adopt rules;
- Defines terms;
- Modifies requirements applicable to notices relating to the occupation of state-owned and state-leased facilities;
- Authorizes the Department of Management Services (DMS) to direct certain agencies to occupy or relocate to space in any state-owned office building;
- Requires DMS to include the strategic leasing plan in the annual master leasing report, and to submit the report by October 1 of each year;
- Requires the leasing report to contain recommendations for using capital improvement funds to implement the consolidation of state agencies into state-owned office buildings;
- Subjects the Department of Transportation to DMS's leasing procedures as established by rule;
- Removes the ability of certain agencies to negotiate a replacement lease if the agency determines it is in its best interests to remain in its current space, and authorizes DMS to make the determination;
- Authorizes DMS to approve the emergency acquisition of space without competitive bids under certain conditions; and
- Revises energy performance analysis requirements and requires each state agency to collect data on energy consumption and costs for each state-owned and state-leased facility;

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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- July 1, annually The Board of Governors (BOG) of the State University System and the Florida Department of Education (FDOE) will provide to DMS an inventory of all state university and community college facilities.
- October 1, annually The DMS and DEP will publish a complete report of the inventory of all state-owned facilities, including the inventories of the BOG, FDOE, and the DOT, excluding the transportation facilities of the state transportation system. The report must include state-owned real property recommended for disposition.
- June 30, annually Each state agency shall provide to DMS all information regarding agency programs affecting the need for or use of space by that agency; reviews of lease-expiration schedules for each geographic area; business case analyses related to consolidation plans by an agency; a telework program under s. 110.171 F.S.; and current occupancy and relocation costs, inclusive of furnishings, fixtures and equipment, data, and communications.
- July 1, 2014 Each state agency shall collect data on energy consumption and costs for all state-owned facilities and metered state-leased facilities of 5,000 net square feet or more. This data will be used in the computation of the effectiveness of the state energy management plan and the effectiveness of the energy management program of each of the state agencies. Collected data will be reported annually to the department in a format prescribed by DMS.

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HB 1309 **GOVERNMENTAL ACCOUNTABILITY**
(Ch. 2013-154, Laws of Florida)

Bill Sponsor: Representative Albritton

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations 850- 245-0406

Executive Summary:

HB 1309 makes a number of revisions to Chapter 287, F.S., which governs state procurement of personal property and services, including but not limited to:

- Providing for additional content to be included in grant and subgrant agreements.
- Requiring agencies to appoint grant managers.
- Requiring grant managers to receive contract manager certification.
- Renaming Chapter 287, F.S., as "Procurement of Commodities and Contractual Services"
- Providing that the Department of Management Services (DMS) and the Department of Financial Services (DFS) are jointly responsible for contract management training.
- Requiring that invitations to bid be awarded to the lowest responsive bidder. and
- Permitting DMS to lead joint agreements with governmental entities.

Of particular interest to school districts, colleges, and universities, the bill Amends s.215.971, F.S., which delineates the content that must be included in agreements funded with federal or state assistance, i.e., grants and subgrants. Additional content that is required for all grant and subgrant agreements (including both entitlement and discretionary grants) includes:

- A provision specifying the financial consequences that apply if the recipient or subrecipient fails to perform the minimum level of service required in the agreement. The provision can be excluded in specified situations;
- A provision specifying that a recipient or subrecipient of federal or state financial assistance may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period;
- A provision specifying that any balance of unobligated funds that have been advanced or paid must be refunded to the state agency;
- A provision specifying that any funds paid in excess of the amount to which the recipient or subrecipient is entitled must be refunded to the state agency; and
- Any additional information required pursuant to s. 215.97, F.S., which is the Florida Single Audit Act.

Related amendments include:

- Provisions requiring appointment of grant managers for all grants and establishing training requirements for grant managers;

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- A requirement that the Chief Financial Officer (CFO) establishes and disseminate uniform procedures for grant management to ensure that services have been rendered in accordance with agreement terms before an agency processes an invoice for payment; and
- Authorization for the CFO to perform audits of executed grant agreement documents and the grant manager's records to ensure that adequate internal controls are in place.

General Implementation Timeline:

July 1, 2013	The bill becomes effective and provisions related to grants and subgrants take effect.
December 1, 2014	Each grant manager responsible for agreements in excess of \$100,000 annually must complete training and become a certified contract manager. All grant managers must become certified contract managers within 24 months after establishment of the training and certification requirements by the DMS and DFS.

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SB 1388 INSTRUCTIONAL MATERIALS FOR K-12 PUBLIC EDUCATION
(Ch. 2013-237, Laws of Florida)

Bill Sponsor: Senator Montford

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509

Executive Summary:

Section 1:

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

- Require district school boards to ensure that instructional materials used in the district are consistent with the course descriptions established by the State Board of Education (SBE) rather than curriculum frameworks.

Section 2:

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

- Authorize a school board or consortium of school districts to implement an instructional materials program for the review, approval, and purchasing of instructional materials;
- Require each district superintendent to certify to the Florida Department of Education (FDOE) by March 31 of each year that all instructional materials for core courses used by the district are aligned with applicable state standards beginning in the 2013-14 school year. This certification will include a list of all state-approved or district-approved core instructional materials that will be used or purchased by the district;
- Require school boards that implement an instructional materials program to adopt rules for implementing the program which must include:
 - Its review and purchase process;
 - Identification of a review cycle for instructional materials;
 - The duties and qualifications of the instructional materials reviewers;
 - The requirements for an affidavit made by district reviewers;
 - Compliance with s. 1006.32, F.S., relating to prohibited acts;
 - A process that certifies the accuracy of instructional materials;
 - Incorporation of the applicable requirements of s. 1006.31, F.S., which relates to the duties of instructional materials reviewers;
 - Incorporation of the applicable requirements of s. 1006.38, F.S., relating to the duties, responsibilities, and requirements of publishers of instructional materials; and
 - The process by which instructional materials will be purchased, including advertising, bidding, and purchasing requirements.
- Authorize district school boards to assess and collect fees from publishers or manufacturers for participating in the district instructional materials approval process, which may not exceed \$3,500 per submission by a publisher;

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- The amount assessed and collect must be posted on the district's website and reported to FDOE; and
- The collected fees shall be maintained in a separate line item for auditing purposes and shall be allocated for the support of the review process.
- Require the fees collected from publishers to be used to cover the actual costs of substitute teachers for each day that a district's instructional staff is absent from his or her assigned duties for the purpose of rendering service as an instructional materials reviewer;
- Allow reviewers to be paid a stipend and be entitled to reimbursement for travel expenses and per diem in accordance with S. 112.061, F.S., for actual service in meetings;
- Require those instructional materials that have been reviewed and approved must have been determined to align with all applicable state standards pursuant to S. 1003.41, F.S., and the requirements in S. 1006.31, F.S.;
- Require a publisher that offers instructional materials to a district school board must provide such materials at a price that does not exceed the lowest price at which the publisher offers such materials for sale to any state or school district in the United States; and
- Require a publisher to automatically reduce the price of materials to district school boards to the same extent they are reduced elsewhere in the United States.

Section 3:

Amends s.1006.31, F.S., Duties of each state instructional materials reviewer, to:

- Change language to require this section to apply to FDOE and school district instructional materials reviewers; and
- Specify that that both FDOE and school district reviewers must adhere to the procedures developed by FDOE or district respectively.

Section 4:

Amends s. 1006.37, F.S., Requisition of instructional materials from publisher's depository, to:

- Require district school superintendents to requisition adopted instructional materials from the depository with whom the publisher has contracted within the first three years of adoption, rather than the first two years as previously required; and
- Exempt a district school board or consortium of school districts which implements an instructional materials program from the requirement to requisition instructional materials from the publisher's depository.

Section 5:

Amends s. 1006.38, F.S., Duties, responsibilities, and requirements of instructional materials publishers and manufacturers, to:

- Specify that this section of statute applies to both the state and district approval processes;
- Require a publisher to provide evidence that the instructional materials include specific references to statewide standards in the teacher's manual and incorporate such standards into chapter tests or the assessments; and
- Require a publisher to maintain sufficient inventory in the depository to fill orders for the first three years of the contract.

Section 6:

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

- Require each district school board to purchase current instructional materials to provide each student with a major tool of instruction in core courses of mathematics, language arts, science, social studies, reading and literature, within the first three years of adoption, rather than the first two years as previously required;
- Require district school boards to use at least 50 percent of their annual instructional materials allocation for the purchase of digital or electronic materials that align to state standards included on the state-adopted list; and
- Exempt a district school board or consortium of school districts which implements an instructional materials program from the requirement to purchase materials included on the state-adopted list.

Section 7:

Amends s. 1001.10, F.S., Commissioner of Education; general powers and duties, to:

- Replace references to "state instructional materials reviewers" with "department instructional materials reviewers" and references to "curriculum frameworks" with "course descriptions."

Section 8:

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

- Replace references to the Next Generation State Standards with the applicable state standards and replace benchmarks with course descriptions.

General Implementation Timeline:

July 1, 2013	The act becomes effective.
March 31 of each year	Each district superintendent shall certify to FDOE that all instructional materials for core courses used by the district are aligned with applicable state standards beginning in the 2013-14 school year. District superintendents must requisition adopted instructional materials from the depository with whom the publisher has contracted within the first three years of adoption, rather than the first two years as previously required.

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SB 1410 FIRE SAFETY AND PREVENTION
(Ch. 2013-183, Laws of Florida)

Bill Sponsor: Senator Simmons

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

The bill rewrites and reorganizes Chapter 633, F.S., Fire Prevention and Control, which is administered by the Division of State Fire Marshal within the Department of Financial Services. The bill removes numerous provisions that are outdated or redundant, and makes several substantive policy changes that may affect operations related to educational facilities, as follows:

- The bill renumbers S. 633.171, F.S., as S. 633.124, F.S., regarding the penalty for violation of law, rule, or order to cease and desist, or for failure to comply with corrective order, and adds a first degree misdemeanor penalty for rendering a fire protection system that is required by statute or by rule inoperative, except while it is being serviced;
- The bill renumbers S. 633.026, F.S., as S. 633.212, F.S., regarding the legislative intent of informal interpretations of the Florida Fire Prevention Code, and provides for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; and
- The bill renumbers S. 633.081, F.S., as S. 633.216, F.S., regarding inspection of buildings and equipment, as referenced in Section 5(1)(a)2.b. of *State Requirements for Educational Facilities*; increases the renewal period for firesafety inspector certificates from three years to four years; and increases the continuing education requirement for firesafety inspectors from 40 hours every three years to 54 hours every four years.

The bill renumbers and makes minor technical, clarifying, and conforming changes to the following sections that affect educational facilities, but which do not require changes to educational facilities construction or operations:

- Section 633.115, F.S., is renumbered as s. 633.136, F.S., regarding the duties and fire reports of the Fire and Emergency Incident Information Reporting Program;
- Section 633.0215, F.S., is renumbered as s. 633.202, F.S., regarding the Florida Fire Prevention Code;
- Section 633.72, F.S., is renumbered as S. 633.204, F.S., regarding the Florida Fire Code Advisory Council;
- Section 633.022, F.S., is renumbered as S.633.206, F.S., regarding uniform firesafety standards;
- Section 633.025, F.S., is renumbered as S. 633.208, F.S., regarding minimum firesafety standards;
- Section 633.052, F.S., is renumbered as S. 633.214, F.S., regarding ordinances relating to firesafety;
- Section 633.085, F.S., is renumbered as S. 633.218, F.S., regarding inspections of state buildings and premises, tests of firesafety equipment, and building plans to be approved;
- Section 633.027, F.S., is renumbered as S. 633.222, F.S., regarding buildings with light-frame truss-type construction;

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- Section 633.161, F.S., is renumbered as S. 633.228, F.S., regarding violations, orders to cease and desist, orders to correct hazardous conditions, orders to preclude occupancy, orders to vacate, enforcement, and penalties;
- Section 633.061, F.S., is renumbered as S. 633.304, F.S., regarding the licensing to install or maintain fire suppression equipment;
- Section 633.065, F.S., is renumbered as S. 633.306, F.S., regarding the requirements for installation, inspection, and maintenance of fire suppression equipment;
- Section 633.071, F.S., is renumbered as S. 633.308, F.S., regarding standard service tag required on all fire extinguishers and preengineered systems, serial number required on all portable fire extinguishers, and standard inspection tags required on all fire protection systems;
- Section 633.082, F.S., is renumbered as S. 633.312, F.S., regarding inspection of fire control systems, fire hydrants, and fire protection systems;
- Section 633.083, F.S., is renumbered as S. 633.314, F.S., regarding the sale or use of certain types of fire extinguishers prohibited and the penalty;
- Section 633.162, F.S., is renumbered as S. 633.316, F.S., regarding fire suppression system contractors and disciplinary action;
- Section 633.539, F.S., is renumbered as S. 633.334, F.S., regarding requirements for installation, inspection, and maintenance of fire protection systems; and
- Sections 553.73, 553.77, 553.79, 627.4107, 893.13, 1002.33, 1002.34, 1013.12, and 1013.38, F.S., are revised to conform to renumbering.

The comprehensive bill also renumbers, makes minor technical or conforming changes, and creates sections regarding firefighters, compensation and services, State Fire Marshal responsibilities, and other various topics that are unrelated to educational facilities construction and operations.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 1500 **2013-14 GENERAL APPROPRIATIONS ACT**
(Ch. 2013-40, Laws of Florida)

Bill Sponsor: Appropriations Conference Committee

Effective Date: July 1, 2013, except as otherwise provided. If the act becomes law after July 1, 2013, it shall operate retroactively to July 1, 2013.

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

The act appropriates monies for the annual period beginning July 1, 2013, and ending June 30, 2014, and is the budget for the state. It authorizes state, federal, and local funding for school districts, state colleges, other education units through the Florida Department of Education (FDOE) and state universities. An educated workforce is important to the economic future of our state, and will be shaped by an ongoing, committed investment in Florida's K-20 students.

A chart is included that displays the 2012-13 and 2013-14 education budget line item detail for both operating and fixed capital outlay budgets.

OPERATING BUDGET

The \$15.6 billion in General Revenue, Lottery, and Other Trust Funds appropriated for the budget entities under the supervision of the State Board of Education (SBE) , excluding the State University System (SUS), authorizes operating resources for the FDOE to continue providing a high-quality education for Florida students. The 2013-14 appropriations reflect an increase of \$989.5 million over the 2012-13 budget.

Funds provided as "Grants and Aids – Special Categories" or "Grants and Aids – Aid to Local Governments" may be advanced quarterly throughout the fiscal year (FY) based on projects, grants, contracts, and allocation conference documents. For specified line items for student financial assistance, 60 percent of the funds are to be released at the beginning of the first quarter and the balance of the funds at the beginning of the third quarter.

EARLY LEARNING / PREKINDERGARTEN EDUCATION

An appropriation of \$1.01 billion is provided for Early Learning Services. Of this appropriation, \$404.9 million is provided to implement the Voluntary Prekindergarten Education Program as provided in SS. 1002.51 through 1002.79, F.S., and shall be initially allocated to Early Learning Coalitions as specified in proviso. Pursuant to the provisions of s. 1002.71(3)(a), F.S., the base student allocation (BSA) per full-time equivalent (FTE) student in the school year program for the 2013-14 FY is \$2,383, and the summer program BSA is \$2,026. The allocation includes 4.0 percent in addition to the BSA to fund administrative and other program costs of the early learning coalitions related to the Voluntary Prekindergarten Education Program (Line Item 82). This funding is provided to support an estimated enrollment of 179,673 students or 81 percent of the total number of 4-year-old children.

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An appropriation of \$4.46 million is provided for early learning standards and accountability (Line Item 72).

K-12 EDUCATION

The total 2013-14 appropriation for K-12 Education is \$13.0 billion, which is an overall increase of \$929.2 million over the 2012-13 appropriations. The increase in funds is attributable primarily to an increase of \$438.7 million in the Florida Education Finance Program (FEFP), \$480.0 million for teacher salary increases and \$17.3 million for district technology funds. The appropriated amounts for the K-12 budget entities are as follows:

- State Grants/K-12 Program – FEFP, \$10.5 billion;
- State Grants/K-12 Program Non-FEFP, \$236.5 million;
- K-12 Program - Federal Grants, \$1.8 billion;
- Educational Media and Technology Services, \$13.1 million; and
- Workforce Education, \$490.2 million.

Florida Education Finance Program

Funds are provided in the FEFP to serve 5,481 fewer FTE students in 2013-14 (2,696,270 FTE students projected to be served). The 2013-14 FTE student funding methodology in the FEFP was revised to limit FTE to 1.0 per student, which resulted in the decrease of 5,481 FTE students for the 2013-14 FY. In past years, a student earned FTE in excess of 1.0 for completion of certain virtual instruction courses. Actual student enrollment would have increased by 23,459 FTE in 2013-14 FY if the revised funding methodology had not been applied.

In funding the FEFP, the Legislature authorized state and potential local revenue of \$18.28 billion, an increase of \$1.05 billion or 6.12 percent over 2012-13. Potential FEFP funds per student for 2013-14 will be \$6,778.86, an increase of \$404.04 or 6.34 percent over 2012-13 (Line Items 7 – 9, 87, and 88).

A summary chart of the components of the FEFP from the official legislative calculation is included.

Base Funding (weighted FTE students [WFTE] X Base Student Allocation [BSA] X District Cost Differential [DCD]) is \$11.0 billion for 2013-14, an increase of \$490.9 million or 4.67 percent over 2012-13. The 2013-14 BSA will be \$3,752.30, an increase of \$169.32 or 4.73 percent over 2012-13.

The program cost factors, when multiplied by the unweighted FTE students, result in the WFTE students for funding. Program cost factors (weights) for 2012-13 and 2013-14 legislated educational programs within the FEFP are as follows:

	<u>2012-13</u>	<u>2013-14</u>
Basic K-3	1.117	1.125
Basic 4-8	1.000	1.000
Basic 9-12	1.020	1.011
Exceptional Student Education Level 4	3.524	3.558
Exceptional Student Education Level 5	5.044	5.089
English for Speakers of Other Languages	1.167	1.145
Career Education (9-12)	0.999	1.011

The total Required Local Effort (RLE) for 2013-14 is \$6.84 billion, an increase of \$122.7 million from 2012-13. The statewide average RLE millage rate is 5.295 mills, the same as the 2012-13 rate. In addition to the RLE millage

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described above, at the time of the second FEFP calculation in July, the Commissioner of Education (commissioner) will provide districts with a Prior Period Funding Adjustment Millage rate. The purpose of the adjustment is to provide districts with the unrealized revenue attributable to changes to the prior year's school taxable value from the July estimate to the final adjusted tax roll. The district's millage rate is calculated by dividing the amount of the prior period unrealized RLE by the current year school taxable value. The prior period millage is added to the RLE millage, but the revenue is not included in the current year FEFP calculation (Line Item 87).

