

Legislative Review 2000



2000 DEPARTMENT OF EDUCATION LEGISLATIVE REVIEW

The 2000 Legislature met in Tallahassee from March 7th through May 5th. During this time a number of bills relating to education were passed. In order to inform school district personnel, staff, parents and the community as rapidly as possible, this summary was prepared based on available information.

There are two Tables of Contents. The first lists each bill by subject area; the second lists each bill numerically by its final bill number. Every effort has been made to ensure the accuracy of content; if questions arise the enrolled bill should be read in its entirety. Most bills were still under review by the Governor at the time this document was finalized.

This document is available on the Department of Education web site, and can be reviewed at:

www.firn.edu/doe/legislative

Bill texts and analyses can be accessed at the Florida Legislature's web site, Online Sunshine, located at:

www.leg.state.fl.us

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May, 2000

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EDUCATION PROFESSIONALS

CS/CS/HB 63: Educate 2000

Effective Date: July 1, 2000

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Summary:

This is a comprehensive bill that amends several statutes that govern educator certification, professional development, teacher bonuses, and other educator quality issues. The certification system is revised to make the system more efficient and responsive to needs of school districts, to offer alternative options for certification, and to provide for the development of rigorous certification examinations that align to the Sunshine State Standards. The bill revises the professional development of school administrators and transfers the duties and responsibilities of the obsolete Florida Council on Educational Management to the Department. Revisions are made to enhance the Educator Recovery Network Program, to implement stronger timelines for educators with criminal history records, and to enact a minimum certificate revocation for repeat offenders. The Florida Teachers Lead Program is amended to provide direct stipends to teachers for the purchase of classroom supplies. The Florida Mentor Teacher Program is created to establish multi-level career paths. Teachers of Advanced Placement Courses are provided bonus payments. Obsolete and unnecessary statutes are repealed and technical changes are made.

Summary by Bill Section (where applicable):

Section 1 – Creates EDUCATE 2000 which is cited as “Educators Developing Unequaled Competence Act: Teaching Excellence Act.”

Section 2 – Changes the name of the Division of Human Resource Development within the Department of Education to the Division of Professional Educators.

Section 3 – Requires that the superintendent’s recommendations for filling instructional positions at the school level must consider the recommendations of the school principal. The bill clarifies that the 5 percent performance pay policy is a 5 percent supplement in addition to their salary for outstanding administrators and instructional personnel. The time frame for implementation of the 5 percent supplement is expanded to June 30, 2002, or beginning with the full implementation of an annual assessment of student learning gains, whichever occurs later. The bill requires prior related professional education experience be considered in determining a salary schedule. District school boards shall “encourage” teachers and administrators to keep parents and guardians informed of student progress, programs, and the availability of resources.

The bill creates a bonus program for teachers at “D” or “F” schools and alternative schools serving disruptive or violent youth. Each school district in which there is a “D” or “F” school or alternative school serving disruptive or violent youth shall develop a plan to encourage teachers who demonstrate mastery in improving student performance to remain or transfer to the “D” or “F” or alternative school. Such teachers would be selected by the principal based on his or her performance appraisal and student achievement data until full implementation of the annual learning gain data is available. These teachers are eligible for a supplement of at least \$1,000, not to exceed \$3,500, that is in addition to any other supplement or bonus paid. The Commissioner shall adopt rules to determine measures that define “teaching mastery.”

District school boards are encouraged to prioritize expenditures from the supplemental academic instruction fund to improve performance in “D” or “F” schools.

Section 4 – Transfers the responsibility for the performance compensation and leadership development programs for superintendents to the Department of Education from the obsolete Florida Council on Educational Management.

Section 5 – Makes changes to conform terminology and adds language that district superintendents must consider recommendations from the school principal for instructional position nominations for the school.

Section 6 – Clarifies terminology.

Section 7 – Relocates and revises minimum competency list for effective educators.

Sections 8 and 9 – Conforms terminology.

Section 10 – Requires school principals to make recommendations to the superintendent for instructional personnel to be assigned to the principal's school, and requires principals to assist teachers within the school to use student assessment data for self-evaluation.

Section 11 – Repeals statutory requirements for the selection of principals and assistant principals to provide districts greater flexibility.

Section 12 – Repeals the Management Training Act.

Section 13 – Conforms terminology.

Section 14 – Changes the notification to parents or guardians of out-of-field teachers to those who are teaching outside the area of certification, outside the minor field of study, or outside a field in which the teacher has demonstrated subject area expertise.

Sections 15 and 16 – Conforms terminology.

Section 17 – Repeals unnecessary intent language for the education paraprofessional career development program and conforms terminology.

Section 18 – Deletes language that is relocated to another section in the bill. Removes the 20-year service requirement for the hiring of retired military personnel for Junior ROTC instructors since several military branches allow retirement with less than 20 years.

Section 19 – Substantially rewords Section 231.17, Florida Statutes, relating to educator certification. The substantial changes are:

- Allows for the recognition by the Department of nonaccredited degrees from institutions conferring bachelor's or higher degrees determined by the Department as "quality" programs.
- Establishes a 90-day time period for applicants who have criminal history records to submit requested documentation to the Bureau of Education Standards for determination of eligibility for issuance of a certificate. If documents are not submitted within 90 days, the application and eligibility statement become invalid.
- Provides full reciprocity for out-of-state teachers who hold standard certificates and have 2 years successful teaching experience within the last five years.
- Provides full reciprocity for out-of-state teachers who hold National Board for Professional Teaching Standards certification.
- Provides for a state-designed alternative professional preparation certification program to be implemented in each district beginning July 1, 2002.
- Requires new certification examinations beginning July 1, 2002.
- Beginning July 1, 2002, allows a passing score on the newly developed subject area tests in lieu of specified courses for initial certification and for the addition of a subject to a certificate.
- Provides for issuance of a three-year Temporary Certificate, and provides a period of one year from date of employment for satisfying the general education/basic skills requirement.
- Provides for continuation of one nonrenewable Temporary Certificate and one nonrenewable Professional Certificate in Speech-Language Impaired at the bachelor's degree level.
- Provides for one two-year extension for a Temporary Certificate when requirements other than documentation of general mastery are not met due to an applicant's serious illness, injury, or extenuating circumstances.
- Requires DOE to conduct a study beginning 2003-2004 to compare the performance of teachers who have qualified for certification through various options and preparation programs.