For 2013-14, the authorized non-voted discretionary local millage is 0.748 and is compressed to ensure that the combined state funds and local revenue provide funds to each district that are equal to the statewide average funds per student from the 0.748 mill levy. The estimated cost of the 0.748 mill compression is \$148. million. If a district levies between 0.498 and 0.748 mill, the funds are compressed to the statewide average per student for the 0.498 mill levy.

The Virtual Education Contribution component provides funding to guarantee \$5,200 per FTE for students who participate in virtual instruction. The estimated cost of the Virtual Education Contribution is \$32.2 million for 2013-14.

Supplemental Academic Instruction and K-12 Comprehensive Reading Instruction are provided \$639.3 million and \$130 million, respectively. From the total of these allocations, no less than \$15 million must be used by districts with one or more of the 100 lowest performing elementary schools for extended-day, intensive reading instruction. The 100 lowest performing elementary schools are determined based on the state reading assessment and exclude ESE centers. The additional hour of instruction must be beyond the normal school day for each day of the entire school year and be provided by effective reading teachers or reading specialists. Participation by students with a level 5 reading assessment score is optional. The department is to provide guidance on the documentation of expenditures that are to be reported by each school district for submission by the department to the Legislature by September 30, 2014. The State Board of Education (SBE) shall withhold funds from districts that fail to comply.

For 2013-14, \$480 million is provided for salary increases, including related benefits for Federal Insurance Contributions Act (FICA) taxes and participation in the Florida Retirement System (FRS), for school district and charter school classroom teachers, guidance counselors, social workers, psychologists, librarians, principals, and assistant principals, to be distributed no later than June 2014, based on 2013-14 performance evaluations, as outlined in Senate Bill 1664. This salary increase shall be at least \$2,500 for personnel evaluated as "effective" and up to \$3,500 for personnel evaluated as "highly effective." Each district school board and charter school board must develop and vote on a plan based on student performance. Section 26 of SB 1514, the education funding conforming bill, clarifies provisions in the act and provides school districts with flexibility in the method and timing for distribution of the salary increases.

A total of \$217.3 million is provided for instructional materials. For 2013-14, \$165 million is available for districts to purchase instructional content, electronic devices, and other technology equipment and infrastructure. Any purchases made must comply with the minimum or recommended requirements for instructional content, hardware, software, networking, security, bandwidth, and the number of students, per device, as determined by FDOE. Prior to the release of funds, each district must provide an expenditure plan for the purchase of instructional content and technology. If the district opts to purchase technology, the district must certify that it has the instructional content necessary to provide instruction aligned to the adopted statewide benchmarks and standards and provide an expenditure plan for the purchase of electronic devices, equipment, and infrastructure. FDOE shall provide a report to the Legislature by March 1, 2014, summarizing district expenditures.

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An appropriation of \$45.3 million is provided for the Teachers Lead Program, an increase of \$13.4 million over 2012-13. Senate Bill 1664, also passed by the 2013 Florida Legislature, changes the name of the program to the Florida Teachers Classroom Supply Assistance Program and requires that local contributions be added to the funds allocated by the state when each teacher's proportionate share is being calculated.

Total funding provided for year eleven implementation of the Class Size Constitutional Amendment (ss. 1003.03 and 1011.685, F.S.) is \$2.97 billion, a decrease of \$9.0 million from the 2012-13 appropriation. The commissioner may withhold disbursement of class size reduction funds until a district is in compliance with reporting information required for class size reduction implementation (Line Items 8 and 88).

The School Recognition Program is maintained at \$134.6 million. These funds provide individual schools that earn an "A" grade, improve at least one performance grade from the previous year, or sustain the previous year's improvement of more than one letter grade with up to \$100 per student. If funds remain after payment to the recognized schools, up to \$5 per unweighted student is allocated to school advisory councils (Line Item 9).

Non-FEFP

An appropriation of \$1.2 million is provided for instructional materials, an increase of \$400,000 over 2012-13 (Line Item 90).

Assistance to Low Performing Schools is funded at \$4 million, an increase of \$500,000 over 2012-13. Funding may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in s. 1007.35, F.S., to prepare, inspire, and connect students to postsecondary success and opportunity. Additionally, funds shall be expended for professional development for Advanced Placement classroom teachers (Line Item 91).

Mentoring/Student Assistance funding totals \$15.8 million, of which \$3.6 million is nonrecurring. This represents an increase of \$4.7 million or 42.7 percent over 2012-13. The majority of the increase is accounted for as follows:

- Big Brother Big Sisters – an increase of \$1.5 million, or 59.3 percent, over 2012-13.
- Boys and Girls Club – an increase of \$2.4 million, or 144.3 percent, over 2012-13.
- Take Stock in Children – an increase of \$1.2 million, or 25.0 percent, over 2012-13, for a total of \$6.0 million.

Funding provided for the College Reach Out Program remains at the 2012-13 level of \$1.0 million (Line Item 93).

An appropriation of \$1.98 million is provided for the five university-based Florida Diagnostic and Learning Resources Centers (Line Item 95).

The New World School of the Arts is appropriated \$500,000, an increase of \$100,000 for 2013-14 (Line Item 96).

Funds for the School District Matching Grants Program are increased by \$1.7 million, for an appropriation of \$4.0 million (Line Item 97).

Funds appropriated for Teacher and School Administrator Death Benefits total \$18,000 (Line Item 98).

The seven university-based Autism Centers are funded at \$7.5 million, an increase of \$2 million over 2012-13 (Line Item 100).

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The Regional Education Consortium Services are provided \$1.4 million for 2013-14 (Line Item 101). This funding was vetoed in 2012-13.

Teacher Professional Development is funded at \$135 million. Of these funds, \$134.6 million in federal funds is provided for Improving Teacher Quality and \$417,338 in General Revenue funds is provided for Superintendents' Training, Teacher of the Year, Principal of the Year, and School Related Personnel of the Year. The General Revenue funds provided may be disbursed to districts, schools, or individuals (Line Item 102).

An appropriation of \$21.3 million is provided for Strategic Statewide Initiatives (Line Item 102A) for the following projects:

- Safe Schools Security Assessments - \$1 million.
- Career and Education Planning System - \$3 million.
- District Bandwidth Support - \$11.3 million.
- Technology Transformation Grants for Rural School Districts - \$6 million.

The Safe Schools Security Assessment project funds are provided to contract with a security consulting firm to provide a risk assessment tool for use by each public school in the state. The tool should be able to identify threats, vulnerabilities and appropriate safety controls and, at a minimum, must address the following issues:

- School emergency and crisis preparedness planning;
- Security, crime and violence prevention policies and procedures;
- Physical security measures;
- Professional development training needs;
- An examination of support service roles in school safety, security, and emergency planning;
- School security and school police staffing, operational practices, and related services;
- School-community collaboration on school safety; and
- Return on investment analysis of the recommended physical security controls (Line Item 102A).

Funds provided for the Career and Education Planning System are to provide a K-20 statewide student career and education planning and endorsement system that accesses information from multiple Florida sources and information systems, including but not limited to information from the Economic Security Report (Line Item 102A).

Funds totaling \$11.3 million are provided for the acquisition of additional bandwidth capacity, as determined by the 2012-13 Department of Education Technology Resources Survey and needed to ensure that, in conjunction with federal e-rate funding, schools have adequate bandwidth capacity for the implementation and usage of instructional technology and the administration of online assessments. In the event a district's network is unable to support the additional bandwidth capacity, the school is authorized to use these funds to purchase the network infrastructure necessary to ensure its compliance with the standards as referenced in Senate Bill 1502. FDOE shall submit a report on the status of each district's allocation by January 31, 2014 (Line Item 102A).

An allocation of \$6 million is provided for Technology Transformation Grants for Rural School Districts for the purposes of establishing a wireless network or enhancing an existing wireless network. If funds remain, a district may use funds to purchase the network infrastructure necessary to comply with the standards as outlined in Senate Bill 1502 (Line Item 102A).

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For School and Instructional Enhancements, the appropriation is \$8.1 million, of which \$5.8 million is nonrecurring. This is a total increase in funds of \$3.5 million or 77 percent. Funds are appropriated for 18 grants specified in proviso, including the addition of 8 new projects (Line Item 103).

Exceptional Education Services are provided \$5.0 million, an increase of \$1.7 million over 2012-13. The increase in funds is provided for the Family Café, Communication/Autism Navigator, and Auditory-Oral Education Center Grants projects. Funds provided for the Communication/Autism Navigator are to be awarded to the Florida State University College of Medicine for statewide implementation of an exceptional student education communication/autism navigator aimed at increasing the number of full integration placements of exceptional students. The Auditory-Oral Education Grants are provided for Florida public or private nonprofit school programs serving deaf children, as defined by s. 1002.391, F.S. The amount of the grants shall be based on the specific needs of each eligible student. Schools with insufficient public funds to provide the educational and related services are eligible to apply. A portion of these funds shall be allocated to the Florida Diagnostic Learning Resources Centers (FDLRS) Associate Centers and the Florida Instructional Materials Center for the Visually Impaired (Line Item 104).

The Florida School for the Deaf and the Blind is funded at \$45.7 million, an increase of \$1.6 million over 2012-13. The school shall report student membership and staff survey data consistent with the program enumerated in S. 1011.62(1)(c), F.S. (Line Item 105).

K-12 Federal Programs

An appropriation of \$1.77 billion is provided for K-12 Federal Programs, a decrease of \$27.3 million from 2012-13. The reduction is a result of a decrease in budget authority for Strategic Education Initiatives of \$44.1 million (Line Item 111), offset by an increase needed for the Partnership for Assessment of Readiness for Colleges and Careers (PARCC) of \$16.8 million (Line Item 112).

Educational Media and Technology Services

Funding for Educational Media and Technology Services totals \$13.1 million, an increase of \$5.3 million, or 68.6 percent from 2012-13. This appropriation includes \$2 million for the Capitol Technical Center, of which \$1.8 million is provided for equipment and infrastructure costs associated with the migration to a tapeless environment and the expansion of services (Line Item 113). Also included is \$11.1 million for Public Broadcasting services (Line Item 114).

Funding for Public Broadcasting services increased \$4.5 million or 67.7 percent, from \$6.6 million in 2012-13 to \$11.1 million in 2013-14. This is a result of an increase of \$265,878 for the Florida Channel Year Round coverage and the addition of \$3.4 million for public radio stations and \$800,000 for the Satellite Transponder. Of the funds provided for the Public Radio Stations, \$2.1 million is allocated for the purchase of equipment needed for the stations to achieve compliance with emergency operations requirements. Additionally, from the funds provided for the Satellite Transponder, the Florida Channel shall contract for the leasing, management, and operation of the state transponder with the same public broadcasting station that produces the Florida Channel.

Workforce Education Programs

Federal funds provided for Adult Basic Education remain constant at \$41.6 million (Line Item 116).

An allocation of \$4.98 million is provided to school districts for Performance-Based Incentives for students earning industry certifications in the following occupational areas: automotive service technology, cyber security, cloud

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virtualization, advanced manufacturing, and welding, or industry certifications for Federal Aviation Administration airframe mechanics and power plant mechanics; primary technicians; and heating, ventilation, and air conditioning technicians. Any funds remaining on June 1, 2014 shall be allocated based on each district's share of the targeted career and technical education funding provided in Line Item 117A and shall be spent for the purpose of that appropriation (Line Item 115).

Workforce Development funds for school districts decreased \$20.5 million, from \$369.5 million to \$349.0 million (Line Items 10 and 117). This reduction is due to the transfer of adult education funds from Putnam School District to St. Johns River State College and the repurposing of workforce development funds for targeted career and technical education programs for industry certification.

The standard tuition specified in s. 1009.26(1), F.S., for school district workforce programs will remain at the 2012-13 levels. For adult general education programs, block tuition is assessed at \$45 per half year or \$30 per term for in-state students (Line Item 117).

An appropriation of \$22.5 million is provided to district workforce education programs to expand, enhance, or develop program offerings in the following occupational areas: automotive service technology, cyber security, cloud virtualization, advanced manufacturing, and welding, or industry certifications for Federal Aviation Administration airframe mechanics and power plant mechanics; primary technicians; and heating, ventilation and air conditioning technicians. A detailed expenditure report must be submitted to the department by each district receiving funding by January 1, 2014. Additionally, funds for Hernando County School District are provided to create a new adult technical training program (Line Item 117A).

Federal Vocational Formula funds also remain at the 2012-13 level of \$72.1 million (Line Item 118).

POSTSECONDARY EDUCATION

Florida Colleges

State funding is provided for the enrollment of 352,613 students at \$3,121 per FTE student.

The total state appropriation to the system is \$1.12 billion, an increase of \$52 million over 2012-13.

Of the \$1.12 billion, \$1.1 billion is provided directly for the operation of the colleges, an increase of \$48.6 million or 4.6 percent over 2012-13. This increase is attributed to appropriations for college program enhancements and specific projects, funds provided for funding model equity, and adjustments for Florida Retirement System liabilities. From the funds provided, colleges shall disseminate the Economic Security Report no later than December 1, 2013 (Line Items 11 and 120).

An appropriation of \$5 million is provided for performance-based incentives for students who earn industry certifications in the following occupational areas:

- Automotive service technology;
- Cyber security;
- Cloud virtualization technology;
- Advanced manufacturing, and welding;
- Industry certifications for Federal Aviation Administration airframe mechanics and power plant mechanics; pharmacy technicians

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- Heating, ventilation, and air conditioning technicians.

The awards are to be distributed by June 1, 2014. The Chancellor of the Florida College System shall identify the associated certifications and prepare a report for each to include cost; percent employed, and average salary of graduates by October 1, 2013 (Line Item 119A).

The Florida Virtual Campus is allocated \$12.3 million, an increase of \$1.4 million over 2012-13. From these funds, \$499,700 in recurring funds and \$838,500 in nonrecurring funds are provided to implement a common web infrastructure; modernize the statewide, Internet-based catalog of distance learning courses and degree programs established pursuant to s. 1006.73(5)(b), F.S.; expand support services; consolidate and expand current support platforms into one unified help desk and advising system; and develop and implement a plan that describes the services and resources available (Line Item 122).

Student Financial Aid

The Florida Bright Futures Scholarship Program, which is a merit-based scholarship program, is funded at \$309.4 million (Line Item 4), a decrease of \$20 million from the 2012-13 appropriation of \$329.4 million. Section 57 of Senate Bill 1076 removes the requirement that students submit a completed Free Application for Federal Student Aid (FAFSA) to be eligible to receive a Bright Futures scholarship. The program funding is based on an estimated 152,164 eligible students. The award amounts per credit hour, as specified in proviso, are as follows:

	<u>2012-13</u>	<u>2013-14</u>
Academic Scholars		
Four-Year Institutions	\$100	\$103
Two-Year Institutions	\$ 61	\$ 63
Upper-Division Programs at Florida Colleges	\$ 69	\$ 71
Career/Technical Centers	\$ 50	\$ 52
Medallion Scholars		
Four-Year Institutions	\$ 75	\$ 77
Two-Year Institutions	\$ 61	\$ 63
Upper-Division Programs at Florida Colleges	\$ 51	\$ 53
Career/Technical Centers	\$ 38	\$ 39
Gold Seal Vocational Scholars		
Career Certificate Program	\$ 38	\$ 39
Applied Technology Diploma Program	\$ 38	\$ 39
Technical Degree Education Program	\$ 47	\$ 48
Top Scholars Stipend	\$ 43	\$ 44

The Student Financial Aid item funding is increased by \$3.6 million or 2.7 percent, from \$134.6 million in 2012-13 to \$138.1 million in 2013-14. This item includes the need-based programs such as Florida Work Experience, Rosewood Family Scholarships, and all sectors (Public [full- or part-time], Private, Postsecondary, and Career Education) of the Florida Student Assistance Grants (FSAG). The maximum FSAG award is set at \$2,610 (Line Items 6 and 66). Any institution that receives state funding in the form of scholarships or grants for students administered by the Office of

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Student Financial Assistance is required to report to the FDOE prior to September 1, 2013, for funds received in the 2012-13 FY, the following federal loan information: total loan amounts disbursed and total number of students receiving loan funds by institution, in the format specified by the FDOE.

Funding for Prepaid Tuition Scholarships is maintained at the 2012-13 level of \$7 million. Project STARS – Scholarship Tuition for At-Risk Students – is a foundation program for children from low-income families who are at risk of dropping out of school. Many of these children are the first in their families to have the opportunity to attend college (Line Item 62).

Of the \$5.3 million appropriated for the First Generation in College Matching Grant Program, \$1.3 million is allocated to Florida colleges. If the required matching funds are not raised by participating Florida colleges or state universities by December 1, 2013, the remaining funds shall be reallocated to programs at Florida colleges or state universities that have remaining unmatched private contributions (Line Item 5).

A total of \$4.3 million is appropriated for the Minority Teacher, Mary McLeod Bethune, Jose Marti, and Florida Education Fund scholarship programs (Line Items 63, 65, 67, and 68).

Federal Student Financial Aid programs (Line Items 69 through 71) are provided \$8.3 million in federal funds, an increase of \$753,057 from 2012-13. This is a result of an increase for the College Access Challenge Grant, which is offset by decreases due to the suspension of the Special/Leveraging Educational Assistance Partnership (S/LEAP) and Student Loan Guaranty Reserve Programs by the federal government.

The Florida Resident Access Grant (FRAG) provides tuition assistance for qualified Florida residents who enroll in eligible Florida private colleges and universities. The 2013-14 appropriation is \$89.7 million for 36,568 students. Of these funds, \$81.2 million will support 32,477 eligible students at institutions that participated in the program in 2010-11 (\$2,500 per student). The remaining \$8.5 million will support 4,091 eligible students at institutions that participated in the program beginning in 2011-12 (\$2,071 per student). The appropriation is an increase of \$10.7 million from 2012-13 funding (Line Item 61).

The Access to Better Learning and Education (ABLE) grant provides tuition assistance to students enrolled in eligible Florida for-profit colleges and universities, and is appropriated \$3.2 million. The appropriation will support 2,789 students at \$1,161 per student. The appropriation is an increase of \$929,336 from 2012-13 (Line Item 59).

OTHER EDUCATION ISSUES

From the funds provided for the functions of the SBE, there are two categories of items: funds for operations of the department and funds for special services that support the state education system. Following are examples of special services.

The State Student Assessment (testing) Program is appropriated \$92.3 million, an increase of \$6.8 million over 2012-13 (Line Item 131). This increase includes \$3.5 million for the transition to Common Core State Standards (CCSS), \$1 million for the English Language Learners Assessment, \$1 million for End-of-Course (EOC) Assessments, and \$1.3 million related to other programs.