Section 20 – Removes cross reference to repealed statute.

Section 21 – Adds career specialists to the positions for which school districts determine eligibility.

Section 22 – Repeals Section 231.173, Florida Statutes, relating to certification of out-of-state educators. Broader options are established in another section of the bill.

Section 23 – Establishes that the fee remitted to the Department by school districts for renewal of certificates shall be approved by the State Board and the fee shall not exceed actual costs. Provides that a National Board Certificate shall meet requirements for renewal of a Florida Professional Certificate for the subject shown on the National Certificate.

Section 24 – Adds two additional lay members to the Education Practices Commission. The seven member teacher and administrator panels shall include four teachers or four administrators respectively. The majority of the membership of a panel shall constitute a quorum.

Section 25 – Conforms terminology and adds cross-references to the Recovery Network Program relating to public records exemption.

Section 26 – Adds headings to the existing sections of statute governing the Recovery Network Program and adds a subsection establishing conditions that allow a deferred prosecution agreement with educators who have not previously been investigated and agree to enroll in a treatment program approved by the Recovery Network Program. The requirements for participation in a treatment program are outlined.

Section 27 – Renumbers Section 231.28, Florida Statutes, as Section 231.2615, Florida Statutes. This statute relates to the Education Practices Commission (EPC). The EPC is required to revoke an educator's certificate for repeat offenses as stipulated in the section. If action has been taken on two separate occasions or if a settlement agreement has been entered for a second time, or any combination of these conditions in the third instance under conditions specified in this section, the certificate shall be revoked for a minimum of one year.

Section 28 – Conforms terminology and adds rule-making authority citations.

Section 29 – Clarifies language in the Florida School Recognition Program by establishing that staff and faculty bonuses are nonrecurring and that expenditures for equipment, materials or temporary personnel are nonrecurring. These awards are to assist in maintaining and improving student performance.

Section 30 – Revises the certification examination fee cap. The cap is raised to \$100 to cover the cost of developing and administering the examinations.

Sections 31- 47 -- Conforms terminology.

Section 48 – Revises the district professional development system. The Department shall approve each district system as well as substantial revisions to each system. The primary areas of focus for professional development activities are subject content and methods, including technology, assessment and data analysis, classroom management, and school safety. The system shall include the master inservice plan and verification of compliance with requirements of this section shall be sent to the Commissioner of Education each year by October 1. Each principal shall establish and maintain an individual professional development plan for each instructional employee. The plans shall be related to specific performance data of the students taught by the teacher. Inservice activities for administrative personnel that address updated skills necessary for effective school management and instructional leadership shall be included.

The Department shall provide a system for recruitment, preparation, and professional development for school administrative personnel. The system shall:

1. include the knowledge, competencies, and skills necessary for effective school management and instructional leadership that align with student performance standards and accountability measures,
2. include performance evaluation methods,
3. provide alternative means for preparation,
4. provide for the hiring of out-of-state administrators, and
5. provide advanced educational opportunities for school-based instructional leaders.

The Commissioner of Education shall appoint a task force to convene periodically to provide recommendations in the areas of recruitment, certification, preparation, professional development, and evaluation of school administrators. Each district shall make available inservice activities to personnel of nonpublic schools on a fee basis not to exceed the actual cost of the activity per participant. An organization of nonpublic schools with no

fewer than ten members may develop a professional development system including a master inservice plan to be approved by the Commissioner pursuant to rules of the State Board of Education.

The department shall report to the State Board of Education on an annual basis any school district that has failed to adequately provide a professional development system.

Section 49 – Conforms terminology.

Section 50 – Repeals Section 231.614, Florida Statutes, the outdated language for an inservice master plan for vocational educators.

Sections 51 and 52 – Conforms terminology.

Section 53 – Creates Section 231.6215, Florida Statutes, Student Fellowship Program. The program provides a 2-year scholarship loan of \$6,500 per year to Florida residents who are rising juniors at a community college, state university or postsecondary institution eligible to participate in the Florida Resident Access Grant. The program will be administered in cooperation with participating postsecondary institutions. The recipient will participate in a 12-month program developed by the institution and must maintain satisfactory progress toward a baccalaureate degree. The scholarship loan will be forgiven if the recipient teaches, within 5 years of graduation, full time for three years at a Florida public school or for 2 years at a public school designated as a category D or F. If employment requirements are not met, the recipient must repay the loan, plus annual interest of 8 percent, within 10 years after graduation or termination of full-time employment at a minimum monthly payment of \$50.

Sections 54 and 55 – Deletes references to the obsolete Office of Teacher Recruitment and Retention and conforms terminology.

Section 56 – Clarifies terminology and wording.

Section 57 – Repeals Section 231.65, Florida Statutes, the Institute for Research and Practice and Student Educational Evaluation and Performance. These functions have been superseded or accomplished.

Section 58 – Rewords Section 231.67, Florida Statutes, the Florida Teachers Lead Program. Funding is subject to legislative appropriation. Funds are calculated on the basis of prorating the total of the district's share of the total K-12 unweighted FTE student enrollment. A direct stipend is to be paid no later than September 30 to each teacher, media specialist, and guidance counselor employed in a K-12 school on or before September 1. Each recipient is to sign a statement acknowledging receipt of the funds, agreeing to keep receipts, and to return unused funds by the end of the school year. The funds are to be used to purchase classroom materials and supplies. The statement must include the following wording, "I, . . .(name of teacher). . . , am employed by the County District School Board as a full-time classroom teacher. I acknowledge that Florida Teachers Lead Program Stipend funds are appropriated by the Legislature for the sole purpose of purchasing classroom materials and supplies to be used in the instruction of students assigned to me. In accepting custody of these funds, I agree to keep receipts for all expenditures. I understand that if I do not keep receipts showing these funds were spent to purchase classroom materials for use with my students, it will be my personal responsibility to pay any federal taxes due on these funds. I also agree to return any unused funds to the district school board at the end of the regular school year for deposit into the School Advisory Council account of the school at which I was employed at the time of the receipt of the funds." All unused funds shall be deposited into the school advisory council's account at the school where the teacher was employed.

Section 59 - Creates the Florida Mentor School Pilot Program to be implemented in 2001-2002 school year. The Commissioner shall determine the number and selection of the pilot schools. Each pilot school shall receive a grant based on the number of schools and the amount of the appropriation. The program is to provide multiple career paths beginning as paraprofessionals and rising to associate teachers, teachers, lead teachers, and mentor teachers. The five levels shall have differentiated duties with the mentor teacher providing demonstration lessons, coaching, staff development, etc. The mentor teacher may earn as much as twice the district average teacher's salary. Fifty percent of the mentor teacher salary incentive shall be based on increased student achievement of the students assigned to the teachers supervised by the mentor teacher. There shall be a daily block of time provided for professional development, planning, and reflection of the members of the mentor teacher's team.

The requirements for each position are:

- Education paraprofessional -- must hold an associate degree and must demonstrate appropriate writing, speaking, and computation skills.
- Associate teacher -- must hold a bachelor's degree and a valid Professional Certificate.

- Teacher -- must hold a bachelor's degree and a valid Professional Certificate, have three years teaching experience, document satisfactory teaching performance, and document evidence of positive student learning gains.
- Lead teacher -- must hold a bachelor's degree and a valid Professional Certificate, have three years teaching experience, document satisfactory teaching performance, document evidence of positive student learning gains, and must provide intensive support for associate teachers and teachers.
- Mentor teacher -- must hold a bachelor's degree and a valid Professional Certificate, have five years teaching experience, document satisfactory teaching performance, document evidence of positive student learning gains, hold National Board Certification, designation as a teacher-of-the-year, or equivalent status as determined by the Commissioner, and demonstrate expertise as a staff developer.

[NOTE: The Department is aware of the problems with certification language in implementation of the associate teacher level and teacher level positions. We are working with legislative representatives and staff for resolution.]

Section 60 - Amends Section 236.081(1)(m), Florida Statutes, regarding funds for operation of schools, to require districts to distribute to each classroom teacher who provides advanced placement instruction, a bonus of \$50 for each student taught by the teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination. Requires an additional bonus of \$500 to each Advanced Placement teacher in a school designated "D" or "F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination. Bonuses awarded to a teacher under this provision are limited to \$2,000 in a given school year and are in addition to regular wages or other bonuses.

Section 61 - Amends the Excellent Teaching Program to clarify that the Florida School for the Deaf and Blind is considered a school district for purposes of this program. The application fee subsidy cap of \$1800 is removed and allows mentoring by National Board Certified teachers statewide rather than only within the district.

Section 62 – Repeals Section 236.0811, Florida Statutes. Pertinent language in this section was relocated to Section 231.600, Florida Statutes, the School Community Professional Development Act.

Section 63 – Amends Section 240.529, Florida Statutes, deleting language relating to the teacher preparation task force that has completed its work. State teacher preparation programs are required to incorporate ESOL instruction so program graduates will complete the requirements for teaching ESOL students in the public schools in Florida. Unnecessary language relating to the National Council for the Accreditation of Teacher Education and alternate approval processes is eliminated. Additional criteria for continued program approval are clarified. The annual employer satisfaction survey instrument must include items addressing graduates' ability to:

1. Write and speak in a logical and understandable style with appropriate grammar.
2. Recognize signs of difficulties with reading and computation and apply appropriate measures to improve performance.
3. Use and integrate technology in instruction.
4. Demonstrate knowledge and understanding of the Sunshine State Standards.

Beginning with the 2001-2002 academic year, colleges of education shall annually report:

1. The percent of graduates obtaining full-time teaching employment within the first year of graduation.
2. The average length of stay of graduates in the full-time teaching positions.
3. Employer satisfaction ratings including the data listed above.

Also, beginning with the 2001-2002 academic year all Florida institutions offering training for school-readiness related professions shall annually report information regarding these programs to the state and public that conforms with methods and definitions proposed by the Education Standards Commission. The information must include as a minimum the average length of stay of graduates in their positions and employer satisfaction ratings for graduates.

Section 64 – Creates a task force to be appointed by the Commissioner of Education to make recommendations for the adoption of rules by the State Board for speech-language services. The rules shall authorize delivery of services by baccalaureate degree level persons for a period of three years under the direction of a master's degree level certified speech-language pathologist. The rules shall be reviewed by the State Board of Education by October 1, 2003.

Section 65 – Amends Section 240.4063, Florida Statutes. The Florida Teacher Scholarship and Forgivable Loan Program will include publicly funded schools. A school is publicly funded if it receives at least 75 percent of its operating costs from governmental agencies and operates under contract with a public school district or the Department of Education.

Section 66 - The act shall take effect July 1, 2000.

HB 847: Speech-Language Pathology Program

Effective Date: Upon becoming law

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Summary:
Authorizes a Master of Science degree program in Speech-Language Pathology at Florida International University.