Vocational Rehabilitation is appropriated \$203.1 million, \$1.8 million more than in 2012-13 (Line Items 25 through 39), primarily due to the inclusion of funds for the Inclusive Transition and Employment Management Program (ITEM) and additional workloads for the Centers for Independent Living.

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Blind Services appropriations were decreased by \$936,293 from 2012-13, for total funding of \$51.7 million (Line Items 40 through 58).

The operating budget for the SBE (excluding Assessment and Evaluation) of \$117.9 million is an increase of \$4.3 million over 2012-13. This increase is primarily due to funds being provided for upgrades to the Statewide Longitudinal Data Systems, Educator Certification System, and the Data Warehouse. Appropriated operating funds must also be used to monitor district compliance with the student choice and access provisions and support the K-20 Students with Disabilities Education Pathway Task Force.

FIXED CAPITAL OUTLAY BUDGET

The legislature appropriated \$1.77 billion for capital outlay projects and debt service on bonds for Florida public schools, colleges, universities, and other education agencies. The total includes \$1.22 billion from Public Education Capital Outlay (PECO) sources, \$316.5 million from the Lottery bond proceeds and revenues, \$9 million from General Revenue, and \$226.3 million from other trust funds.

Maintenance, renovation, and repair projects are appropriated \$182.7 million in PECO funds. Of the \$182.7 million, \$41.7 million is for the FCS and \$44.4 million is for the SUS. Also included are \$90.6 million for charter schools and \$6 million for school districts. Funds provided for school districts are for districts in which the average annual percent increase in the capital outlay full-time equivalent student membership for the previous five years is 2.5 percent or greater (Line Item 18).

For Public School Survey Recommended Needs (new construction), \$2.7 million in PECO funds are appropriated to be distributed among the university developmental research schools based on FTE student membership (Line Item 19).

Specific institutional capital outlay projects are funded for colleges in the amount of \$41.5 million (Line Item 19A) and for state universities in the amount of \$57.5 million (Line Item 20). The SUS is also appropriated \$70 million from the Capital Improvement Fee Trust Fund for projects to be specified by the BOG (Line Item 17). Additionally, \$8.4 million is provided for projects in several small school districts (Line Items 21 and 24B).

No funds are appropriated for the Community College Facility Matching Program or the State University System Facility Enhancement Challenge Grant Program.

Other items funded from PECO include \$1.22 million for building maintenance at the Florida School for the Deaf and the Blind (Line Item 24).

General Revenue funds totaling \$9 million are also included for the construction of new lab space at Embry-Riddle Aeronautical University. This is an increase of \$30,000 over 2012-13 (Line Item 24C).

OTHER SECTIONS OF THE BILL

Items funded for education may be found mainly in Sections 1 and 2 of the bill, summarized above; however, there are general policy statements and funding authorizations, including some items for education in Sections 8 through 96, which are often referred to as "back-of-the-bill items." Included are provisions for state employee compensation,

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benefits (health, life, and disability insurance), and authorization for several college and university construction projects. Specific sections of note are cited below.

Section 9:

- Authorizes the Chief Financial Officer to transfer nonoperating budget authority of \$344,770,913 from General Revenue to the PECO and Debt Service Trust Fund by July 31, 2013.

Section 12:

- Reverts \$18.7 million in General Revenue funds provided in 2012-13 for the Voluntary Prekindergarten Program.

Section 13:

- Reverts \$9 million in General Revenue funds provided in 2012-13 for Class-Size Reduction.

Section 15:

- Reverts and reappropriates the unexpended balance of funds provided in the 2012-13 fiscal year for the Race to the Top, Strategic Education Initiatives, and Statewide Longitudinal Data Systems for the same purposes in 2013-14 FY. .

Section 16:

- Reverts and reappropriates the unexpended balance of funds provided in the 2012-13 fiscal year for the Partnership for Assessment of Readiness for Colleges and Careers (PARCC) for the same purpose in 2013-14 FY. .

Section 17:

- Reverts and reappropriates the unexpended balance of funds from the Federal Grants Trust Fund for grants provided in 2012-13 FY by the American Recovery and Reinvestment Act of 2009 for the same purpose in 2013-14 FY. This allows the department to expend the remaining funds within the federal fiscal year.

Section 18:

- Reverts and reappropriates the unexpended balance of funds provided in 2012-13 FY for the State Early Childhood Advisory Council to the Office of Early Learning for the same purpose in 2013-14 FY.

Section 19:

- Reverts the unexpended balance of funds provided in 2012-13FY for the Early Learning Information System and reappropriates funds in the Office of Early Learning Education Technology and Information Systems category for the same purpose in 2013-14 FY. The reappropriated funds shall be put in budget reserve and, after submitted, a budget amendment may be released at the end of the 14-day consultation period.

Section 91:

- Reduces from nonrecurring trust fund revenues, \$20,587 from the Division of Blind Services and \$158,908 from the SBE for 2012-13 FY, for savings achieved through the Real Estate Initiative.

Section 92:

- Reduces \$1,174,062 in nonrecurring General Revenue and \$922,477 in nonrecurring trust fund revenues from the SBE for the 2012-13 FY for savings achieved through the Vendor Management Initiative.

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General Implementation Timeline:

August 1, 2013	FDOE publishes wireless specifications necessary to ensure that school districts can implement and use instructional technology and administer online assessments.
July 15, 2013	Commissioner appoints all members to the K-20 Students with Disabilities Education Pathway Task Force.
September 1, 2013	Private institutions receiving state funds in 2013-14 FY report student and federal loan data to the department. Institutions receiving state funds in 2012-13 FY for scholarships or grants report federal loan information to the department. Florida Diagnostic and Learning Resources Centers report to the department on numbers served for the 2012-13 FY. Autism Centers report to the department a summary of program outcomes for the prior fiscal year.
September 30, 2013	FDOE issues an Invitation to Negotiate (ITN) for default delinquency management services.
October 1, 2013	Chancellor of the Florida College System identifies associated industry certifications and prepares a report for each to include cost, percent employed, and the average salary of graduates. FDOE reports to the Legislature on federal indirect cost rates and expenditures.
December 1, 2013	Unmatched funds provided for the First Generation in College Matching Grant program are reallocated. Colleges disseminate the Economic Security Report from the funds provided in the bill.
January 1, 2014	Private institutions receiving state funds in FY 2013-14 for academic programs shall submit enrollment information, by program, to FDOE. Each school district receiving funding to expand, enhance, or develop program offerings in identified occupational areas will submit a detailed expenditure report to the department.
January 31, 2014	FDOE reports on the status of each school's allocation of funds to purchase network infrastructure necessary to ensure compliance with standards referenced in Senate Bill 1502.

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- March 1, 2014 The FDOE provides the legislature with a report summarizing district expenditures for electronic devices, technology equipment, and infrastructure technology based on the districts certified expenditure plans for 2013-14.
- April 10, 2014 FDOE submits report of district violations and efforts to restrict student choice to SBE and the legislature.
- June 1, 2014 Schools receiving funds for Exceptional Student Education provide a report to FDOE documenting 2013-14 expenditures.
- Unspent workforce education performance based incentives funds are reallocated based on each district's share of the targeted career and technical education funding provided in Specific Appropriation 117A.
- September 30, 2014 FDOE submits to the legislature a report of 2012-13 expenditures and student outcomes for the 100 lowest performing elementary schools.

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Department of Education Prepared by Budget Bureau 2012-13 Appropriations after Vetoes 2013-14 Legislative Budget Request 2013-14 Gov's Recommended Budget 2013-14 Appropriations after Vetoes May 20, 2013			2012-13 Appropriations after Vetoes 04-17-12	2013-14 DOE Request Plus Administered Funds & Technical Adjustments	2013-14 Gov's Recommended Budget 01-31-13	2013-14 Appropriations after Vetoes 05-20-13
Green Book Page #	Line Item #		TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS
		Vocational Rehabilitation				
	25	Positions	931.00	931.00	930.00	931.00
3	25	Salaries and Benefits	44,806,557	45,432,793	45,391,107	45,432,793
5	26	Other Personal Services	819,103	819,103	819,103	819,103
7	27	Expenses	9,964,196	9,979,396	9,843,340	9,979,396
9	28	Adults with Disabilities Funds	9,993,484	9,993,484	9,993,484	10,693,484
11	29	Florida Endowment Foundation for Vocational Rehabilitation	315,160	315,160	315,160	500,000
13	30	Operating Capital Outlay	480,986	480,986	480,986	480,986
15	31	Contracted Services	11,003,381	11,950,661	11,950,661	11,950,661
17	32	Independent Living Services	5,814,363	6,181,793	6,181,793	6,531,793
19	33	Purchased Client Services	116,116,000	114,952,016	114,952,016	114,952,016
21	34	Risk Management Insurance	382,696	398,063	398,063	398,063
23	35	Tenant Broker Commissions	97,655	97,655	97,655	97,655
25	36	Transfer to DMS - HR Services Purchased per Statewide Contract	289,020	329,332	329,332	329,332
27	37	Other Data Processing Services	670,078	670,078	670,078	670,078
29	38	Education Technology and Information Services	317,686	68,761	68,761	68,761
31	39	Northwest Regional Data Center (NWRDC)	214,418	214,418	214,418	196,503
		Total Vocational Rehabilitation	201,284,783	201,883,699	201,705,957	203,100,624
		Blind Services				
	40	Positions	299.75	299.75	287.75	299.75
35	40	Salaries and Benefits	13,156,493	13,389,143	12,881,774	13,389,143
37	41	Other Personal Services	446,202	446,202	446,202	446,202
39	42	Expenses	2,973,667	2,973,667	2,954,385	2,973,667
41	43	Community Rehabilitation Facilities	5,369,554	5,369,554	5,369,554	5,369,554
43	44	Operating Capital Outlay	289,492	289,492	289,492	289,492
45	45	Food Products	200,000	200,000	200,000	200,000
47	46	Acquisition of Motor Vehicles	100,000	100,000	100,000	100,000
49	47	Client Services	25,822,144	24,079,144	24,079,144	24,079,144
51	48	Contracted Services	481,140	481,140	481,140	481,140
	49	Independent Living Services	-	35,000	35,000	35,000
53	50	Risk Management Insurance	240,558	185,676	185,676	185,676
55	51	Library Services	189,735	189,735	189,735	189,735
57	52	Vending Stands - Equipment and Supplies	2,095,000	2,803,000	2,803,000	2,803,000

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Department of Education Prepared by Budget Bureau 2012-13 Appropriations after Vetoes 2013-14 Legislative Budget Request 2013-14 Gov's Recommended Budget 2013-14 Appropriations after Vetoes May 20, 2013			2012-13 Appropriations after Vetoes 04-17-12	2013-14 DOE Request Plus Administered Funds & Technical Adjustments	2013-14 Gov's Recommended Budget 01-31-13	2013-14 Appropriations after Vetoes 05-20-13
Green Book Page #	Line Item #		TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS
59	53	Tenant Broker Commissions	18,158	18,158	18,158	18,158
61	54	Transfer to DMS - HR Services Purchased per Statewide Contract	94,854	106,034	106,034	106,034
63	55	Other Data Processing Services	686,842	686,842	686,842	686,842
65	56	Education Technology and Information Services	234,949	87,024	87,024	87,024
67	57	Southwood Shared Resource Center	580	580	580	419
69	58	Northwest Regional Data Center (NWRDC)	187,910	187,910	187,910	210,755
		Total Blind Services	52,587,278	51,628,301	51,101,650	51,650,985
		Private Colleges & Universities				
73	59	ABLE Grants (Access to Better Learning and Education)	2,310,231	2,310,231	2,310,231	3,239,567
75	60	Historically Black Private Colleges	9,361,543	7,761,543	9,361,543	10,941,543
77	60A	Academic Program Contracts	1,662,734	612,734	-	644,214
	60B	Private Colleges & Universities	-	-	-	1,250,000
79	61	Florida Resident Access Grant (FRAG)	78,958,406	78,958,406	78,958,406	89,664,961
	61A	Nova Southeastern University - Health Programs	-	-	-	4,234,749
81	61B	LECOM / Florida - Health Programs	1,018,050	1,018,050	-	1,691,010
		Total Private Colleges & Universities	93,310,964	90,660,964	90,630,180	111,666,044
		Student Financial Aid Program (State)				
85	4	Florida's Bright Futures Scholarship Program	329,408,935	306,035,151	302,408,935	309,413,826
87	5	First Generation in College Matching Grant Program	5,308,663	5,308,663	5,308,663	5,308,663
89	62	Prepaid Tuition Scholarships	7,000,000	7,000,000	7,000,000	7,000,000
91	63	Minority Teacher Scholarship Program	885,468	293,588	293,588	885,468
93	64	Nursing Student Reimbursement/Scholarship	-	929,006	929,006	929,006
95	65	Mary McLeod Bethune Scholarship	321,674	321,000	321,000	321,000
97	6, 66	Student Financial Aid	134,557,847	134,587,847	134,557,847	138,122,806
101	67	Jose Marti Scholarship Challenge Grant	99,000	100,000	100,000	100,000
103	68	Transfer to the Florida Education Fund	2,000,000	2,000,000	2,000,000	3,000,000
		Total Student Financial Aid Program (State)	479,581,587	456,575,255	452,919,039	465,080,769
		Student Financial Aid Program (Federal)				
107	69	College Access Challenge Grant Program	7,011,133	8,049,190	8,049,190	8,049,190
109	70	Student Financial Aid	500,000	250,000	250,000	250,000
111	71	Transfer Default Fees to the Student Loan Guaranty Reserve Trust Fund	50,000	15,000	15,000	15,000
		Total Student Financial Aid Program (Federal)	7,561,133	8,314,190	8,314,190	8,314,190
		Prekindergarten Education				

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Department of Education Prepared by Budget Bureau 2012-13 Appropriations after Vetoes 2013-14 Legislative Budget Request 2013-14 Gov's Recommended Budget 2013-14 Appropriations after Vetoes May 20, 2013			2012-13 Appropriations after Vetoes 04-17-12	2013-14 DOE Request Plus Administered Funds & Technical Adjustments	2013-14 Gov's Recommended Budget 01-31-13	2013-14 Appropriations after Vetoes 05-20-13
Green Book Page #	Line Item #		TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS
115	72	Early Learning Standards and Accountability	4,458,892	4,458,892	4,458,892	4,458,892
		Total Prekindergarten Education	4,458,892	4,458,892	4,458,892	4,458,892
		Early Learning Services				
121	82	Voluntary Prekindergarten Program	413,312,552	434,420,854	413,312,552	404,927,801
		Total Early Learning Services	413,312,552	434,420,854	413,312,552	404,927,801
		State Grants/K-12 Program/FEFP				
127	7, 87	Florida Education Finance Program	6,434,902,469	6,541,588,265	6,957,139,000	6,873,620,532
136	8, 88	Class Size Reduction	2,983,788,477	2,995,476,115	2,992,307,211	2,974,766,164
138	9	District Lottery and School Recognition Program	134,582,877	135,407,278	180,279,184	134,582,877
143	102A	District Technology/Rural District Technology (Funded in Non-FEFP)	-	441,789,888	100,000,000	17,328,468
	87	Teacher Salaries	-	-	480,020,407	480,000,000
		Total State Grants/K-12 Program/FEFP	9,553,273,823	10,114,261,546	10,709,745,802	10,480,298,041
		State Grants/K-12 Program/Non-FEFP				
147	90	Instructional Materials	760,000	891,493	1,060,000	1,160,000
149	91	Assistance to Low Performing Schools	3,500,000	3,500,000	3,500,000	4,000,000
151	92	Mentoring/Student Assistance Initiatives	11,103,873	10,083,670	11,583,670	15,847,897
154	93	College Reach Out Program	1,000,000	1,000,000	1,000,000	1,000,000
156	95	Florida Diagnostic and Learning Resources Centers	1,982,626	1,982,626	1,982,626	1,982,626
158	96	New World School of the Arts	400,000	400,000	400,000	500,000
160	97	School District Matching Grants Program	2,307,146	4,000,000	6,307,146	4,000,000
163	98	Teacher and School Administrator Death Benefits	18,000	18,000	18,000	18,000
165	99	Risk Management Insurance	626,488	881,820	881,820	881,820
167	100	Autism Program	5,472,967	5,472,967	5,472,967	7,500,000
	101	Regional Education Consortium Services	-	-	1,445,390	1,445,390
169	102	Teacher Professional Development	134,852,957	135,077,957	134,935,244	134,998,244
	102A	Strategic Statewide Initiatives	-	-	-	4,000,000
172	103	School and Instructional Enhancements	4,599,417	4,687,164	2,309,592	8,141,116
177	104	Exceptional Education	3,347,080	3,448,453	3,448,453	5,047,080
180	105	Florida School for the Deaf and the Blind	44,094,809	45,642,397	44,694,374	45,655,946
182	106	Transfer to DMS - HR Services Purchased per Statewide Contract	252,926	263,965	263,965	263,965
	107	Charter School At-Risk	-	-	375,000	-
184	129	Interstate Compact on Educational Opportunity for Military Children (Funded in State Board Expense)	-	62,911	32,000	42,813

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Green Book Page #	Line Item #		TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS
		Total State Grants/K-12 Program/Non-FEFP	214,318,289	217,413,423	219,710,247	236,484,897
		Federal Grants K-12 Program				
189	108	Projects, Contracts and Grants	3,999,420	3,999,420	3,999,420	3,999,420
191	109	Federal Grants and Aids	1,512,712,755	1,512,712,755	1,512,712,755	1,512,712,755
195	110	Domestic Security	5,409,971	5,409,971	5,409,971	5,409,971
197	111	Strategic Education Initiatives	212,741,302	168,619,271	168,619,271	168,619,271
200	112	Partnership for Assessment of Readiness for College and Careers (PARCC)	64,410,773	81,206,849	81,206,849	81,206,849
		Total Federal Grants K-12 Program	1,799,274,221	1,771,948,266	1,771,948,266	1,771,948,266
		Educational Media & Technology Services				
205	113	Capitol Technical Center	1,149,624	149,624	1,995,104	1,995,104
207	114	Public Broadcasting	6,641,871	6,641,871	6,907,749	11,137,905
		Total Educational Media & Technology Services	7,791,495	6,791,495	8,902,853	13,133,009
		Career and Adult Education				
211	115	Performance Based Incentives	4,986,825	18,701,361	18,701,361	4,982,722
213	116	Adult Basic Education Federal Flow-Through Funds	41,552,472	41,552,472	41,552,472	41,552,472
215	10, 117	Workforce Development	369,488,374	355,325,849	339,325,849	348,996,628
	117A	Targeted Career/Technical Education for Industry Certification	-	-	-	22,484,521
219	118	Vocational Formula Funds	72,144,852	72,144,852	72,144,852	72,144,852
	119	Workforce Competitive Grant Program	-	-	16,000,000	-
		Total Career and Adult Education	488,172,523	487,724,534	487,724,534	490,161,195
		Florida Colleges				
	119A	Performance Based Incentives	-	10,500,000	14,000,000	5,000,000
223		Community College Lottery Funds	180,808,060	-	-	-
225	11, 120	Community Colleges Program Fund	870,982,214	1,075,444,866	1,088,119,847	1,100,388,710
229		Program Challenge Grants	-	64,740,077	-	-
231	121	Commission on Community Service	433,182	433,182	433,182	433,182
233	122	Florida Virtual Campus	10,963,647	13,008,647	11,963,647	12,329,843
236	123	Florida's Two Plus Two Public and Private Partnerships	3,000,000	3,000,000	3,000,000	-
	124	Workforce Comp Grant Program	-	-	13,000,000	-
	125	Florida Distinguished Teacher Colleges	-	-	10,000,000	-
	126	Northwest Regional Data Center (NWRDC)	-	50,400	50,400	50,400
		Total Florida Colleges	1,066,187,103	1,167,177,172	1,140,567,076	1,118,202,135