SCHOOL DISCIPLINE AND SCHOOL SAFETY

CS/CS/CS/SB 852: School Safety and Student Discipline

Effective Date: July 1, 2000

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Summary:
SB 852 covers a wide array of school safety and student discipline issues, including revising the definition of suspension; revising data used to determine a school's performance grade category; creating a Partnership for School Safety and Security; creating an electronic school safety clearinghouse; revising information required to be in the student code of conduct; defining "firearm" and "weapon"; authorizing one-year expulsion for making threats and false reports; establishing model emergency management and preparedness procedures and plans; encouraging "school-within-a school" practices; defining "small schools" and requiring small school construction beginning 7/1/03; adding safety and security review to Office of Program Policy Analysis and Governmental Accountability (OPPAGA) and the Office of the Auditor General reviews; creating Student Support Services Pilot Program in Sarasota, Lake and Miami-Dade school districts; standardizing school safety and discipline reporting form at school level; expanding the current safety performance standards for the state education goal; allowing use of truancy petition to correct nonattendance; clarifying home education portfolio review requirements; prohibiting attendance to be used as exemption for academic performance requirements; revising teacher authority to temporarily remove disruptive students from the classroom; limiting liability for teachers, principals, and bus drivers for exercising authority; requiring School Safety Transportation Plans; identifying hazardous school walking conditions; transporting students subjected to hazardous walking conditions; requiring submission of floor plans of public K-12 schools and community colleges to local police and fire agencies; defining "habitually truant," "truancy petition," and clarifying procedures for filing truancy petitions; and reviewing criteria for reduction of temporary cash assistance (Learnfare Program).

Summary by Bill Section (where applicable):

Section 1 – Amends Section 228.041(25)(a), Florida Statutes, to redefine suspension by adding "remanding of student to the custody of the student's parent with specific homework assignments for the student to complete." The wording "out-of-school" suspension remains in the definition.

Section 2 – Amends Section 229.57(8)(a), Florida Statutes. Beginning 2000-2001 school year, removes "attendance" and "school discipline data" as performance data used in the designation of school performance grade categories. Removes reference to four schools that were identified as critically low performing, based on 1996-1997 and 1997-1998 school year performance data and state board adopted criteria.

Section 3 – Creates Section 229.8347, Florida Statutes, to form the Partnership for School Safety and Security. The Partnership's responsibilities include a) evaluating school safety and security programs and strategies; b) creating an electronic school safety and security clearinghouse; c) assessing the extent to which best practices for

school safety and security are being followed, including placing and training new teachers, providing incentives for teachers of demonstrated mastery to remain in or transfer to low-performing schools; and providing support systems, such as mentors or specialized training for teachers who are willing to teach in schools that serve large populations of students from low-income families; d) providing training and offering technical assistance to school district staff and others on how to create a safe school environment; e) fostering coordination among schools, law enforcement personnel, and crisis-management teams; and f) submitting an annual report to the Governor, Senate President, House Speaker, minority leaders of the Senate and House, and the Commissioner of Education.

Defines the organization, membership, meetings, compensation and travel expenses, and budget for the Partnership.

Section 4 – Amends Section 230.23, Florida Statutes. Under paragraph (d), Code of Student Conduct, subsection 6, removes the words “or an item which can be used as a weapon;” under subsection 10, combines and clarifies provisions relating to student possession of a weapon; under subsection 11, requires the district code of student conduct to include certain notice relating to expulsion for making a threat or false report involving school or school personnel’s property, school transportation, or a school-sponsored activity. Such threats or false reports will result in the student being expelled, with or without continuing education services, from the student’s regular school for a period of not less than one full year and referred for criminal prosecution; allows superintendents to consider the one-year expulsion requirement on a case-by-case basis and to request the district school board modify the requirement by assigning the student to a disciplinary program or second chance school, if it is determined to be in the best interest of the student and the school system.

Redesignates Section 235.14, Florida Statutes, to paragraph (f), and requires district school boards to formulate and prescribe policies and procedures for emergency drills and for actual emergencies, including, but not limited to: fires, natural disasters, and bomb threats; requires district school boards to establish model emergency management and emergency preparedness procedures for the following life-threatening emergencies: a) weapons and hostage situations, b) hazardous materials or toxic chemical spills, c) weather emergencies, and d) exposure as a result of a manmade emergency.

Creates Subsection (20), School-Within-A-School, and requires school boards to adopt policies effective for the 2002-2003 school year, and thereafter, to encourage any schools that do not meet the definition of a small school, as established by 235.2157(2), to subdivide into “schools-with-in-a-school” and defines “school-within-a-school.”

Creates subsection (21), Teacher Support, and requires district school boards to address the availability of qualified and experienced support services professionals who are trained in substance abuse or mental health to support teachers who identify students with potential problems; allows district school boards to address the availability of these professionals through the use of in-school or local private providers.

Section 5 – Amends Section 230.23025(1), Florida Statutes, to add review of safety and security practices to the reviews by OPPAGA and the Office of the Auditor General.

Section 6 – Creates Section 230.23145, Florida Statutes, to establish the Student Support Services Pilot Program for Sarasota, Lake, and Miami-Dade, school districts assess the use of and assist student support services personnel in public schools and requires each participating school district to provide information relating to the current use of student services personnel within the district, to provide a plan outlining the proposed use of part-time or non-degreed personnel to provide clerical assistance, and to report to the Department on improved student performance, reduced school discipline problems, increased direct time with students, or other significant outcome measures by August 1, 2001.

Section 7 - Amends Section 230.235, Florida Statutes, to specify offenses for which a student will be expelled for one year and referred to criminal prosecution under district school board zero tolerance for crime policies; authorizes assignment to certain alternative programs; provides a cross reference relating to students with disabilities.

Section 8 – Creates Section 231.0851, Florida Statutes, to require principals to use standardized school safety and discipline report forms prescribed by State Board of Education rule to report data concerning school safety and discipline to the Department and to develop a plan to verify the accuracy of reported incidents.

Section 9 - Requires the State Board of Education to adopt by rule a standardized form to be used by each school to report school safety and discipline data.

Section 10 - Requires the Department by October 1, 2000, to establish a mechanism to improve reliability and accuracy of school safety reports, including improvement of the School Environmental Safety Incident Reporting System (SESIR).

Section 11 - Requires the Department, by December 1, 2000, to develop an individualized school safety and environment assessment instrument that schools may use to assess their needs with respect to the state education goal for safety; requires the Department, by December 1, 2000, to expand the current performance standards for the state education goal for safety to comprehensively address district and school safety and security.

Section 12 – Amends Section 232.17(1), Florida Statutes, to require the principal, when a student is found to exhibit a pattern of non-attendance by the child study team, to notify the superintendent and the school district contact for home education programs that the student is exhibiting a pattern of nonattendance. It further adds to the interventions authorized by law, the filing of a truancy petition in the circuit court pursuant to Section 984.151, Florida Statutes, if the initial meeting with the parent does not resolve the problem. Specifies requirements to be followed if a parent or guardian of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to Section 232.0201, Florida Statutes, as follows:

Requires the superintendent of schools to provide the parent or guardian with a copy of Section 232.0201, Florida Statutes, and accountability requirements of this paragraph and to refer the parent or guardian to a home education review committee composed of the district contact for home education and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least three years and who have indicated a willingness to serve on the committee.

Provides that the home education review committee must review the student's portfolio, as defined by Section 232.0201, Florida Statutes, every 30 days of the regular school term until the committee is satisfied that the home education program is in compliance with Section 232.0201 (1) (b), Florida Statutes. The first portfolio review must occur within the first 30 calendar days of the establishment of the program. Once the committee determines that the home education program is in compliance with Section 232.0201(1)(b), Florida Statutes, then provisions for failure to produce a portfolio, as described below, no longer apply.

Provides that if a parent or guardian fails to produce a student portfolio pursuant to Section 232.0201, Florida Statutes, the committee shall notify the superintendent, who shall then terminate the home education program and require the parent to enroll the child in an attendance option under Section 232.02(1), (2), (3), or (5), Florida Statutes, within three days. Upon termination of a home education program, the parent or guardian shall not be eligible to re-enroll the child in a home education program for 180 calendar days. Failure to enroll the child in an attendance option, after termination of the home education program, shall constitute non-compliance with compulsory attendance requirements of Section 232.02, Florida Statutes, and may result in criminal prosecution under Section 232.19 (2), Florida Statutes. Nothing in this section shall restrict the ability of the superintendent of schools or his or her designee to review the portfolio pursuant to Section 232.0201(1)(b), Florida Statutes.

Section 13 – Amends Section 232.24521, Florida Statutes, to require that a student's attendance record may not be used in whole or in part to provide an exemption from any academic performance requirement.

Section 14 – Amends Section 232.25(3), Florida Statutes, to require that if a student is a student with a disability, the disciplinary action must comply with the procedures set forth in state board rule.

Section 15 –Amends Section 232.26, Florida Statutes, to provide that in addition to expulsion, that any recommendation for the suspension of a student with a disability shall be made in accordance with rules adopted by the State Board of Education.

Section 16 – Amends Section 232.27(1)(c), Florida Statutes, to add the words "disobedient" and "disrespectful"; redesignates paragraph (d) through (j) of said subsection as paragraph (e) through (k), respectively; and adds a new paragraph (d) to said subsection that violent, abusive, uncontrollable, or disruptive students be directed for information or assistance from appropriate school or district personnel.

Section 17 – Amends Section 232.271(2) and (5), Florida Statutes, deleting language dealing with students who have been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; removes in paragraph (b) the words "is so unruly, disruptive, or abusive that it seriously;" and removes subsection (5) that requires the Department to conduct a study on the number of students who are expelled from classrooms, the placement alternative for students who are expelled, and the number of decisions by teachers that are overridden by the placement review committee.

Section 18 – Amends Section 232.275, Florida Statutes, adding the words “including, but not limited to, any exercise of authority under Section 232.26,” (Authority of Principal) “Section 232.27,” (Authority of teacher; responsibility for control of students; school district duties) “or Section 232.271.” (Removal by teacher).

Section 19 - Creates Section 234.0215, Florida Statutes, requiring development of school transportation safety plans by school districts, charter schools, and other state or local governmental entities having jurisdiction. The primary purpose of these plans, which are due to the Department by December 31, 2000, is to identify hazardous walking conditions that have not been corrected in the areas within two miles of schools. Districts and the other entities must prioritize the need for correction of the hazards, and must identify any that have not been corrected within five years of identifying them, including the cost to correct them. The bill also requires the plan to provide recommendations and fiscal estimates for various potential changes in the existing Hazardous Walking statute (Section 234.021, Florida Statutes), such as: expanding eligibility of students to include secondary grades; changing the width of required walking areas parallel to roads or their distance from the road; changing the hazardous walking criteria for perpendicular crossings associated with traffic volume, number of lanes, or crossing controls; and, additional recommendations for defining hazards, to include crime, construction, bodies of water, or other risks. The plans are also to include recommendations for the required level of auditing of funding claims, procedures for locating bus stops, and identification of responsibilities of parents or guardians when transportation is not required and provided by the district or charter school. Districts are required to identify the number of schools that provide separate school bus and parent student loading and unloading areas, as well as the number of schools providing transportation that is not currently required by state law. The identification of these schools may be used to provide incentive funds (if appropriated) during the 2000-2001 legislative session.

Section 20 - Section 235.192, Florida Statutes, is created to provide that beginning October 1, 2000, each school board and community college must provide a copy of the floor plans and other relevant documents for each educational facility to the law enforcement agency and fire department that has jurisdiction over each educational facility in the district. By October 1 of each year thereafter, the school boards and community colleges shall submit revised floor plans and other relevant documents for each educational facility that was modified during the preceding year.

Section 21 – Creates Section 235.2157, Florida Statutes. Finds that Florida’s schools are among the largest in the Nation and describes the benefits of smaller schools. Defines “small school” to mean: (a) an elementary school with a student population of not more than 500 students; a middle school with no more than 700 students; a high school with no more than 900 students; a school serving grades K-8 with no more than 700 students; a school serving grades K-12 with no more than 900 students. Further defines a school on a single campus that operates as a school-within-a-school, as defined by Section 230.23(20), Florida Statutes, shall be considered a small school if each smaller unit located on the single campus meets the requirements of this subsection.