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Green Book Page #	Line Item #		TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS
		State Board of Education				
	127	Positions	1,028.50	1,031.50	1,003.50	1,029.50
241	127	Salaries and Benefits	63,545,003	64,639,519	63,309,450	64,712,947
243	128	Other Personal Services	2,162,445	2,043,445	2,043,445	2,062,445
245	129	Expenses	14,257,586	13,355,414	13,128,774	13,244,816
248	130	Operating Capital Outlay	1,613,168	1,614,168	1,614,168	1,610,168
250	131	Assessment and Evaluation	85,465,695	91,913,962	91,763,962	92,298,317
254	132	Transfer to Division of Administrative Hearings	232,822	232,822	411,928	411,928
256	133	Contracted Services	16,040,407	18,086,545	18,086,545	15,753,926
259		Choices Product Sales	153,426	-	-	-
261	134	Educational Facilities Research and Development Projects	200,000	200,000	200,000	200,000
263	135	Student Financial Assistance Management Information System	259,845	259,845	259,845	259,845
265	136	Risk Management Insurance	575,888	528,595	528,595	528,595
267	137	Transfer to DMS - HR Services Purchased per Statewide Contract	397,916	380,414	379,706	380,414
269	138	Education Technology and Information Services	9,775,894	10,732,838	10,725,656	14,388,852
273	139	Southwood Shared Resource Center	387,405	388,811	388,811	280,422
275	140	Northwest Regional Data Center (NWRDC)	3,918,781	4,607,544	4,607,544	4,029,758
		Total State Board of Education	198,986,281	208,983,922	207,448,429	210,162,433
		Total Department of Education - Operating	14,580,100,924	15,222,242,513	15,768,489,667	15,569,589,281
		Fixed Capital Outlay				
	17	SUS Capital Improvement Fee Project	-	-	70,000,000	70,000,000
	18	Maintenance, Repair, Renovation, and Remodeling	67,586,594	63,611,932	174,204,088	182,706,597
	19	Survey Recommended Needs - Public Schools	4,261,693	4,430,044	4,430,044	2,715,022
	19A	Community College Projects	69,098,805	-	-	41,510,867
	20	State University System Projects	30,901,195	-	100,000,000	57,495,391
	21	Special Facility Construction Account	-	-	24,524,841	7,870,913
	22	Debt Service	1,107,947,400	1,088,058,821	1,083,247,252	1,052,593,280
	1	Classrooms First And 1997 School Capital Outlay Bond Programs - Operating Funds and Debt Service	156,801,400	156,011,800	156,011,800	156,011,746
	23	School District And Community College	28,000,000	28,000,000	28,000,000	28,000,000
	2	Debt Service - Class Size Reduction Lottery Capital Outlay Program	154,482,900	153,806,900	153,806,900	153,806,836
	24C	Non-Public Higher Education Project	8,970,000	-	-	9,000,000

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Green Book Page #	Line Item #		TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS	TOTAL ALL FUNDS
		Community College Facilities Matching	-	25,391,705	-	-
	3	Educational Facilities	9,500,000	9,900,000	9,900,000	6,650,113
	24	Florida School for the Deaf and Blind - Capital Projects	1,651,713	1,444,246	1,444,246	1,222,123
		Liberty County Public School	150,000	-	-	-
	24A	Old Jackson County (Marianna) High School	-	-	-	-
	24B	Calhoun County School Board - Energy Conservation and Safety Enhancement	-	-	-	500,000
		Calhoun County School District - Carr Elementary and Middle School	300,000	-	-	-
		Total Fixed Capital Outlay	1,639,651,700	1,530,655,448	1,805,569,171	1,770,082,888
		Total DOE Operating and Fixed Capital Outlay	16,219,752,624	16,752,897,961	17,574,058,838	17,339,672,169

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SB 1502 **IMPLEMENTING THE GENERAL APPROPRIATIONS ACT**
(Ch. 2013-41, Laws of Florida)

Bill Sponsor: Committee on Appropriations

Effective Date: July 1, 2013 (except as otherwise provided)

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations 850- 245-0406

Executive Summary:

The bill provides the statutory authority necessary to implement and execute the General Appropriations Act (GAA) for the 2013-14 Fiscal Year (FY). The statutory changes are effective for only one year and expire on July 1, 2014. Only those sections of the bill that apply directly to education programs under the jurisdiction of the Commissioner of Education (commissioner) and the State Board of Education (SBE) or to all state functions are included in the section summary below.

Section 2:

To implement Specific Appropriations 7, 8, 9, 87, and 88 of the 2013-14 GAA:

- Incorporates the Florida Education Finance Program (FEFP) work papers by reference for the purpose of displaying the calculations used by the legislature.

Section 3:

To implement Specific Appropriations 7 and 87 of the 2013-14 GAA:

- Requires funds for instructional materials to be released and expended as required in the proviso language attached to Specific Appropriation 87.

Section 4:

To implement Specific Appropriation 102A of the 2013-14 GAA:

- Incorporates the Public School Funding District Bandwidth Support work papers by reference for the purpose of displaying the calculations used by the legislature.

Section 5:

To implement Specific Appropriation 19 of the 2013-14 GAA:

- Amends s. 1002.32, F.S., Developmental research (laboratory) schools, to require fixed capital outlay funds to be divided based on Full-time Equivalent (FTE) student membership, rather than the local discretionary millage and taxable value as provided in current law.

Section 15:

To implement appropriations in the 2013-14 GAA used for the payments of existing lease contracts for private lease space:

- Requires the Department of Management Services (DMS) and state agencies to use tenant broker services to renegotiate or reprocure all existing private lease agreements for office or storage space (in excess of 2,000 square feet) expiring between July 1, 2014, and June 30, 2016, in order to achieve a reduction in costs in future years.

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Section 35:

To implement the appropriation of funds in the contracted services and expenses categories of the 2013-14 GAA:

- Prohibits state agencies from initiating a competitive solicitation for a product or service if the completion of such competitive solicitation would require a change in law or require a change to the agency's budget other than a transfer authorized in S. 216.292(2) or (3), F.S., unless the initiation of such competitive solicitation is specifically authorized in law, in the GAA, or by the Legislative Budget Commission.

Section 36:

To implement the appropriation of funds in the "Special Categories-Risk Management Insurance" appropriation category in the 2013-14 GAA:

- Authorizes the Executive Office of the Governor (EOG) to transfer funds appropriated for the payment of risk management insurance premiums between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of S. 216.177, F.S.

Section 37:

To implement the appropriation of funds in the "Special Categories-Transfer to DMS-Human Resources Services Purchased per Statewide Contract" appropriation category in the 2013-14 GAA:

- Authorizes EOG to transfer funds appropriated for the payment of human resource management assessments between departments. The amendment to the approved operating budget is subject to the notice and objection procedures of S. 216.177, F.S.

Section 38:

To implement appropriations for salaries and benefits in the 2013-14 GAA:

- Amends s. 110.123, F.S., State group insurance program, to extend through the 2013-14 fiscal year the state's monthly contribution for health savings accounts for state employees. For employees having individual coverage, the monthly contribution is \$41.66, and the monthly contribution for employees having family coverage is \$83.33.

Section 46:

To implement appropriations in the 2013-14 GAA for state employee travel:

- Requires travel to be limited to activities that are critical to each state agency's mission; prohibits funds from being used to travel to foreign countries, other states, conferences, staff-training or other administrative functions unless the agency head approves such travel in writing; and requires agency heads to consider the use of teleconferencing and electronic communication to meet the needs of the proposed activity before approving travel; and
- Provides exceptions for law enforcement, military, emergency management, and public health activities.

Section 49:

To implement appropriations in the 2013-14 GAA for data center services scheduled for consolidation in 2013-14 FY:

- Authorizes consolidating agencies to request the transfer of resources between data processing services, appropriation categories, and operating appropriation categories based upon changes to the data center consolidation schedule.

Section 50:

To implement appropriations in the 2013-14 GAA for the designated primary data centers:

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- Authorizes EOG to transfer funds appropriated for the primary data centers in the data processing appropriation categories between agencies in order to align the budget authority with the utilization rate of each department.

Section 51:

To implement appropriations in the 2013-14 GAA for data center services:

- Notwithstanding S. 216.292(2)(a), F.S., Appropriations nontransferable; exceptions, to prohibit agencies from transferring funds from a data processing appropriation category to a category other than another data processing appropriation category, except as authorized in sections 49 and 50 of Senate Bill 1502.

Section 52:

To implement Specific Appropriation 2825 of the 2013-14 GAA:

- Authorizes EOG to transfer funds appropriated in the expenses appropriation category between agencies in order to allocate a reduction relating to SUNCOM Services.

Sections 53 and 54:

To implement section 8 of the 2013-14 GAA:

- Amends s. 110.12315, F.S., Prescription drug program, to modify copayments consistent with decisions made in the GAA and to authorize DMS to implement a 90-day supply limit program for certain maintenance drugs if the department determines it to be in the best financial interest of the state.

Section 55 :

- Specifies that no section shall take effect if the appropriations or proviso to which it relates are vetoed.

Section 56:

- Specifies that a permanent change made by another law to any of the same statutes amended by this bill will take precedence over the provision in this bill.

Section 57 :

- Provides a severability clause.

Section 58 :

- Provides an effective date of July 1, 2013, except as otherwise expressly provided in the bill.

General Implementation Timeline:

July 1, 2013 The act becomes effective; or, if the act fails to become a law until after that date, it shall take effect upon becoming a law and operate retroactively to July 1, 2013.

July 1, 2014 Statutory changes made by the bill expire.

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SB 1514 EDUCATION
(Ch. 2013-45, Laws of Florida)

Bill Sponsor: Committee on Appropriations

Effective Date: July 1, 2013 (except as otherwise provided in the bill)

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

Amends statutory laws to align policies with funding authorized in the General Appropriations Act (GAA) for Fiscal Year 2013-14.

Section 1:

Amends s. 288.8175, F.S., Linkage institutes between postsecondary institutions in this state and foreign countries, to:

- Rename Brevard Community College as Eastern Florida State College.

Section 2:

Amends s. 1000.21, F.S., Systemwide definitions, to:

- Rename Brevard Community College as Eastern Florida State College.

Section 3:

Repeals s. 1001.27, F.S., State satellite network.

Section 4:

Amends s. 1001.28, F.S., Distance learning duties, to:

- Repeal the requirement for the Florida Department of Education (FDOE) to manage the state's satellite transponder resources and delete provisions regarding transponder revenues.

Section 5:

Amends s. 1001.281, F.S., Operating Trust Fund, to:

- Eliminate references to transponder revenues and add high school equivalency exam fees as a revenue source for the fund.

Section 6:

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

- Eliminate the requirement that districts must provide access to courses through the Florida Virtual School (FLVS);
- Requires school districts to provide access to and accept credit from courses offered through virtual instruction programs, as well as courses offered by FLVS; and
- Repeal the requirement to offer access to virtual instruction after normal hours and during the summer.

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Section 7:

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

- Revise eligibility criteria for the College-Preparatory Boarding Academy Pilot Program and authorize the academy to receive federal funds; and
- Authorize the academy to partner with the Department of Children and Families (DCF) to admit a designated number of students from the Child Welfare Waiver Demonstration project.

Section 8:

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

- Delete language providing that Full-time Equivalent (FTE) in excess of those required for high school graduation are not eligible for funding;
- Provide funding for home education students completing courses through FLVS if the parent verifies that the student is registered with the school district upon enrollment in the course; based on course completions in the same fashion as students in s. 1002.37, F.S.;
- Delay the implementation of performance-based funding for courses that require passage of end-of-course (EOC) assessments to 2016-17;
- Prohibit EOC funding adjustments for students who enroll in a segmented remedial course delivered online;
- Provide that courses delivered by the FLVS on a public school campus may only be reported by the school district in which the student is enrolled;
- Clarify that the maximum value for funding a student in K-12 or in a Pre-K program for exceptional children is 1.0 FTE for a school year or equivalent. Provides a proration methodology for students earning greater than 1.0 FTE, so that the student's total FTE membership is equal to 1.0;
- Create the Florida Virtual School Global (FLVS Global) for operations of the FLVS occurring outside the state of Florida and add reporting requirements relating to the FLVS Global; and
- Clarify that the maximum value for funding a student is 1.0 FTE for a school year or equivalent.

Section 9:

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

- Clarify that a school district is able to provide part-time virtual instruction for K-12 students in all courses;
- Clarify that a school district can report instruction in virtual education courses that extend into the summer for students who did not complete the course by the end of the regular school year as long as the FTE is reported prior to the deadline for final amendments to enrollment for that year;
- Revise the requirements for approval of virtual instruction program providers;
- Virtual Instruction Program (VIP) providers will be required to post contact and other information for parents and students to include specific information online related to how students and parents can contact course instructors, technical support and administrative services, and when and how these services and staff are available. It also requires a minimum monthly contact between the teacher and student and the teacher and parent;
- Providers without sufficient prior successful experience in offering online courses will have the opportunity to apply to receive a conditional approval from FDOE to offer online courses that are measured by state assessments. The conditional approval is for one school year only, and achievement results from that year will be used to determine eligibility to become an approved virtual program provider;
- Clarify the requirements for reporting and funding FTE students who are enrolled in a VIP and limit all FTE to a maximum of 1.0;
- Delay the implementation of performance-based funding for courses that require passage of EOC assessments to 2016-17.

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- Prohibit funding adjustments for students who enroll in a segmented remedial course delivered online; and
- Provide a prorated methodology for students earning greater than 1.0 FTE, so that the student's total full-time equivalent membership is equal to 1.0.

Section 10:

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

- Require FDOE to add an element for identifying blended learning courses;
- Clarify that a school district can report instruction in virtual education courses that extend into the summer for students who did not complete the course by the end of the regular school year as long as the FTE is reported prior to the deadline for final amendments to enrollment for that year;
- Remove all restrictions for students taking virtual courses across district lines. Allows eligible students to be able to take online courses offered by other school districts whether or not their district offered the course;
- Clarify that funding for school district virtual course FTE is limited to 1.0; and
- Prohibit a school district from requiring a public school student to take an online course outside the school day that is in addition to the student's courses for a given term or on school grounds.

Section 11:

Amends s. 1006.29, F.S., State instructional materials reviewers, to:

- Require FDOE to publish, by October 1, 2013, minimum and recommended technology requirements to ensure students can access all electronic and digital instructional materials.

Section 12:

Amends s. 1006.73, F.S., Florida Virtual Campus, to:

- Revise the primary purposes of the Florida Virtual Campus (FLVC);
- Require data center services to be provided by Northwest Regional Data Center by January 31, 2014;
- Provide additional requirements for the distance learning course catalog; and
- Require development of a plan to describe services and resources of FLVC.

Section 13:

Amends s. 1007.271, F.S., Dual enrollment programs, to:

- Require the inclusion of dual enrollment FTE in the limit of 1.0 FTE per student;
- Prohibit Florida colleges from limiting dual enrollment participation based upon capacity;
- Require school districts to pay the standard tuition rate per credit hour from Florida Education Finance Program (FEFP) funds to the institution providing instruction taking place on the postsecondary campus;
- Provide funding requirements for instruction occurring on high school campuses; and
- Prohibit a school district from denying a student access to dual enrollment unless the student is ineligible to participate.

Section 14:

Amends s. 1009.24, F.S., State university student fees, to:

- Change the submission date for the Tuition Differential Fee Report from January 1, to February 1, of each year and submit to the legislature and Governor.

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Section 15:

Repeals s. 1010.79, F.S., Sophomore Level Test Trust Fund.

Section 16:

The bill provides for the transfer of funds and payment of outstanding obligations from the Sophomore Level Test Trust Fund.

Section 17:

Amends s. 1010.81, F.S., Knott Data Center Working Capital Trust Fund, to:

- Rename the Knott Data Center Working Capital Trust Fund as the Education Working Capital Trust Fund and require FDOE to administer the fund; and
- Specify the revenue sources and require funds received to be used to fund the services of FDOE technology office.

Section 18:

Amends s. 1011.61, F.S., Definitions, to:

- Require Special Program FTE to be reported and calculated prior to Basic Program FTE for funding purposes;
- Delay implementation of performance-based funding for courses that require passage of EOC assessments to 2016-17;
- Prohibit funding adjustments for students who enroll in a segmented remedial course delivered online.
- Add VIP and virtual charter schools to the list of membership programs scheduled to operate more than 180 days for the purpose of course completion and credit recovery;
- Require that students reported for course completion must complete such courses prior to the deadline for final amendments to enrollment for that year;
- Limit enrollment for credit recovery to students who unsuccessfully complete a traditional or virtual education course during the regular school year and must re-take the course to graduate on time;
- Revise provisions for calculating the maximum value for funding a student; and
- Describe the process for FDOE to prorate the FTE back to a maximum of 1.0 FTE.

Section 19:

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

- Extend through 2014-15 the requirement for school districts with one or more of the 100 lowest-performing elementary schools, based on the state reading assessment, to use supplemental Academic Instruction and Research-Based Reading Instruction funds to provide an additional hour of instruction beyond the normal school day for intensive reading instruction; and
- Revise provisions for calculating the maximum value for funding a dual enrollment student.

Section 20:

Creates s. 1011.622, F.S., Adjustments for students without a common student identifier, to:

- Require a common student identifier to be reported with student records in order to generate FEFP funding.

Section 21:

Amends s. 1012.885, F.S., Remuneration of Florida College System institution presidents, to:

- Eliminate the June 30, 2013, sunset date for the \$200,000 limitation on remuneration of college presidents from appropriated state funds.

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Section 22:

Amends s. 1012.886, F.S., Remuneration of Florida College System institution administrative employees, to:

- Eliminate the June 30, 2013, sunset date for the \$200,000 limitation on remuneration of college administrative employees from appropriated state funds.