Requires that beginning July 1, 2003, all plans for new educational facilities shall be plans for small schools. This section does not apply to plans for new educational facilities already under architectural contract on July 1, 2003.

Section 22 – Amends Section 984.03(29) & (57), Florida Statutes, defining current language referring to investigations and interventions provided by a school representative and a Department of Juvenile Justice probation officer. Expands the definition of “truancy petition” to include that a student subject to compulsory school attendance has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month, or the student has had 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period.

Section 23 – Amends Section 984.13(1)(b), Florida Statutes, to provide that a child, who is alleged to be from a family in need of services or to be a child in need of services, and who is suspended or expelled and is not in the presence of his or her parent or legal guardian, may be taken into custody by a law enforcement officer and delivered to the appropriate school system site. Changes the previous term “school system” to “school system site” and expands the definition to include an approved alternative to a suspension or expulsion program.

Provides that, if the child has been suspended or expelled from school and has not been assigned to an alternative school placement, the officer shall deliver the child to a parent or legal guardian, to a location determined by the parent or guardian, or to a designated truancy interdiction site until the parent or guardian can be located.

Section 24 – Amends Section 984.151(1) & (3), Florida Statutes, to provide that the superintendent of schools may file a truancy petition for a student who has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month, or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period pursuant to Section 232.17(1)(b), Florida Statutes. Provides that upon

the filing of a petition, the clerk shall issue a summons to the parent, guardian, or legal custodian of the student, directing that person and the student to appear for a hearing at a time and place specified.

Creates Section 984.151(9), Florida Statutes, to provide that the parent, guardian, or legal custodian and the student shall participate, as required by court order, in any sanctions or services required by the court under this section, and the court shall enforce such participation through its contempt power.

Section 25 - Amends Section 414.125, Florida Statutes, to extend the provisions for the reduction of temporary cash assistance for a participant's eligible dependent child or for an eligible teenage participant who has been identified as a habitual truant, pursuant to Section 228.041(28), Florida Statutes, and to remove current language regarding the child's attendance in school.

Section 26 - Amends Section 234.01(1)(b), Florida Statutes, to allow districts to transport grades 7 to 12 students who are subjected to hazardous walking conditions, as provided in Section 234.021, Florida Statutes.

Section 27 - Amends Section 234.021, Florida Statutes, to specify that a representative of the county sheriff and a representative of the local safety council, if one exists, are to inspect perceived hazardous walking conditions, in addition to the current statutory requirement that such conditions be inspected by the school district and the local governmental entity where the perceived hazardous condition exists. Under this section, currently, locations meeting the statutory criteria are required to be reported to the Department as the basis for state funding claims. The bill would change the "criteria" to "guidelines" and would allow any of the parties inspecting the perceived hazardous locations to report conditions to the Department that either meet the statutory guidelines or that are otherwise believed to be hazardous, based on the party's findings.

Section 28 - Amends Section 236.083, Florida Statutes, to specify that any additional student transportation funds appropriated in the 2001-2002 General Appropriations Act, over and above funds provided for student enrollment growth, shall be used to fund students transported due to hazardous walking conditions, including any such students transported at school district option.

Section 29 - Effective date of this act is July 1, 2000.

PUBLIC SCHOOL PROGRAMS

SB 92: Students and Extracurricular Activities

Effective Date: On becoming law

Key Contact: Brandy Bartol, 850/488-1701
bartolb@mail.doe.state.fl.us

Summary:

Revises provisions relating to the grade point average required for participation in interscholastic extracurricular student activities and requiring a contract to be executed upon a student's falling below the required cumulative grade point average.

Summary by Bill Section (where applicable):

Section 1 - Amends Section 232.425(2)(3), Florida Statutes, regarding student standards for participation in interscholastic extracurricular student activities, by deleting intent language and requiring that in order to participate a student must maintain a grade point average of 2.0 or above on a 4.0 scale or its equivalent in the previous semester or a cumulative grade point average of 2.0 or above or its equivalent in the courses required by statute for high school graduation, and have a cumulative grade point average of 2.0 or above or its equivalent in the courses required for graduation by statute during his or her junior or senior year; and maintain satisfactory conduct.

If the student's cumulative grade point average falls below 2.0 or its equivalent in the courses required by statute for graduation, the student may execute and fulfill the requirements of an academic performance contract between the student, the school district, the appropriate governing association, and the student's parents or guardian. For students who entered the 9th grade prior to the 1997-1998 school year, if the student's grade point average falls below of 2.0 or its equivalent in the courses required by statute for graduation that are taken after July 1, 1997, the student may execute and fulfill such a contract. At a minimum, the contract must require that the student attend summer school or its graded equivalent between grades 9 and 10 or grades 10 and 11, as necessary.

The bill also provides that an individual home education student is eligible to participate at the public school to which the student would be assigned according to district school attendance area policies or which the student could choose to attend pursuant to district or interdistrict controlled open enrollment provisions. Such a student may also develop an agreement to participate at a nonpublic school, provided certain conditions previously stated in the statute are met.

Section 2 - amends Section 232.61, Florida Statutes, regarding bylaws relating to student eligibility adopted by the governing organization for athletics, by deleting the provision that where the student lives, with whom the student lives, or which school the student attended the previous year shall not be a factor in determining eligibility.

SB 172: Courses of Study/Veterans

Effective Date: On becoming law

Key Contact: Michael Tremor, 850/487-8804
tremorm@mail.doe.state.fl.us

Summary:

Amends Section 233.061(2)(r), Florida Statutes, regarding required instruction, to provide that, in order to encourage patriotism, members of the instructional staff of the public schools teach the sacrifices that veterans have made in serving the country and protecting democratic values worldwide. Such instruction must occur on or before Veterans' Day and Memorial Day. Members of the instructional staff are encouraged to use the assistance of local veterans when practicable.

SB 354: Florida Academic Scholars

Effective Date: July 1, 2000

Key Contact: Theresa Antworth, (850) 488-1034
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Summary:

Specifies an award amount for the William L. Boyd, IV, Florida Resident Access Grant; specifies placement of funds appropriated by the Legislature for the William L. Boyd, IV, Florida Resident Access Grant; amends the Florida Bright Futures Scholarship Program to include eligibility for recipients who have been recognized by the National Hispanic Recognition Program.