Section 23:

Amends s. 1012.975, F.S., Remuneration of State University presidents, to:

- Eliminate the June 30, 2013, sunset date for the \$200,000 limitation on remuneration of university presidents from public funds.

Section 24:

Amends s. 1012.976, F.S., Remuneration of State University administrative employees, to:

- Eliminate the June 30, 2013, sunset date for the \$200,000 limitation on remuneration of university administrative employees from appropriated state funds.

Section 25:

- The bill approves, in lieu of Legislative Budget Commission approval, the 2012-13 Class Size Reduction alternate calculation authorized by s. 1003.03(4), F.S., and directs the commissioner to modify payments to districts for 2012-13 FY.

Section 26:

- The bill overrides the proviso following Specific Appropriation 87 in Senate Bill 1500 (2013-14 GAA) to allow a district school board or charter school board to distribute salary increases before June 2014, in conformance with the proviso requirements or board-approved evaluation plan, and as negotiated with collective bargaining units and educators, as appropriate.

Section 27:

- For the 2013-14 FY, the bill authorizes a state university to enter into a local development agreement with an affected local government to identify specific construction projects for purposes of negotiating mitigation, notwithstanding SS. 1013.30 and 1013.51, F.S.

Section 28:

- For the 2013-14 and 2014-15 FY, the bill authorizes a university board of trustees to expend reserve or carry forward balances from previous years' operational and programmatic appropriations for deferred maintenance of the Donald L. Tucker Civic Center.

Section 29:

- The bill overrides the proviso following Specific Appropriation 102A in Senate Bill 1500 (2013-14 GAA) to require the school district allocations for Technology Transformation Grants for Rural School Districts to be recalculated by the Commissioner of Education and replicated by the FEFP Appropriation Allocation Conference no later than July 15, 2013. The bill requires the revised allocations to be based on unweighted FTE for districts and lab schools receiving funds in Specific Appropriation 102A, plus any other member school district of a regional consortium as of April 30, 2013.

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Section 30:

- The bill provides an effective date of July 1, 2013, unless otherwise provided in the bill.

General Implementation Timeline:

July 1, 2013	The act becomes effective.
July 15, 2013	The allocations for Technology Transformation Grants for Rural School Districts must be recalculated by the Commissioner of Education and replicated by the FEFP Appropriation Allocation Conference (section 29).
October 1, 2013	FDOE publishes the minimum and recommended technology requirements (section 11).
January 31, 2014	The Northwest Regional Data Center must provide all data center services for the FLVC (section 12).
February 1, 2014	The BOG submits the tuition differential fee report to the legislature and Governor (section 14).

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SB 1594 GUARANTEED ENERGY, WATER, AND WASTEWATER PERFORMANCE SAVINGS CONTRACTING ACT
(Ch. 2013-135, Laws of Florida)

Bill Sponsor: Senator Bradley

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

Amends s. 489.145, F.S., the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act." As amended, the act authorizes education entities to enter into guaranteed energy, water, and wastewater performance savings contracts.

Section1:

Amends s. 489.145(3), F.S., Guaranteed energy, water, and wastewater performance savings contracting, to:

- Include county school districts and institutions of higher education, including all state universities, colleges, and technical colleges, in the definition of "agency";
- Substantially revise the definition of "energy, water, and wastewater efficiency and conservation measure" (conservation measure) to mean a training program incidental to the contract, facility alteration, or equipment purchase to be used in a building retrofit, addition, or renovation or in new construction that reduces energy or water consumption, wastewater production, or energy-related operating costs and includes, but is not limited to, any of the following:
 - Installing or modifying any of the following:
 - Insulation of the facility structure and systems within the facility;
 - Window and door systems that reduce energy consumption or operating costs, such as storm windows and doors, caulking or weatherstripping, multiglazed windows and doors, heat-absorbing or heat-reflective glazed and coated window and door systems, additional glazing, and reductions in glass area;
 - Automatic energy control systems;
 - Energy recovery systems;
 - Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a facility or complex of facilities;
 - Renewable energy systems;
 - Devices that reduce water consumption or sewer charges;
 - Energy storage systems, such as fuel cells and thermal storage;
 - Energy-generating technologies;
 - Automated, electronic, or remotely controlled technologies, systems, or measures that reduce utility or operating costs;
 - Software-based systems that reduce facility management or other facility operating costs; or
 - Energy information and control systems that monitor consumption, redirect systems to optimal energy sources, and manage energy-using equipment.

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- Installing, replacing, or modifying any of the following:
 - Heating, ventilating, or air-conditioning systems;
 - Lighting fixtures;
 - Implementing a program to reduce energy costs through rate adjustments, load shifting to reduce peak demand, demand response programs, changes to more favorable rate schedules, or auditing utility billing and metering;
 - An improvement that reduces solid waste and associated removal costs;
 - Meter replacement, installation, or modification; installation of an automated meter reading system; or other construction, modification, installation, or remodeling of water, electric, gas, fuel, communication, or other supplied utility system;
 - Any other energy conservation measure that reduces British thermal units, kilowatts, or kilowatt hours; that reduces fuel or water consumption in the building or waste water production; or that reduces operating costs or provides long-term cost reductions;
 - Any other repair, replacement, or upgrade of existing equipment that produces measurable savings, or any other construction, modification, installation, or remodeling that is approved by an agency and that is within the legislative authority granted the agency, such as an energy conservation measure; or
 - Any other measure not otherwise defined in Chapter 489, F.S., which is designed to reduce utility consumption, reduce wastewater costs, enhance revenue, avoid capital costs, or achieve similar efficiency gains for an agency or other governmental unit.
- Revise the definition of “energy, water, or wastewater cost savings” to include stipulated operation and maintenance savings; improvements in supplied utility systems, including without limitation revenue enhancements or reduction in net operating costs resulting from increased meter accuracy or performance; and identified capital savings created from the implementation of conservation measures;
- Make clarifying revisions to contracting procedures and required contract provisions, including a new provision to permit contracts to include a facility alteration that is necessary to properly implement conservation measures that are supervised by the contractor; and
- Revise requirements for program administration and contract review to specify that review of performance savings contracts by the Chief Financial Officer shall be completed in 10 business days and to require that contracts be supported by an investment-grade audit certified by the Department of Management Services, which states that the cost savings are appropriate and sufficient for the term of the contract.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 1664 EDUCATION
(Ch. 2013-185, Laws of Florida)

Bill Sponsor: Senator Legg

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509

Executive Summary:

Section 1:

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

- Require each state-approved teacher preparation program to include the following in its uniform core curricula: Florida Educator Accomplished Practices, state-adopted student content standards, reading instruction, content literacy and mathematical practices, strategies for instruction of English language learners, strategies for instruction of students with disabilities, and school safety;
- Require each candidate to be instructed and assessed on the uniform core curriculum in his or her program concentration;
- Require each candidate to demonstrate his or her ability to positively impact student learning growth in his or her program concentration during a PreK-12 field experience prior to program completion;
- Require that all portions of the Florida Teacher Certification Examination needed for a professional certificate in the area of program concentration be passed prior to program completion;
- Require institutions and their programs to provide evidence that they have the capacity to meet requirements for continued approval as a condition of initial approval;
- Require candidates to demonstrate sufficient mastery of general knowledge as a prerequisite for admission into the undergraduate program, and a baccalaureate degree from an accredited institution for admission into graduate level programs;
- Specify that institutions shall annually report to the Florida Department of Education (FDOE) the status of each candidate who was admitted into the program under a waiver of admission requirements;
- Revise the criteria for continued approval of programs to be based upon specified measures of program and program completer performance;
- Include in the State Board of Education's (SBE) authorization to adopt rules for continued approval of teacher preparation programs the program review process, timelines, and performance level targets for each of the continued approval criteria;
- Authorize the Commissioner of Education (commissioner) to determine continued approval of programs based upon data collected and rules of the SBE;
- Require each institutional program evaluation plan to include data from the criteria for continued approval of programs and how the institution addresses continuous program improvement;
- Modify the requirement that each teacher preparation program provide additional training to a program completer that is employed in a Florida public school during the two-year period immediately following completion of the program or following initial certification, whichever occurs first, to be based upon that

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candidate earning a developing or unsatisfactory rating on his or her evaluation and if the training is requested by the employing school district or charter school;

- Specify the information that must be annually reported by the institutions on their programs to the state and general public;
- Modify the content of the report that FDOE provides each January 1 to the Governor, President of the Senate, Speaker of the House of Representatives, SBE, Board of Governors (BOG), commissioner, each Florida postsecondary teacher preparation program, each district school superintendent, and the public, to include the results of the annual progress on the performance measures and current approval status for each approved program;
- Specify the qualifications that instructors in postsecondary teacher preparation programs must have who instruct or supervise preservice field experience courses or internships where candidates demonstrate impact on student learning growth;
- Specify the qualifications that district and instructional personnel must have in order to supervise or direct teacher preparation students during field experience courses or internships;
- Specify the content of program candidates' field experiences in preservice field experiences to include experiences with a diverse population of students in a variety of settings; and
- Provide factors to be considered when determining the selection of school sites for preservice field experience activities.

Section 2:

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

- Expand the types of entities that can apply to offer an "educator preparation institute" as used in this section to include qualified private providers.
- Allow private providers, with evidence of delivering high-quality teacher preparation, to offer competency-based certification programs.
- Provide criteria for FDOE approval of an institute's competency-based certification program.
- Require that program participants receive instruction and assessment in the following:
 - Florida Educator Accomplished Practices
 - State-adopted student content standards
 - Scientifically-researched reading instruction
 - Content literacy and mathematical practices
 - Strategies appropriate for instruction of English language learners
 - Strategies appropriate for instruction of students with disabilities
 - School safety
- Require an educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification;
- Require field experiences appropriate to the certification subject specified in the educational plan with a diverse population of students in a variety of settings;
- Modify the requirements that program participants must satisfy prior to completion of the competency-based certification program, including fully demonstrating his or her ability to teach the subject area for which he or she is seeking certification, to include documenting a positive impact on student learning growth in a PreK-12 setting, and achieving passing scores on the basic skills examination and subject area examination for the area of certification, in addition to a passing score on the professional education competency examination;
- Specify that continued approval of each institute's competency-based certification program be based upon specified measures of program and program completer performance;

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- Specify the qualifications that instructors and supervisors of field experiences must possess for an institute's competency-based certification programs; and Include in the SBE's authority to adopt rules the performance targets for the measures used for continued approval of competency-based certification programs offered by educator preparation institutes.

Section 3:

The bill clarifies provisions to be used for S. 1012.22, F.S., Public school personnel; powers and duties of the district school board and S. 1012.34, F.S., Personnel evaluation procedures and criteria, to:

- Require at least 50 percent of a classroom teacher's or school administrator's performance evaluation for student learning growth or achievement to be based upon the teacher's students, or for a school administrator, the students attending that school. If less than three years of student performance data are available, at least 40 percent must be used in the performance evaluation. The remaining portion shall be based upon factors identified in state-approved, district-determined evaluation system plans;
- Specify that student achievement measures for courses associated with statewide assessments may be used only if a statewide growth formula has not been approved for that assessment or, for courses associated with district assessments, if achievement is demonstrated to be a more appropriate measure of teacher performance;
- Specify that non-classroom instructional personnel's student performance data shall be based upon student outcome data that reflect the actual contribution of such personnel to the performance of students assigned to the individual in the individual's areas of responsibility; and
- Require that the student assessment data used in performance evaluations to determine performance salary schedules be based upon statewide assessments or district-determined assessments as required in S. 1008.22(8), F.S., in the subject areas taught.

Section 4:

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

- Require each school district to establish schedules for the administration of any district-mandated assessment, approve the schedules as an agenda item at a district school board meeting, publish the testing schedules on its website, and report the schedules to FDOE by October 1 of each year.

Section 5:

Amends s. 1012.05, F.S., Teacher recruitment and retention, to:

- Conform language with other changes in law to change the Florida Teachers Classroom Supply Assistance Program, to the Florida Teachers Lead Program.

Section 6:

Amends s. 1012.32, F.S., Qualifications of personnel, to:

- Correct statute citations for individuals participating in field experiences that need background screening based upon the new bill language.

Section 7:

Amends s. 1012.55, F.S., Positions for which certificates required, to:

- Authorize SBE to adopt rules to allow an individual to qualify for a temporary certificate in educational leadership if the following criteria have been met:

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- Passing score on the Florida Educational Leadership Examination.
- Three years of successful executive management or leadership experience. and
- Bachelor's or higher degree from an accredited institution of higher learning.
- A person operating under a temporary certificate must be under the mentorship of a state-certified school administrator during the term of the temporary certificate.

Section 8:

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

- Allow SBE to adopt rules to provide for the acceptance of college course credits recommended by the American Council for Education (ACE) to satisfy specific certification requirements shown on an official ACE transcript;
- Specify that each school district may provide a competency-based professional development certification program;
- Specify the qualifications of experienced peer mentors in a district's professional development certification program;
- Require that the district's professional development certification program be aligned to its personnel evaluation system;
- Require that the professional content knowledge of each participant include:
 - The Florida Educator Accomplished Practices.
 - The state-adopted student content standards
 - Data indicators for monitoring student progress.
 - Content literacy and mathematical practices.
 - Methodologies appropriate for instruction of English language learners for subjects identified on the temporary certificate.
 - Strategies appropriate for instruction of students with disabilities.
 - Strategies for teachers in assuring a safe learning environment for students.
- Require passing scores on subject area and professional education competency examinations as well as mastery of general knowledge for a district competency-based professional development certification program;
- Specify that the review of each district's programs demonstrating mastery of professional education competence will be conducted by FDOE as part of the district's professional development system review conducted under S. 1012.98, F.S.;
- Specify that the commissioner will determine continued approval of district's professional development certification program based upon specified measures of program and program completer performance;
- Authorize FDOE to provide procedures for review of Florida Teacher Certification Examination questions incorrectly answered by applicants who fail an examination developed by FDOE or an entity under contract with FDOE; and
- Authorize SBE to establish a score range for applicants who fail their examination to be entitled to an examination review or to challenge the validity of the examination.

Section 9:

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

- Correct statute citations for individuals participating in field experiences that need background screening based upon the new bill language.

Section 10:

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Amends s. 1012.71, F.S., The Florida Teachers Lead Program, to:

- Change the name of the program to the Florida Teachers Classroom Supply Assistance Program;
- Require specific identifier on the front of a debit card, if that is the method used to distribute funds;
- Encourage FDOE and district school boards to enter into public-private partnerships in order to generate more funds for the assistance program; and
- Require that local contributions be added to the funds allocated by the state when calculating each teacher's proportionate share.

Section 11:

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

- Specify that each school principal may establish and maintain an individual professional development plan for each instructional employee assigned to the school.

General Implementation Timeline:

July 1, 2013	The act becomes effective.
January 1 of each year	FDOE shall report the results of each approved program's annual progress on the performance measures and the current approval status of each program to the Governor, President of the Senate, Speaker of the House of Representatives, SBE, BOG, commissioner, each Florida postsecondary teacher preparation program, each district school superintendent, and the public.
October 1 of each year	Each school district shall establish schedules for the administration of any district-mandated assessment, approve the schedules as an agenda item at a district school board meeting, publish the testing schedules on its website and report the schedules to FDOE.
Annually	Each teacher preparation program must report to FDOE the status of each candidate admitted to the program that had admission requirements waived.

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SB 1720 EDUCATION
(Ch. 2013-51, Laws of Florida)

Bill Sponsor: Senator Galvano

Effective Date: July 1, 2013

FDOE Contact: Randy Hanna, Chancellor, Division of Florida Colleges 850- 245-0407

Executive Summary:

The bill provides for the following:

- Requires Florida College System (FCS) institutions to implement a developmental education plan no later than fall 2014 and to make annual accountability reports on developmental education beginning in 2015; specifies which students are not required to be tested or to enroll in developmental education and requires colleges to provide students with developmental education options including in-course tutoring. Allows students to elect to take developmental education testing and instruction;
- Reinstates the general education credit hour requirement to 36 semester hours from the proposed 30 hours and extends implementation of the revised core course requirements for one year, from 2014-15 to 2015-16.
- Creates a new Office of K-20 Articulation in the Florida Department of Education (FDOE) to support the work of the Higher Education Coordinating Council and revises membership and duties of the council;
- Provides rule making authority regarding penalties for not reporting child abuse at postsecondary institutions;
- Increases the cap on the number of fee exemptions FCS institutions may grant.
- Authorizes FCS institutions to establish a differential out-of-state fee for non-resident distance learners;
- Revises actions to be taken by the Legislative Auditing Committee relating to audits of state universities and FCS institutions; and
- Requires educational entities within the state to coordinate with the State Board of Education (SBE) on data reporting.

General Implementation Timeline :

October 31, 2013	SBE rule to establish testing and developmental education exemption for students who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma and active duty military.
December 31, 2013	SBE rule to establish meta-majors and academic pathways.
March 1, 2014	Each FCS institution to submit a developmental education plan to the Chancellor for approval.

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Fall 2014

All FCS institutions to implement developmental education plan.

October 31, 2015

All FCS institutions to submit to the Chancellor an annual accountability report.

December 31, 2015

Chancellor to submit compiled annual accountability report to the Governor, President of the Senate, Speaker of the House of Representatives and SBE.

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SB 1802 STATE EMPLOYEE HEALTH INSURANCE
(Ch. 2013-52, Laws of Florida)

Bill Sponsor: Governmental Oversight and Accountability Committee

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations 850- 245-0406

Executive Summary:

This bill expands the group of employees eligible to participate in the State Employee Health Insurance Program. Under current law, no employee paid from other-personal-services (OPS) funds is eligible regardless of the number of hours worked. This bill allows any state employee working an average of 30 or more hours per week to be eligible for health insurance coverage and premium subsidies. The proration of the state premium contribution will apply only to permanent employees working less than 30 hours per week on average. Agencies participating in the program will be required to submit certain information relating to the employees paid from OPS funds to ensure compliance with federal law.

The bill continues the current level of contributions into health savings accounts for employees participating in the high deductible health insurance plans under the State Employee Health Insurance Program. The state can continue to contribute at the current levels (\$500 for individual coverage and \$1,000 for family coverage) for Fiscal Year (FY) 2013-14. Beginning in FY 2014-15, the amount of the contributions by the state will be established in the annual general appropriations act.

SB 1802 also modifies the state prescription drug program by repealing expiration dates on the current provisions and will continue without modification.

Section 1

Amends s. 110.123, F.S., State group insurance program, to:

- Redefine the terms “full-time state employees” and “part-time state employees” so that:
 - Persons paid from OPS funds and working, or expected to be working, an average of 30 or more hours per week will be eligible to participate in the State Group Health Insurance Program; and
 - Permanent employees who work an average of 30 or more hours per week will not have to pay a portion of the state health insurance premium otherwise paid by the employer.
- Extend authority for the state to continue to contribute to participants’ health savings accounts.
 - Beginning in FY 2014-15, the amount to be contributed by the state will be set in the annual General Appropriations Act.
- Require that employers participating in the program to submit certain information relating to employees paid from other-personal-services funds to ensure compliance with federal law.