Summary by Bill Section (where applicable):

Section 1 – Amends Subsection (5) (a) and (6) of Section 240.605, Florida Statutes, clarifying that the amount of the William L. Boyd, IV, Florida Resident Access Grant issued to a full-time student shall be an amount specified in the General Appropriations Act. Provides for funds to be deposited in the State Student Financial Assistance Trust Fund and for the balance at the end of the fiscal year to remain therein.

Section 2 – Amends subsection (4) (a) of Section 216.136, Florida Statutes, increasing the duties of the Education Estimating Conference to include private educational systems and the William L. Boyd, IV, Florida Resident Access Grant.

Section 3 - Section 1 (e) is added to 240.40205 Florida Statutes. In addition to other eligibility criteria, a student may qualify for the Florida Academic Scholar award within the Florida Bright Futures Scholarship program by meeting the general eligibility requirements for the FBFSP and one of the following: achieving a 3.5 weighted grade point average and attaining the score identified by the department on the SAT or ACT; or by being awarded an International Baccalaureate Diploma; or by being recognized by the merit or achievement programs of the National Merit Scholarship Corporation as a scholar or finalist; or by being a recipient of the National Hispanic Scholar Award.

SB 842: Grade Forgiveness

Effective Date: July 1, 2000

Key Contact: Michael Tremor, (850) 487-8804
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Summary:

Amends Section 232.246(5)(e), Florida Statutes, regarding requirements for high school graduation, to provide that, beginning in the 2000-2001 school year and each year thereafter, forgiveness policies for *required* courses shall be limited to replacing a grade of "D" or "F" or their equivalent with a grade of "C" or higher or its equivalent earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F" or their equivalent with a grade of "C" or higher or its equivalent earned subsequently in another course. Any course grade not replaced according to a district forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

CS/SB 850: Instructional Materials

Effective Date: Upon becoming law

Key Contact: Elizabeth Carrouth, (850)487-8791
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Summary:

The bill defines adequacy of materials, eliminates the district pre-adoption component and requires districts to purchase newly adopted materials within the first two years of the cycle.

Summary by Bill Section (where applicable):

Section 1 – Defines adequate instructional materials as a sufficient number of textbooks or sets of materials that serve as the basis of instruction, unless otherwise approved by the school advisory council.

Section 2 – Allows for more than the present nine members appointed to state instructional materials committees and requires that at least 50 percent be classroom teachers. Because of the statutory make-up of the committees, this language will require that a minimum of ten members be appointed.

Section 3 – Deletes reference to requirement for district committee members to make an affidavit.

Section 4 – Requires public announcement of adoption meetings through the Florida Administrative Weekly. Deletes reference to district committee reports and independent investigations by state committees.

Section 5 – Deletes reference to development of Department of Education training program for state committee members through Summer Inservice Institutes.

Section 6 – Prohibits districts and publishers from participating in pilot programs of materials submitted for state adoption consideration for the 18 months prior to adoption. Districts must have prior approval of the Commissioner to engage in a pilot program during the first two years of adoption.

Section 7 - Requires public announcement of requests for bids and proposals from publishers through the Florida Administrative Weekly.

Section 8 – Gives primary power to the Commissioner of Education for selection of instructional materials. Deletes all references to and eliminates district pre-adoption committees from the state adoption process. Further reinforces the Commissioner's power to select and reject bids and materials from consideration to state adoption. Requires the Department to review contracts used for core subject area adopted materials and to prepare a report of any recommended changes to the House and Senate.

Section 9 – Allows the Commissioner to conduct investigations to determine accuracy of materials and to remove materials from state adoption if errors are discovered and a publisher refuses to correct such errors.

Section 10 – Changes term of adoption of instructional materials from 8 to 6 years and allows the Commissioner to approve terms of less than 6 years in subject areas that require more frequent revision. Eliminates the escalation clause that previously allowed publishers to increase prices after third year of adoption.

Section 11 – Requires district superintendents to requisition current instructional materials to provide each student with a textbook or materials serving as the major tool of instruction in the core subject areas. Further requires materials to be requisitioned within the first two years of adoption except for materials related to growth and maintenance.

Section 12 – Eliminates references to district participation and requires publishers to contract with a state depository to maintain sufficient inventory to fill requisitions in the first two years of adoption and to fill orders for growth and replacement in 3rd and subsequent years of adoption. Requires publishers to accurately disclose only the names of persons who actually author the materials and provides authority to the Commissioner to remove materials whose publisher misleads or falsely represents genuine authorship.

Requires implementation of a pilot program to provide opportunities for customization of materials beginning with the 2002 adoption cycle. Recommendation for customization pilot would be initiated by the state committee and would involve at least one district in consultation with the publishing industry.

Section 13 - Requires districts to purchase current instructional materials to provide each student with a textbook or other materials as a major tool of instruction in the core subject areas. Requires materials to be requisitioned within the first two years of adoption provided the cost does not exceed the district's allocation for the previous two years, except for materials related to growth and maintenance or contracts in existence before April of 2000. Allows districts that meet this requirement to use at least 5 percent of technology funds to purchase electronic book readers when authorized through General Appropriations. Allows districts to issue purchase orders after February 1 (not to exceed 20 percent of current-year allocation) and after April 1 (not to exceed 90 percent of current-year allocation) for the purpose of expediting delivery of materials to be paid for from the ensuing year's allocation.

Section 14 – Shifts responsibility to district school boards for the disposal of textbooks that are unserviceable, surplus, or no longer on state contract. Authorizes school boards to prescribe policy for destruction of materials that cannot be disposed of and requires that any funds received from sales or exchange of books be deposited to the district appropriation for instructional materials.