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Section 2:

Amends s. 110.131, F.S., Other-personal-services employment, to:

- Authorize certain OPS employees to participate in the state group insurance program.

Section 3:

- Allows the Department of Management Services to adopt emergency rules to modify the eligibility requirements of persons paid from OPS funds, which are limited to compliance with the coverage requirements of the Patient Protection and Affordable Care Act as amended by the Health Care and Education Reconciliation Act of 2010.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 1810 **FLORIDA RETIREMENT SYSTEM**
(Ch. 2013-53, Laws of Florida)

Bill Sponsor: Governmental Oversight and Accountability Committee

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations 850- 245-0406

Executive Summary:

This bill establishes the contribution rates paid by employers participating in the Florida Retirement System (FRS) and increases the contributions paid by employers participating in the retiree health insurance subsidy program.

Section 1:

Amends s. 112.363, F.S., Retiree health insurance subsidy, to:

- Increase the employer paid contribution to the Retiree Health Insurance Trust Fund from 1.11 percent of gross compensation to 1.20 percent of gross compensation for each member of the FRS, beginning July 1, 2013.

Section 2:

Amends s. 121.052, F.S., Membership class of elected officers, to:

- Increase the employer paid contribution to the Retiree Health Insurance Trust Fund from 1.11 percent of gross compensation to 1.20 percent of gross compensation for each member of the Elected Officers' Class of FRS, beginning July 1, 2013.

Section 3:

Amends s. 121.055, Senior Management Service Class, F.S., to:

- Increase the employer paid contribution to the Retiree Health Insurance Trust Fund from 1.11 percent of gross compensation to 1.20 percent of gross compensation for each member of the Senior Management Service Class of FRS, beginning July 1, 2013.

Section 4:

Amends s. 121.071, F.S., Contributions, to:

- Increase the employer paid contribution to the Retiree Health Insurance Trust Fund from 1.11 percent of gross compensation to 1.20 percent of gross compensation for each member of the Regular, Special Risk and Special Risk Administrative Support classes of the FRS, beginning July 1, 2013.

Section 5:

Amends s. 121.71, F.S., Uniform rates; process; calculations; levy to:

- Set employer paid contributions to the Florida Retirement System Trust Fund for each member of the FRS.

Sections 6 and 7 provide:

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- Findings that the bill fulfills important state interests.

General Implementation Timeline:

July 1, 2013 The act becomes effective.

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SB 1830 **AD VALOREM PROPERTY TAXES**
(Ch. 2013-72, Laws of Florida)

Bill Sponsor: Committee on Appropriations

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

Senate Bill 1830 contains several changes to statutes related to ad valorem taxation. It amends provisions in Chapter 192, F.S., related to the general provisions for ad valorem property taxes and provisions in Chapter 193, F.S., related to assessments for ad valorem property tax purposes. While the Department of Revenue is the responsible state agency for tax administration, the Florida Department of Education is a user of ad valorem tax information that is included in the calculation of the Florida Education Finance Program (FEFP) and related programs that use property tax information. The bill:

- Clarifies that a commercial mail delivery service postmark qualifies for the filing of certain applications and returns by taxpayers;
- Authorizes the use of electronic mail by property appraisers and value adjustment boards for certain documents with taxpayer consent;
- Requires notices related to tax roll certification to be provided on property appraiser websites;
- Provides long-term lessees the ability to retain their homestead exemption and related assessment limitations and exemptions in certain instances;
- Inserts the term “algaculture” in the definition of “agricultural purposes.”
- Inserts the term “aquacultural crops” in the provision specifying the valuation of certain annual agricultural crops, nonbearing fruit trees, and nursery stock;
- Allows for an automatic renewal for assessment reductions related to certain additions to homestead properties if used as living quarters for a parent or grandparent, and aligns related appeal and penalty provisions to those for homestead exemptions;
- Deletes a statutory requirement that the owner of a property must reside upon the property to qualify for a homestead exemption, consistent with a recent Florida Supreme Court decision;
- Clarifies the property tax exemptions counties and cities may provide for certain low-income persons aged 65 and older;
- Removes a residency requirement that a senior disabled veteran must have been a Florida resident at the time he or she entered the service to qualify for certain property tax exemptions, which is consistent with a constitutional amendment to remove this residency requirement approved in November 2012;
- Repeals the ability for certain limited liability partnerships to qualify for the affordable housing property tax exemption;
- Exempts property used exclusively for educational purposes when the entities that own the property and the educational facility are owned by the same natural persons; and

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- Removes school taxes from the taxes required to be transferred from Martin County to St. Lucie County under a 2012 law that amended the boundaries of St. Lucie and Martin Counties.

The Revenue Estimating Conference has estimated impacts of three provisions in the bill that are expected to have a revenue impact on local government. The provision relating to property used for educational purposes would have a recurring negative impact of -\$0.1 million beginning in FY 2014-15. The provision relating to affordable housing would have a positive impact in FY 2013-14 of \$23.4 million (\$117.2 million recurring). The provisions relating to living quarters for a parent or a grandparent are expected to have a positive insignificant impact.

General Implementation Timeline:

July 1, 2013 The bill becomes effective.

Florida Department of **EDUCATION**

HB 5401 **TRANSPARENCY IN GOVERNMENT SPENDING**
(Ch. 2013-54, Laws of Florida)

Bill Sponsor: Government Operations Appropriations Subcommittee

Effective Date: July 1, 2013

FDOE Contact: Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

House Bill 5401 Amends s. 215.985, F.S., which is known as the Transparency Florida Act. The Transparency Florida Act requires specified government fiscal and contract information to be made publicly available via a state website or management system. As amended by this bill, the Transparency Florida Act will require:

- The Executive Office of the Governor (EOG), in consultation with the Senate and the House of Representatives, to establish and maintain a website that provides information relating to the approved operating budget for each branch of state government and state agency;
- EOG, in consultation with the Senate and the House of Representatives, to establish and maintain a website that provides information relating to fiscal planning for the state;
- The Department of Management Services (DMS) to establish and maintain a website that provides current information relating to each employee or officer of state agencies, state universities and the State Board of Administration (SBA); and
- The Chief Financial Officer to establish and maintain a secure contract tracking system available for viewing and downloading by the public through a secure website, known as the Florida Accountability Contract Tracking System (FACTS).

Amendments to the Act include:

- Requiring the EOG, in consultation with the Senate and the House of Representatives, to establish and maintain a single website that provides access to all other websites required by the section. Certain requirements related to all of the websites are delineated, e.g., that they be deployed in compliance with the Americans with Disabilities Act;
- Requiring the Legislative Auditing Committee to annually make recommendations regarding expansion of the scope and format of the information and provide recommendations regarding expansion of information pertaining to state universities, Florida College System (FCS) institutions, school districts, charter schools, charter technical career centers, local government units, and other governmental entities. Previously, the Transparency Florida Act was not clear on the extent to which local governmental entities, such as school districts, had to submit information for the websites and/or tracking system;
- Providing additional specificity regarding the content of each website;
- Defining the term "contract" to specifically include grants and subgrants as contracts; therefore, any provisions of the law related to contracts will also be applied to grants and subgrants;
- Providing procedures related to redacting of confidential or exempt information; and

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- Creating a “User Experience Task Force” to develop and recommend a design for consolidating existing state-managed websites into a single website.

General Implementation Timeline:

July 1, 2013	The act becomes effective.
October 1, 2013	The User Experience Task Force submits a work plan to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives.
November 1, 2013, annually thereafter	The Legislative Auditing Committee makes recommendations regarding expansion and of websites required by the Transparency Florida Act.
January 1, 2014	Each state entity shall post required information to the contract tracking system.
March 1, 2014	The task force shall submit its complete recommendation to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives.

Florida Department of **EDUCATION**

HB 7003 INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN
(Ch. 2013-20, Laws of Florida)

Bill Sponsor: K-12 Subcommittee

Effective Date: Upon becoming law

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509

Executive Summary:

The bill repeals Section 3 of Chapter 201-52, L.O.F., Interstate Compact on Educational Opportunity for Military Children (compact), which requires the repeal of SS. 1000.36, 1000.37, 1000.38, and 1000.39, F.S.

Amends SS. 1000.36, 1000.37, 1000.38, and 1000.39, F.S., to provide for future legislative review and repeal of the compact in three years.

The bill authorizes and directs the Governor to execute the compact on behalf of the State of Florida with any other state or states legally joining the compact for another three years.

General Implementation Timeline:

Upon becoming law The act becomes effective.

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HB 7009 EDUCATION
(Ch. 2013-250, Laws of Florida)

Bill Sponsor: Representative Moraitis

Effective Date: July 1, 2013

FDOE Contact: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, 850- 245-9631

Executive Summary:

Section 1:

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

- Clarify that districts cannot impose district policies on charter schools;
- Require each district to provide to the department an annual report related to its past year's authorizing activity. The Florida Department of Education (FDOE) shall then compile the reports into a single annual report to be posted on its website;
- Allow Florida College System (FCS) institutions that operate approved teacher preparatory programs the authority to operate one charter school that serves K-12 students. Requires a K-8 charter operated under this provision to provide innovative blended learning instructional models;
- Allow districts to enter into nonexclusive inter-local agreements with federal and state agencies, counties, municipalities and other governmental agencies to perform certain functions such as inspections and the issuance of permits that charter schools need for development, construction, or operation;
- Clarify that districts may not refuse to accept a charter school application prior to the August 1 deadline.
- Allow charter schools, for a fee of \$500, to submit a draft charter application to districts for review and feedback;
- Require that appeals of high-performing charter schools go directly to the State Board of Education (SBE) with a recommendation from the Commissioner of Education (commissioner);
- Require that districts provide a draft charter contract to an approved charter applicant within 30 days after approval of the application, with an additional 40 days for negotiations;
- Clarify that administrative law judges have final order authority;
- Prohibit a sponsor from requiring a charter school to have a certificate of occupancy or temporary certificate of occupancy prior to 15 days before first day of school;
- Clarify that charter contract modifications may include the consolidation of multiple charters into a single charter, regardless of renewal cycle; and
- Require that districts use student academic achievement as the most important factor when determining renewals and/or terminations;

Section 2:

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

- Require charter schools to provide concise and uniform monthly financial statements to districts with specified information on a form prescribed by FDOE;

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- Change the deadline for requesting waivers of termination (for two consecutive grades of “F”);
- Regulate the expenditures of charter schools that have received a notice of closure or non-renewal, and provide additional financial controls and safeguards to ensure public funds are properly accounted for;
- Prohibit charter schools from having contracts with employees that extend beyond the term of the charter contract;
- Require every charter school to maintain a website that includes information about the school, governing board, student performance, finances, and associations with management organizations;
- Prohibit a sponsor from requiring a charter school to identify the names of students to be enrolled or to enroll those students before the start of the school year as a condition of approval or renewal of a contract;
- Clarify that for purposes of teacher and principal evaluations charter school administrative personnel have the responsibilities assigned to a district superintendent and that charter school governing boards have the duties assigned to a school board;
- Clarify that charter schools may hire employees on an at-will basis and may suspend or dismiss employees without cause;
- Require the FDOE to develop a standard contract and standard renewal contract to be used by charter schools and sponsors; and
- Prohibit a charter school employee or his or her spouse or an employee of a charter management organization or his or her spouse from serving on the governing board of the charter school.

Section 3:

Amends s. 1002.331, F.S., High Performing Charter Schools, to:

- Permit a high-performing charter school to increase enrollment once per year up to the facility capacity;
- Require a district to modify the charter contract of a high-performing charter school that is seeking to expand to account for the new grade levels or maximum capacity, no later than 90 days after the charter school notifies the district of its intent to expand, while prohibiting the district from making other changes in the contract; and
- Require the commissioner to annually verify that high-performing charter schools continue to meet the eligibility requirements and to declassify those that do not.

Section 4:

Amends s. 1002.332, F.S., High Performing Charter School Systems, to:

- Clarify that the eligibility criteria for high-performing charter school systems is based on the most recent three years of performance of each charter school that is or was operated by the entity;
- Require that the commissioner annually verify that high-performing charter school systems continue to meet the eligibility requirements and to declassify those that do not; and
- Require that the entity that operates a high-performing system identify all of the charter schools it has operated for the previous three years and indicate whether they are currently operating each school. For any school that is no longer operated by the entity, a reason must be provided.

Section 5:

Amends s. 1012.2315, F.S., Assignment of Teachers, to:

- Prohibit the consecutive assignment of middle or high school students to teachers in the same subject area who received an annual performance evaluation rating of needs improvement or unsatisfactory;
- Prohibit the consecutive assignment of elementary school students to teachers who received an annual performance evaluation rating of needs improvement or unsatisfactory; and

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- Allow students enrolled in an extracurricular course as defined in S. 1003.01(15), F.S., to be taught by a teacher who has received a performance evaluation rating of needs improvement or unsatisfactory in the preceding year if the students' parents receive an explanation of the impact of teacher effectiveness on student learning and the principal receives written consent from the parents.

Section 6:

- Prohibits the full implementation of online assessments for Next Generation Sunshine State Standards in English/language arts and mathematics for kindergarten through grade 12 until technology infrastructure, connectivity and capacity of public schools and school districts have been load tested and independently verified ready for successful deployment and implementation.

Section 7:

- Requires the technology infrastructure, connectivity and capacity of all public schools and school districts that administer statewide standardized assessments pursuant to s. 1008.22, F.S., including online assessments to be load tested and independently verified as appropriate, efficient, and sustainable.

Section 8:

- Require FDOE to develop a proposed statewide charter contract and a proposed definition of the term "management company," to be provided to the Governor, President of the Senate, and Speaker of the House by November 1, 2013.

Section 9:

Amends 1002.31, F.S., Public School Parental Choice, to:

- Require class-size compliance for public schools of choice to be calculated at the school wide average.

Section 10:

Creates s. 1002.451, F.S., District Innovation School of Technology Program , to:

- Authorize districts to operate innovation schools of technology (innovation school);
- Provide that an innovation school offers blended learning in which a student learns in part through online delivery of content and instruction with some element of student control over time, place, path, or pace, and in part at a supervised brick and mortar location away from home;
- Provide that innovation schools must be open to all students within the district and that the school must use a public random lottery if it receives more applications than available seats, with allowable preferences;
- Provide the seven guiding principles for innovation schools:
 - Meet high standards of student achievement in exchange for flexibility;
 - Implement innovative learning methods and assessment tools;
 - Promote enhanced academic success and financial efficiency;
 - Measure student performance based on growth or achievement;
 - Provide parents with sufficient information on student performance;
 - Incorporate industry certifications and similar recognitions into performance expectations; and
 - Focus on utilizing industry-leading hardware and software technology;
- Provide that an innovation school may operate pursuant to a five-year performance contract with the SBE;
- Provide that contracts may be renewed every five years after the school's performance is evaluated;
- Provide that the performance contract is to be terminated under the following conditions:
 - School receives two consecutive grades of "F";

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- Failure to comply with criteria in law;
- Failure to comply with terms of contract; and
- Other good cause shown;
- Provide that innovation schools report full-time equivalent students to the department and be provided funding through the FEFP;
- Provide that innovation schools may seek additional funding through incentive grants or public or private partnerships;
- Provide that innovation schools are exempt from Chapters 1000-1013, F.S., except for laws pertaining to the following:
 - Schools of technology;
 - Student assessment and school grades;
 - Services to students with disabilities;
 - Civil rights;
 - Student health, safety, welfare;
 - Compensation of school board members and election or appointment and compensation of district school superintendent;
 - Class size, except that calculation for compliance is the average at school level;
 - Sections 1012.22(1)(c) and 1012.27(2), F.S., relating to compensation and salary schedules;
 - Section 1012.33(5), F.S., relating to workforce reductions for employees with annual contracts;
 - Section 1012.335, F.S., relating to contracts with instructional personnel;
 - Section 1012.3, F.S., relating to performance evaluations; and
 - Chapter 119 and 286.011, F.S., relating to public meetings and records;
- Provide that innovation schools are exempt from ad valorem taxes and the State Requirement for Educational Facilities when leasing facilities;
- Provide that a district school board may apply to the SBE for an innovation school if the district:
 - Has at least 20 percent of its total enrollment in public school choice programs or 5 percent in charter schools;
 - Has no material weakness or noncompliance noted in annual financial audit; and
 - Has district grade of "A" or "B" for last three years;
- Provide that a district may operate one innovation school and may operate additional innovation schools only if each innovation school in the district is in compliance with the terms of the law and contract, has a grade of "A" or "B," and has at least 50 percent of its students exceed the state average on the statewide assessments, allowing for comparison of sub-group performance;
- Restrict the number of innovation schools based on total size of district;
- Provide that a district that meets the eligibility criteria to operate an innovation school may apply to the SBE at any time, and that that the application must:
 - Demonstrate how the district meets and will continue to meet the eligibility criteria;
 - Identify how the school will accomplish the purpose and guiding principles;
 - Identify the statutes or rules from which the district is seeking a waiver *;
 - Identify, with supporting documentation, the need for each waiver *; and
 - Confirm that the school board remains responsible for the control, operation, and supervision of the school.
- Require that SBE approve or deny the application within 90 days, unless an extension is agreed upon;
- Provide that a performance contract be developed that must address the terms under which the contract may be terminated by SBE and:
 - Timeline for implementation;

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- How the school will integrate industry-leading technology into instruction, assessment, and professional development;
- How the school and district will monitor performance progress; and
- How the school will incorporate industry certifications and similar recognitions into performance expectations.
- Provide that three or more contiguous districts may apply to enter into a joint performance contract as a Region of Technology;
- Require SBE to monitor innovation schools;
- Require SBE to adopt by rule an application, evaluation instrument, and renewal evaluation instrument; and
- Require that school districts that operate innovation schools submit an annual report by December 1 of each year that includes:
 - Evidence of compliance;
 - Efforts to close achievement gap;
 - Longitudinal performance of students, by grade level and subgroup, in subjects assessed through statewide assessment program;
 - Longitudinal performance for students who take Advanced Placement exams, organized by age, gender, race, and free and reduced-lunch eligibility;
 - Number and percentage of students who take an Advanced Placement exam; and
 - Identification and analysis of industry leading technology.

General Implementation Timeline:

July 1, 2013 The act becomes effective

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HB 7029 DIGITAL LEARNING
(Ch. 2013-225, Laws of Florida)

Bill Sponsor: Representative Diaz (M)

Effective Date: July 1, 2013

FDOE Contact: Pam Stewart, Chancellor, Division of Public Schools, 850- 245-0509
Linda Champion, Deputy Commissioner, Finance and Operations, 850- 245-0406

Executive Summary:

Section 1:

Amends s. 1002.321, F.S., Digital learning, to:

- Require the Florida Department of Education (FDOE) to develop an online course catalog of available digital learning courses offered by school districts and Florida Virtual School (FLVS). For each course it is to include access to the course descriptions, completion and passage rates and a method for teachers and students to provide feedback.

Section 2:

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

- Require the FLVS Board of Trustees to submit information about the FLVS Global School in their annual report to the Legislature, Governor, Commissioner of Education (commissioner) and State Board of Education (SBE);
- Allow FLVS and school districts to mutually agree to an alternative testing site for FLVS full-time students other than the school to which the student would be assigned according to school board attendance areas; and
- Require the Auditor General to conduct an operational audit of FLVS, including FLVS Global School. The scope of the audit is specified and the final report is due to the Legislature by January 31, 2014.

Section 3:

Amends s. 1003.01, F.S., Definitions to:

- Remove blended learning courses provided by charter schools and traditional public schools, and Florida-approved online courses as per S. 1003.499, F.S., from the definition of core curricular courses for the purposes of meeting class size requirements.

Section 4:

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

- Require FDOE to provide identifiers in existing courses to designate their use of blended learning;
- Remove restrictions related to which online courses students may take from other school districts; and
- Prohibit school districts from requiring public school students to take online courses outside of the school day that are in addition to the student's courses for a given term or on school grounds.

Section 5:

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Creates s. 1003.499, F.S., Florida Approved Courses and Tests (FACT) Initiative, to:

- Create and provide the purpose for the Florida Approved Courses and Tests (FACT) initiative;
- Provide intent that state and local rules provide flexibility in interpreting and implementing this section to encourage creative, innovative, resourceful and forward-thinking practices that can be modeled in Florida and the nation;
- Provide implementation date of 2015-16 for the initiative to expand student choices in selecting high-quality online courses, including massive open online courses (MOOCs) and instruction for promotion and graduation;
- Require FDOE to annually publish online a list of providers approved to offer Florida-approved courses. Courses may be applied to promotion and graduation in whole or subparts and students are not required to repeat subparts they have already successfully completed. MOOCs are limited to Algebra I, Biology, Geometry and Civics;
- Require a Florida-approved course to be annually identified, approved, published and shared for consideration by students and school districts. FDOE shall approve each course in accordance with rules of the SBE;
- Specify provider qualifications to be approved by FDOE to offer Florida-approved online courses; and
- Require that approved providers participate in the statewide assessment program under S. 1008.22, F.S., and in the performance accountability system under S. 1008.31, F.S. The accountability system in S. 1008.31, F.S., includes the assignment of school grades.

Section 6:

Creates s. 1004.0961, F.S., Credit for online courses, to:

- Require SBE and the Board of Governors (BOG) to adopt rules for students to be able to earn credit for online courses, including massive open online courses by the 2015-16 school year.

Section 7:

Amends s. 1008.24, F.S., Test administration and security, to:

- Allow school districts to contract with qualified contractors to administer and proctor statewide standardized assessments or assessments associated with Florida-approved courses under S. 1003.499, F.S. These assessments may be administered or proctored by qualified contractors at sites that meet criteria established by rules of the SBE; and
- Require new testing sites to ensure access for students with disabilities.

Section 8:

Creates a new unnumbered section to:

- Require FDOE to contract with a qualified contractor by August 30, 2013, to review and provide recommendations for online courses, including massive open online courses and competency-based online courses for K-12 and postsecondary education;
- Provide components that must be included in the recommendations;
- Require FDOE to identify measures of quality based upon student outcomes appropriate to each delivery model, for students to demonstrate competency and for opportunities to provide online courses and other tools delivered in modules and segments to provide instruction under this section for students in K-12 education; and

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- Require FDOE is to provide findings and recommendations to the Governor and the Legislature by February 1, 2014.

Section 9:

- Provides an effective date of July 1, 2013.

General Implementation Timeline:

July 1, 2013	The act becomes effective.
August 30, 2013	FDOE must contract with a qualified contractor to review and provide recommendations for online courses, including massive open online courses and competency-based online courses for K-12 and postsecondary education.
January 31, 2014	The Auditor General must conduct an operational audit of FLVS, including FLVS Global School, and report to the Legislature.
February 1, 2014	FDOE is to provide findings and recommendations to the Governor and the Legislature regarding online courses, including massive open online courses and competency-based online courses for K-12 and postsecondary education.
2015-16 School Year	SBE and the Board of Governors must adopt rules for students to be able to earn credit for online courses, including massive open online courses.

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HB 7089 PUBLIC RECORDS EXEMPTION/SCHOOL FOOD AND NUTRITION SERVICE PROGRAM PARTICIPANTS
(Ch. 2013-217, Laws of Florida)

Bill Sponsor: Representative Beshears

Effective Date: On the same date that HB 7087 or similar legislation takes effect

FDOE Contact: Dave Jordan, Assistant General Counsel. Office of General Counsel, 850- 245-0442

Executive Summary:

The bill creates a public record exemption for personal identifying information of an applicant for or a participant in a school food and nutrition service program held by Department of Agriculture and Consumer Services (DACCS), the Florida Department of Education (FDOE), or the Department of Children and Families (DCF). It affirms privacy provisions set out in federal regulations.

The bill provides that such personal identifying information must be disclosed to another governmental entity in the performance of its official duties and responsibilities, or to any person who has the written consent of the applicant for or participant in such program.

The bill does not prohibit a participant's legal guardian from obtaining confirmation of acceptance and approval, dates of applicability, or other information the legal guardian may request.

The bill provides for retroactivity of the public records exemption. It also provides that the exemption is subject to the Open Government Sunset Review Act and shall stand repealed on October 2, 2018, unless reviewed and saved from repeal through reenactment by the legislature. It includes a public necessity statement that cites the need for a person applying to or participating in a school food or nutrition service program to feel secure in the program.

General Implementation Timeline:

The act shall take effect on the same date that House Bill 7087 or similar legislation takes effect, if such legislation is adopted in the same legislation or an extension thereof and becomes law.

October 2, 2018 The exemption shall stand repealed, unless reviewed and saved from repeal through reenactment by the Legislature.

Florida Department of **EDUCATION**

HB 7129 RESIDENTIAL SERVICES FOR CHILDREN
(Ch. 2013-219, Laws of Florida)

Bill Sponsor: Representative Perry

Effective Date: July 1, 2013

FDOE Contact: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, 850- 245-0502

Executive Summary:

Section 1:

Amends s. 409.175, F.S., Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption, to:

- Specify academic accreditation and residential accreditation as requirements for boarding schools;
- Expand the allowable accrediting agencies for boarding schools to include: the National Council of Private School Accreditation and Florida Association of Academic Nonpublic Schools (FAANS) member agencies; the Florida Council of Independent Schools; the Southern Association of Colleges and Schools; the Council on Accreditation, the Commission on Accreditation of Rehabilitation Facilities; and, the Coalition for Residential Education;
- Require a boarding school to register with the Florida Department of Education (FDOE) as a private school providing residential facilities for students;
- Specify a notification timeline for occurrences of specified violations relating to harming children;
- Eliminate redundant reporting of child abuse incidents to law enforcement and the child abuse hotline;

- Specify an accreditation compliance timeline for boarding schools;
- Provide a requirement for removal of noncompliant boarding schools from directory of private schools by FDOE;
- Specify a requirement for boarding schools to provide documentation of accreditation compliance to the Department of Children and Families (DCF);
- Provide that DCF may impose sanctions on boarding schools not meeting accreditation and documentation requirements;
- Appropriate \$250,000 in nonrecurring general revenue funds to the Department of Health (DOH) in FY 2013-14 for A Safe Haven for Newborns;
- Appropriate \$200,000 in nonrecurring general revenue funds to DOH in 2013-14 FY for St. John Bosco Clinic; and
- Require level 2 background screening of boarding school employees or contract with direct student contact.

Section 2:

Amends s. 409.176, F.S., Registration of residential child-caring agencies and family foster homes, to:

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- Specify a timeline for qualified associations to notify the DCF of violation of requirements by a boarding school; and
- Specify requirements for reporting to the DCF by Type II facilities.

General Implementation Timeline:

July 1, 2013 The act becomes effective

TBD Other implementation based on procedures and notifications determined by the DCF.

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HB 7165 EARLY LEARNING
(Ch. 2013-252, Laws of Florida)

Bill Sponsor: Representative O'Toole

Effective Date: July 1, 2013

DOE Contact: Shan Goff, Executive Director, Office of Early Learning, 850-717-8551

Executive Summary:

Section 1:

Creates s. 1001.213, F.S., Office of Early Learning, to:

- Move the Office of Early Learning within the Office of Independent Education and Parental Choice;
- Independently exercise all powers, duties and functions prescribed by law and is not construed as part of the K-20 education system;
- Adopt rules for the establishment and operation of the school readiness program and the Voluntary Prekindergarten (VPK) Education Program;
- Administer the school readiness program at the state level and provide guidance to the early learning coalitions in the implementation of the program;
- Administer the VPK Education Program at the state level;
- Administer the operational requirements of the child care resource and referral network at the state level; and
- Keep administrative staff to the minimum necessary to administer the duties of the office.

Section 2:

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

- Change the definition of early learning coalition to show its creation under S. 1002.83, F.S., instead of S. 411.01, F.S.

Section 3:

Amends s. 1002.53, F.S., Voluntary Prekindergarten Education Program; eligibility and enrollment, to:

- Establish the single point of entry in S. 1002.82, F.S., instead of S. 411.01, F.S.; and
- Clarify that school districts may limit the number of students admitted by any public school in *school-year* VPK programs.

Section 4:

Amends s. 1002.55, F.S., School-year prekindergarten program delivered by private prekindergarten providers, to:

- Require private prekindergarten teachers to complete a performance standards training course approved by the office, which will be available online, effective July 1, 2014;
- Delete the exceptions of prekindergarten instructors from taking the emergent literacy training;

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- Require private prekindergarten providers to execute a statewide provider contract, providing opportunity for individuals who operate multiple providers in the same coalition to execute a single agreement;
- Require private prekindergarten providers to maintain a minimum of \$100,000 per occurrence and \$300,000 general aggregate coverage of general liability insurance, provide the coalition with written evidence of the coverage (including coverage for transportation of children, if students are transported by provider), with the coalition named as additional insured; and
- Require private prekindergarten providers that are state agencies or subdivisions thereof, to notify the coalition of any additional liability coverage maintained by the provider in addition to that established under S. 768.28, F.S., and indemnify the coalition to the extent permitted by S. 768.28, F.S.

Section 5:

Amends s. 1002.57, F.S., Prekindergarten director credential, to:

- Change reference from "the department" to "the office."

Section 6:

Amends s. 1002.59, F.S., Emergent literacy training courses, to:

- Require the office to adopt minimum standards for performance standards training course(s), comprised of three clock hours each, to provide instruction in strategies and techniques to address age-appropriate progress of each child in attaining the standards and to be available online.

Section 7:

Amends s. 1002.61, F.S., Summer prekindergarten program delivered by public schools and private prekindergarten providers, to:

- Require a public school delivering a summer prekindergarten program to execute the statewide provider contract, providing opportunity for school districts to execute a single agreement on behalf of all district schools.

Section 8:

Amends s. 1002.63, F.S., School-year prekindergarten program delivered by public schools, to:

- Require a public school delivering the school-year prekindergarten program to execute the statewide provider contract, providing opportunity for school districts to execute a single agreement on behalf of all district schools.

Section 9:

Amends s. 1002.66, F.S., Specialized instructional services for children with disabilities, to:

- Delete a start date that has passed.

Section 10:

Amends s. 1002.67, F.S., Performance standards; curricula and accountability, to:

- Change all references from "the department" to "the office"; Require *the office* by October 1, 2013, to examine the existing performance standards in the area of mathematical thinking and develop a plan to make appropriate professional development and training courses available to prekindergarten instructors;

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- Authorize the office, instead of the state board, to periodically review and revise the performance standards for the statewide kindergarten screening and align standards to the standards established by the state board for student performance on the statewide assessments administered pursuant to S. 1008.22, F.S.
- Change reference from the "*Office of Early Learning*" to "*the office*";
- Require the office to require the early learning coalition to remove the provider, and the school district to remove the school, that fails or refuses to comply with this part or engages in misconduct, from eligibility to deliver the VPK Education Program and receive state funds under this part for a period of five years;
- Provide that the office shall adopt the kindergarten readiness rate instead of the State Board of Education (SBE);
- Authorize the termination of the provider's contract to deliver the VPK Education Program for a period of five years for failure to implement an approved improvement plan or staff development plan;
- Authorize removal of the private provider's or school district's eligibility to deliver the VPK Education Program and receive state funds for a period of five years for failure to meet the readiness rate for more than two consecutive years, if not granted a good cause exemption; and
- Substitute part VI of this chapter for S. 411.01, F.S.

Section 11:

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

- Change all references of "the department" to "*the office*";
- Authorize the office, instead of the SBE, to adopt procedures to annually calculate each private provider's and public school's kindergarten readiness rate;
- Authorize the office, instead of SBE, to determine learning gains using a value-added measure;
- Authorize the office, instead of SBE, to periodically adopt a minimum kindergarten readiness rate;
- Authorize the office, instead of SBE, to grant good cause exemptions and establish timeframes for submissions and adopt criteria for granting such requests;
- Delete the requirement for the state board to notify the Office of Early Learning of any good cause exemption granted;
- Change reference from the "*Office of Early Learning*" to "*the office*"; and
- Change reference from S. 1002.67(4)(c)4, F.S., to S. 1002.67(4)(c)3, F.S.

Section 12:

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

- Remove start dates that have passed;
- Change reference from s. 411.01, F.S., to s. 1002.92, F.S; and
- Delete requirement of the department to transfer funds to the Office of Early Learning.

Section 13:

Amends s. 1002.72(3)(a), F.S., Records of children in the Voluntary Prekindergarten Education Program to:

- Authorize the release of confidential and exempt VPK Education Program records to the Comptroller General of the United States for the purpose of investigations.

Section 14:

Amends s.1002.75(1)(a) and (2)(d), F.S., Office of Early Learning; powers and duties; operational requirements, to:

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- Require the Office of Early Learning to adopt by rule a standard statewide contract to be used with each VPK Education Program provider, with standardized attachments by provider type. It will be published on the website and include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose immediate and serious danger to children. It will also include due process procedures;
- Prohibit a provider from continuing to offer services during the pendency of an appeal of a termination;
- Declare void and unenforceable any provision imposed on a provider that is inconsistent with or prohibited by law;
- Delete the requirement of the Office of Early Learning to administer the operational requirements of the VPK Education Program at the state level;
- Require procedures adopted by the Office of Early Learning for enrolling children in and determining eligibility for the VPK Education Program to include the enrollment of children by public schools and private providers that meet specified requirements; and
- Require the process of determining eligibility of private prekindergarten providers to deliver the VPK Education Program to be streamlined whenever possible.

Section 15:

Amends s. 1002.77(1), (2), and (3), F.S., Florida Early Learning Advisory Council, to:

- Change all references of “the department” to “the office”;
- Clarify the purpose of the Florida Early Learning Advisory Council to submit recommendations to the office on early learning *best practices*, instead of *policy of this state*, including recommendations for the most effective administration of the VPK Education Program and the school readiness program under part VI of this chapter, instead of S. 411.01, F.S.;
- Authorize the advisory council to periodically analyze and provide recommendations to the office on the effective and efficient use of local, state, and federal funds; the content of professional development training programs; and best practices for the development and implementation of coalition plans pursuant to S. 1002.85, F.S.;
- Require the chair of the advisory council to be appointed from the business community and be in compliance with S. 1002.83(5), F.S., rather than having a background in early learning; and
- Authorize the advisory council to use any method of telecommunications to conduct meetings, including establishing a quorum, if proper notice has been given and there is reasonable access to observe, and when appropriate, to participate.

Section 16:

Amends s.1002.79, F.S., Rulemaking authority, to:

- Delete SBE’s requirement to adopt rules under ss. 120.536(1) and 120.54, F.S., to administer the provisions of this part conferring duties upon FDOE.

Section 17:

The bill creates Part VI of chapter 1002, F.S., consisting of sections 1002.81 to 1002.96, F.S.

- Section 1002.81, F.S., defines:
 - At-risk child;
 - Authorized hours of care;
 - Average market rate;
 - Direct enhancement services;

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- Disenrollment;
- Earned income;
- Economically disadvantaged;
- Family income;
- Family or household members;
- Full-time care;
- Market rate;
- Office;
- Part-time care;
- Single point of entry;
- Unearned income; and
- Working family.
- Section 1002.82, F.S., authorizes the Office of Early Learning to:
 - Be the lead agency for the administration of the Child Care and Development Block Grant Trust Fund.
 - Requires the office to:
 - Focus on improving educational quality;
 - Preserve parental choice;
 - Be responsible for prudent use of all public and private funds;
 - Establish procedures for the biennial calculation of the average market rate;
 - Review each early learning coalition's school readiness program plan every two years and provide final approval of the plan and any amendments;
 - Establish a unified approach to the state's efforts to coordinate a comprehensive early learning program;
 - Provide technical assistance to early learning coalitions;
 - In cooperation with early learning coalitions, coordinate with the Department of Children and Families (DCF) to reduce paperwork and avoid duplicating interagency activities, health and safety monitoring, and acquiring and composing data pertaining to child care training and credentialing;
 - Develop and adopt standards and benchmarks that address the age-appropriate progress of children in the development of school readiness skills.
 - Select assessments that are valid, reliable, and developmentally appropriate for preassessment and postassessment for the age ranges specified in coalition plans, designed to measure the performance standards, and with appropriate accommodations for children with disabilities and English language learners;
 - Adopt a list of approved curricula that meet performance standards for the school readiness program and establish a review and approval process for the curriculum;
 - Adopt by rule a standard statewide contract to be used with school readiness providers, with standardized attachments by provider type. It will be published on the website and include, at a minimum, provisions for provider probation, termination for cause, and emergency termination for those actions or inactions of a provider that pose immediate and serious danger to children. It will also include due process procedures. A provider will be prohibited from continuing to offer services during the pendency of an appeal of a termination;
 - Establish a single statewide information system that each coalition must use;

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- Adopt by rule standardized procedures for coalitions to use when monitoring the compliance of the school readiness program providers with the terms of the standard statewide contract;
 - Monitor and evaluate the performance of each early learning coalition in administering the school readiness program;
 - Work with the Bureau of Federal Education Programs within FDOE to coordinate readiness and VPK services to the populations served by the bureau; and
 - Administer a statewide toll-free Warm-Line to provide assistance and consultation to child care facilities and family day care homes regarding health, developmental, disability, and particularly children with disabilities and other special needs. Annually notify child care facilities and family day care homes of this service and expand the service to at least one Warm-Line in each early learning coalition service area.
- Authorize the office to contract with a qualified entity to continue the school readiness program and VPK services in a coalition's county or multicounty region, if it is determined that the coalition has not substantially implemented its plan, has not substantially met the performance standards and outcome measures adopted by the office, or has not effectively administered the school readiness program or VPK Education Program;
 - Authorizes the office to request permission from the Governor to apply for a waiver to allow a coalition to administer the Head Start Program to accomplish the purposes of the school readiness program;
 - Requires by January 1 of each year, the office to annually publish a report of its activities, including summaries and information required by this section;
 - Requires parental choice of child care providers (including private and faith-based providers) be established to the maximum extent practicable;
 - Prohibits the imposition of any additional regulations on providers beyond those necessary to enforce the requirements of this part and part V of this chapter.
 - Section. 1002.83, F.S., early learning coalition guidelines:
 - Authorizes that thirty-one or fewer are established and will maintain direct enhancement at the local level with access to such services for all 67 counties;
 - Requires that each shall be composed of at least 15 members but not more than 30 members;
 - Establishes that the Governor will appoint the chair and two other members, with the remaining members representing specific entities as outlined;
 - Requires that the office will establish criteria for coalitions to appoint private sector business members to make-up the required one-third membership;
 - Establishes that a majority of the voting membership of the coalition constitutes a quorum.
 - Prohibits a designee of a voting member from voting, except the designee of the DCF regional administrator;
 - Prohibits voting members from voting when a conflict exists; and
 - Requires that each member or employee of a coalition be governed by S. 768.28, F.S., for purposes of tort liability;
 - Requires coalitions serving more than one county to have representation from each county;
 - Establishes terms for coalition members to be staggered with a uniform length not to exceed four years. Coalition chairs are required to be appointed for four years in conjunction with their membership on the Early Learning Advisory Council. Appointed members may serve a maximum of two consecutive terms and vacancies must be advertised;

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- Prohibits state, federal, and local matching funds provided to coalitions to be used for meals, food, or beverages for coalition members, coalition employees, or for subcontractor employees. Preapproved, reasonable, and necessary requests for per diem and travel expenses may be reimbursed. Standard travel reimbursement rates will be used to reimburse travel expenses;
- Requires coalitions to use a coordinated professional development system that supports achievement and maintenance of core competencies by school readiness teachers; and
- Allows coalitions to request a list of approved substitute teachers from the school district to employ as substitute teachers in the school readiness program or VPK Education Program.
- Section. 1002.84, F.S., requires the early learning coalition to:
 - Administer and implement a local comprehensive school program of services which enhances the cognitive, social, and physical development of children to achieve the performance standards;
 - Establish a uniform waiting list to track eligible children waiting for enrollment;
 - Establish a resource and referral network operating to assist parents in making an informed choice, provide maximum parental choice of providers, and provide information on community resources;
 - Establish a Warm-Line to provide technical assistance, upon request, to assist child care facilities and family day care homes with inquiries related to strategies, curriculum, and environmental adaptations;
 - Establish an age-appropriate screening, for children birth to five years, of each child's development and an appropriate referral process for children with identified delays;
 - Implement an age-appropriate preassessment and postassessment of children, if specified in the coalition's improvement plan;
 - Determine child and provider eligibility. A child's eligibility must be redetermined annually. A random sample of 50 percent of the coalition's enrollment must be redetermined twice per year;
 - Establish a parent sliding fee scale that requires a copayment to participate in the school readiness program. The copayment may be waived or temporarily waived by the coalition in specific circumstances. A parent can only transfer to another school readiness program after receiving verification from the current provider that copayments have been satisfactorily fulfilled;
 - Establish maintenance of records;
 - Establish retention requirement of sign-in and sign-out records;
 - Follow tangible personal property requirements;
 - Comply with procurement requirements, except for school readiness program and VPK Education Program provider services;
 - Establish proper information technology security controls as outlined;
 - Develop written policies, procedures, and standards for monitoring vendor contracts, as outlined;
 - Monitor school readiness program providers using a standard monitoring tool adopted by the office;
 - Adopt a payment schedule, taking into consideration the average market rate, including the number of children projected to be served, and submit to the office for approval;
 - Implement an anti-fraud plan;
 - By October 1 of each year, report to the office required information;
 - Maintain administrative staff at a minimum to administer the duties of the coalition; and
 - To increase transparency and accountability, comply with the requirements of contracting with a member of the coalition, a relative of the coalition member, or an employee of the coalition.
- Section 1002.85, F.S., requirements relating to early learning coalition plans:
 - The office will prescribe the standardized format of school readiness program plan;.
 - Coalitions must biennially submit a school readiness program plan to the office before expenditure of funds. Plans must meet guidelines and be approved before implementation;

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- Amendments to plans must have the office's approval;
- The office will publish a copy of the standardized school readiness program plan and require content of plans to be posted on its website; and
- Beginning July 1, 2014 the office, with input from coalitions and school readiness program providers, must collect and report data on coalition delivery of early learning programs, as specified.
- Section 1002.86, F.S., requirements of the education component of the school readiness program:
 - School readiness programs must be developmentally appropriate, based on research, involve the parent as the first teacher, serve as a preventative measure, and enhance educational readiness. It should also assist parents with at-risk children, including health screening and referral.
- Section 1002.87, F.S., requirements for eligibility for and enrollment in the school readiness program:
 - Effective August 1, 2013, or upon reevaluation of eligibility of children served, whichever is later, each early learning coalition shall give priority for participation in the school readiness program as outlined:
 - A child 13 years of age from a family that includes a parent who is receiving temporary cash assistance under Chapter 414 and subject to the federal work requirements;
 - An at-risk child younger than nine years of age;
 - A child from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school who is from a working family that is economically disadvantaged, and may include such child's eligible siblings, beginning with the school year in which the sibling is eligible for admission to kindergarten in a public school until the beginning of the school year in which the sibling is eligible to begin 6th grade, provided that the first priority for funding an eligible sibling is local revenues available to the coalition for funding direct services. However, a child eligible under this paragraph ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level;
 - A child of a parent who transitions from the work program into employment as described in S. 445.032, F.S., from birth to the beginning of the school year for which the child is eligible for admission to kindergarten in a public school;
 - An at-risk child who is at least nine years of age but younger than 13 years of age. An at-risk child whose sibling is enrolled in the school readiness program within an eligibility priority category listed in paragraphs (a) - (c) shall be given priority over other children who are eligible under this paragraph;
 - A child who is younger than 13 years of age from a working family that is economically disadvantaged. A child who is eligible under this paragraph whose sibling is enrolled in the school readiness program under paragraph (c) shall be given priority over other children who are eligible under this paragraph. However, a child eligible under this paragraph ceases to be eligible if his or her family income exceeds 200 percent of the federal poverty level;
 - A child of a parent who transitions from the work program into employment as described in S. 445.032, F.S., who is younger than 13 years of age; and
 - A child, who has special needs, has been determined eligible as a student with a disability, has a current individual education plan with a Florida school district, and is not younger than three years of age. A special needs child eligible under this paragraph remains eligible for admission to kindergarten in a public school.

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- Notwithstanding paragraphs (a) – (d), priority shall be given last to a child who otherwise meets one of the eligibility criteria in paragraphs (a) – (d) but who is also enrolled concurrently in the federal Head Start Program and the VPK Education Program.
 - Providers of the school readiness program will only be paid for authorized hours of care provided;
 - Contingent upon funds, coalitions will enroll eligible children from waiting lists based on outlined eligibility priorities;
 - The parent of a child enrolled in a school readiness program must notify the coalition of any change in employment, income, or family size within 10 days of the change and the child's eligibility must be reevaluated;
 - A child whose eligibility requires the child to be from a working family ceases to be eligible if the parent is out of work for more than 60 days;
 - A child, who is found to be ineligible when reevaluated, may not continue to receive school readiness program services;
 - If a coalition disenrolls children from the school readiness program, they must be disenrolled in reverse order of the eligibility priorities and a notice of disenrollment must be sent to the provider and parent at least two weeks before disenrollment. An at-risk child may not be disenrolled from the program without the written approval of the Child Welfare Program Office of DCF or the community-based lead agency;
 - A child that is absent five consecutive days without parental notification will be reported to the coalition; and
 - Notwithstanding s. 39.604, F.S., school readiness program providers will comply with reporting requirements of the Rilya Wilson Act for each at-risk child who is under the age of school entry and enrolled in the school readiness program.
- Section 1002.88, F.S., authorization of the school readiness program provider standards and eligibility to deliver services:
 - Requirements are outlined for a child care facility, family day care home, large family child care home, public or nonpublic school, faith-based child care provider, before-school or after-school program, and an informal child care provider to be eligible to deliver the school readiness program;
 - The coalition is authorized to revoke the provider's eligibility for a period of five years if they fail or refuse to comply with requirements or contractual obligations; and
 - The office and coalitions may not impose any requirements on providers who do not deliver the school readiness program or receive state or federal funds pertaining to this part. They may not impose requirements that exceed the authority provided under this part or part V of this chapter and they cannot require the provider to administer a preassessment or postassessment.
- Section 1002.89, F.S., requirements related to school readiness program funding:
 - Funding shall be allocated among early learning coalitions in accordance with this section and the General Appropriations Act (GAA);
 - The office shall administer program funds;
 - Instructions to coalitions for administering this section will come from the office;
 - All cost savings and revenues received through the sliding fee scale will be used to increase the number of children served;
 - All state, federal, and local matching funds will be used to implement the coalition's approved school readiness plan;
 - Costs shall be kept to a minimum with priority given to direct services to children. No more than 5 percent of funds provided by state, federal, and local matching funds to the coalition may be used for administrative costs and no more than 22 percent may be used in any fiscal year for any

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combination of administrative costs, quality activities, and nondirect services as described in this section; and

- Funds may not be spent to purchase or improve land, buildings, or buses, except for minor upgrades to child care facilities.
- Section 1002.895, F.S., requirements for the market rate schedule:
 - Require the office to establish procedures for the adoption of a market rate schedule that includes minimum and maximum for child care providers that hold a Gold Seal Quality Care designation and those who do not;
 - The market rate schedule must differentiate by types of providers, the type of child care services provided to children with special needs or risk categories, between full-time and part-time child care services, and consider discounted rates for child care services for multiple children in a single family;
 - The schedule must be based exclusively on prices charged for child care services;
 - The market rate schedule must be considered by the coalition in adoption of the payment schedule;
 - The office may contract with one or more qualified entities to administer this section and provide technical support to providers; and
 - The office may adopt rules for establishing procedures for collection of providers' market rate, calculation of the average, and publication of the market rate schedule.
- Section 1002.91, F.S., requirements for investigation of fraud or overpayment and penalties:
 - Define fraud, outlines steps to recover state, federal, and local matching funds, and describes penalties for those found guilty of such;
 - Prohibit coalitions from contracting with a provider on the U.S. Department of Agriculture National Disqualified List or a provider that shares an officer or director that is on the list; and
 - Require coalitions to adopt an anti-fraud plan.
- Section 1002.92, F.S., requirements for child care and early childhood resource and referral:
 - Require the office to establish a child care resource and referral network;
 - Require at least one child care resource and referral agency to be established in each coalition's county or multicounty region;
 - Require child care resource and referral agencies to:
 - Provide identification of and information about existing public and private providers.
 - Establish a referral process that responds to parental needs;
 - Maintain ongoing documentation of requests for services tabulated through the internal referral process through the single statewide information system;
 - Provide technical assistance to existing and potential providers of child care services.
 - Assist families and employers in applying for various sources of subsidy;
 - Assist families to negotiate discounts or other special arrangements with child care providers;
 - Assist families in identifying summer recreation camp and summer day camp programs; and
 - Provide assistance to families for accessing local community resources.
 - Require a child care facility licensed under s. 402.305, F.S., and a licensed and registered family day care home to provide specified information to the statewide child care and resource and referral network.
- Section 1002.93, F.S., authorization for school readiness program transportation services:

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- Transportation may be provided for children at risk of abuse or neglect who are participating in the school readiness program to the extent such transportation is necessary to provide child care opportunities that otherwise would not be available to a child whose home is more than a reasonable walking distance from the nearest child care facility or family day care home.
- Section 1002.94, F.S., authorization for the Child Care Executive Partnership Program:
 - New language is the same as prior law found in S. 411.0102(3), (4), (5), and (6), F.S., except the addition of paragraph that clarifies that the corporate body politic previously established by prior law is the corporate body politic for purposes of this section. All member terms of the existing corporate body politic expire June 30, 2013, and new members will be appointed July 1, 2013.
- Section 1002.95, F.S., authorization for the Teacher Education and Compensation Helps (TEACH) scholarship program.
 - Establish the goal of the program to provide scholarships to increase the education and training for caregivers, increase the compensation for caregivers who complete the program requirements, and reduce the rate of participant turnover in the field of early childhood education.
- Section 1002.96, F.S., authorization of early head start collaboration grants.
 - New language is the same as prior s. 411.0104, F.S.

Section 18:

Section 411.011, F.S., Records of children in school readiness programs, is renumbered as S. 1002.97, F.S., and is amended to:

- Change references of *school readiness* to *the school readiness program*;
- Change reference from "the Office of Early Learning" to "the office";
- Eliminate "*the guardian*" or "*individual acting as a parent in the absence of a parent or guardian*" from having the right to inspect and review the individual school readiness program record of his or her child and to obtain a copy of the record;
- Add authorization of school readiness program records to be released to the Comptroller General of the United States for the purpose of investigations and to the Office of Program Policy Analysis and Government Accountability in connection with their official functions; and
- Substitute the word "*parent*" for the word "*parents*."

Section 19:

Amends s. 11.45(3)(p), F.S., Definitions; duties; authorities; reports; rules to:

- Change the "*school readiness system*" to the "*school readiness program*" And
- Change reference from S. 411.01, F.S., to part VI of S. 1002, F.S., and eliminates the word *created*.

Section 20:

Amends s. 20.15(3)(h), F.S., Department of Education, to:

- Require the Office of Independent Education and Parental Choice to include the Office of Early Learning and the Office of K-12 School Choice, each with an executive director who is fully accountable to the Commissioner of Education;
- Require the executive director of the Office of Early Learning to administer the early learning programs, including the school readiness program and the VPK Education Program at the state level;
- Eliminate the requirement of the Office of Early Learning to administer the school readiness system in accordance with S. 411.01, F.S., and the operational requirements of the VPK Educational Program in accordance with part V of S. 1002, F.S.;

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- Delete language that made the Office of Early Learning a separate budget entity and not subject to the control, supervision, or direction by the FDOE or the SBE;
- Delete the requirement for the Governor to appoint and the Senate to confirm the director of the Office of Early Learning;
- Delete the requirement for the Office of Early Learning to enter into a service agreement with the department for professional, technological, and administrative support services; and
- Eliminate the office's oversight by the Chief Inspector General or his or her designee.

Section 21:

Amends s. 216.136(8)(a), F.S., Consensus estimating conferences; duties and principals, to:

- Change reference of "school readiness programs" to "the school readiness program" and
- Change reference from S. 411.01(6), F.S., to S. 1002.87, F.S.

Section 22:

Amends s. 402.281(1)(b) and (3), Gold Seal Quality Care program, F.S., to:

- Remove the requirement that an accrediting association of a child care facility, large family child care home, or family day care home must be *nationally* recognized;
- Remove the requirement that the accrediting association must be *nationally* recognized to be approved by DCF for participation in the Gold Seal Quality Care program; and
- Revise the list of organizations that DCF is required to consult when approving accrediting associations. Added to the list are the Florida Association of Academic Nonpublic Schools and the Association of Early Learning Coalitions. Two names, the Florida Family Child Care Home Association and the Florida Association for the Education of the Young, were also included with name changes.

Section 23:

Amends s. 402.302(9), F.S., Definitions, to:

- Change reference from S. 411.0101, F.S., to S. 1002.92, F.S.

Section 24:

Amends s. 402.305(1)(c), F.S., Licensing standards; child care facilities, to:

- Authorize after-school programs that otherwise meet the criteria for exclusion from licensure to provide snacks and meals through the federal Afterschool Meal Program (AMP), if the program is in good standing with DCF and the meals meet the AMP requirements.

Section 25:

Amends s. 445.023(1)(c), F.S., Program for dependent care for families with children with special needs, to:

- Change reference from S. 411.01(6), F.S., to S. 1002.87, F.S.;
- Change reference from S. 411.01, F.S., to part VI of chapter 1002, F.S.; and
- Change "school readiness" to "school readiness program."

Section 26:

Amends s. 490.014(2)(a), F.S., Exemptions, to:

- Change reference from S. 411.0101, F.S., to S. 1002.9, F.S.

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Section 27:

Amends s. 491.014(4)(a), F.S., Exemptions, to:

- Change reference from S. 411.0101, F.S., to S. 1002.92, F.S.

Section 28:

Amends s. 1001.11(1)(b), F.S., Commissioner of Education; other duties to:

- Require the Commissioner of Education (commissioner) to serve as the primary source of information to the legislature, including the President of the Senate and the Speaker of the House of Representatives, concerning early learning programs.

Section 29:

The bill repeals ss. 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0102, 411.0103, 411.0104, 411.0105, and 411.0106, F.S.

Section 30:

The bill requires that within existing Senior Management Service and Selected Exempt Service positions authorized for the Office of Early Learning, there be a Senior Management Service position for a general counsel and a Selected Exempt Service position for an inspector general.

Section 31:

The bill requires that:

- By October 1, 2013, the Office of Early Learning, in collaboration with the commissioner, develop a reorganization plan for the office to be reported to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The plan will include:
 - Any changes made prior to July 1, 2013;
 - Personnel, purchasing, and budgetary matters and their alignment with the duties and responsibilities of the office;
 - A report of all outstanding contractual obligations; and
 - Recommendations for statutory and budgetary changes.

Section 32:

The bill requires that the act will take effect July 1, 2013.

General Implementation Timeline:

July 2, 2013	The act takes effect.
August 1, 2013	Each early learning coalition shall give priority for participation in the school readiness program as outlined. (or upon reevaluation of eligibility of children served, whichever is later)

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- October 1, 2013 The office must examine the existing performance standards in the area of mathematical thinking and develop a plan to make appropriate professional development and training courses available to prekindergarten instructors.
- July 1, 2014 Private prekindergarten teachers must complete an online performance standards training course approved by the office.
- July 1, 2014 The office, with input from coalitions and school readiness program providers, must collect and report data on coalition delivery of early learning programs, as specified.
- January 1 of each year The office is required to publish a report of its activities.
- October 1 of each year Early learning coalitions are required to report to the office required information outlined in S. 1002.84, F.S.