Section 16 – Requires district superintendents to keep adequate records of all financial transactions related to funds collected for lost and damaged instructional materials and requires such records and accounts to be a component in each school district's best financial management practices review as prescribed in Section 11.515, Florida Statutes, and Section 230.23025, Florida Statutes. Requires superintendents to notify the Department by April 1 of each year the state adopted materials to be requisitioned and shall include a plan for instructional materials use in determining if adequate materials have been requisitioned.

Section 17 – Requires school principals to be held responsible for effectively communicating to parents the manner in which instructional materials are used and requires that provisions for collecting funds for lost and damaged books be included in school board policy.

Section 18 – Deletes operating expense and Department requirement to operate surplus instructional materials exchange.

Section 20 – Authorizes OPPAGA to add instructional materials as a component for review of financial management practices.

Section 21 – Requires the Executive Office of the Governor and the Secretary of State to renegotiate existing contracts on the bill's effective date that provide for core science materials K – 12.

SB 990: High School Grading System

Effective Date: July 1, 2000

Key Contact: Michael Tremor, 850/487-8804
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Summary:
Changes requirements for school report; makes substantive changes to the high school grading system; prohibits attendance as a basis in any part for exemption from academic requirements, such as final exams.

Summary by Bill Section (where applicable):

Section 1 - Amends Section 230.23(16)(e), Florida Statutes, to provide that annual public disclosure reports must be a profile of each school in an easy-to-read report card format and must include the school's student and school performance grade category designation and performance data as specified in state board rule.

Section 2 - Amends Section 232.24521, Florida Statutes, to require grades reported on the final report card be expressed as letter grades or grade points. Academic achievement should be graded upon measurement of

academic performance and timely completion of academic requirements. Academic achievement grades should be separated from grades for other matters, such as academic improvement, conduct, attitude, attendance, or tardiness. A student's attendance record may not be used in whole or in part to provide an exemption from any academic performance requirement.

Section 3 - Substantially amends Section 232.2463, Florida Statutes, regarding the high school grading system, to provide a legislative finding that the percentage equivalents of high school letter grades depend upon the difficulty of material assigned and tested by the teacher. An equal percentage of correct answers could indicate unequal levels of mastery, depending on the difficulty of the test questions. Therefore, grades expressed as a percentage are not expected to be consistently equated to the same level of mastery. School districts are not required to adopt a system of interpreting percentage grades, and school teachers may use grading systems that vary the interpretation of percentage grades according to the difficulty of material tested, such as "curving" the grades.

For purposes of interpreting percentage grades when teachers do not assign letter grades, school districts should use a grading scale that is similar to those used by other states, as follows: grade "A" equals 90 percent through 100 percent, has a grade point average value of 4, and is defined as "outstanding progress;" grade "B" equals 80 percent through 89 percent, has a grade point average value of 3, and is defined as "above average progress;" grade "C" equals 70 percent through 79 percent, has a grade point average value of 2, and is defined as "average progress;" grade "D" equals 60 percent through 69 percent, has a grade point average value of 1, and is defined as "lowest acceptable progress;" grade "F" equals zero percent through 59 percent, has a grade point average value of zero, and is defined as "failure;" grade "I" equals zero percent, has a grade point average value of zero, and is defined as "incomplete."

For the purposes of class ranking, school districts may exercise a weighted grading system.

SB 1264: Study on Children with Developmental Delays

Effective Date: Upon becoming law

Key Contact: Shan Goff, (850) 488-1570
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Summary:

Provides for a study of children with developmental delays to be conducted by the Florida Partnership for School Readiness with assistance from the Executive Office of the Governor, the Department of Children and Family Services, and the Children's Medical Services of the Department of Health; specifies purposes of the study; creates a study commission; outlines the major components of the study; allows for expert consultants; establishes advisory workgroups; specifies reporting requirements; and provides an appropriation.

Summary by Bill Section (where applicable):

Section 1 - Cites this act as the "Study on Children with Developmental Delays Act."

Section 2 - The purpose of this act is to examine how this state can better identify and effectively serve those young children with or at high risk of mental disorders or developmental delays and disabilities. The goal is to optimally minimize the adverse effects of those delays and disabilities on children in this state.

Defines "children with developmental delays" as those infants and young children from birth to 5 years of age who are experiencing or are at high risk for developing emotional, cognitive, social, learning, and other developmental delays or long-term mental or developmental disabilities or conditions.

The study must recognize that families and other community-based entities play a major role in preventing or minimizing certain risks to the child, enhancing the child's development, and minimizing the long-term disabling impact of any developmental delay or disability. It should focus on developing early-intervention strategies and programs that provide individualized treatment and other services to infants and young children and their families to avoid unnecessary suffering because the child's problems or deficits were not identified or were mislabeled.

The study must document the ways in which providing appropriate early interventions to young children experiencing such delays or deficits or early negative family circumstances will afford a more productive life for the children and result in a cost savings to public systems such as the criminal justice and child welfare systems. It must use, to the greatest possible extent, the work and findings of other groups.

Section 3 - The Florida Partnership for School Readiness shall conduct the study on children with developmental delays for the purposes prescribed in this act, and shall be assisted by the Executive Office of the Governor, the Department of Children and Family Services, and the Children's Medical Services of the Department of Health, upon request. The Partnership shall appoint a study commission to carry out the required activities, consisting of the following members: the Secretary of Juvenile Justice, a representative of the Department of Children and Family Services, a representative of the Department of Education, the Executive Director of the Agency for Health Care Administration, a representative of the Department of Health, the Department of Psychiatry Chair of the University of Florida Brain Institute, the Department of Pediatrics Chair of the University of Miami Medical School, the chair of the Florida School Readiness Partnership Board, the chair of the Florida Interagency Coordinating Council for Infants and Toddlers, a professional who has expertise in the needs of children with learning disabilities, a professional who has expertise in the needs of children with emotional or mental disorders, a professional who has expertise in the needs of children with developmental disabilities, a professional with expertise in the diagnosis and treatment of children with speech and language disorders, a professional with expertise in the early-intervention and prevention services rendered to children in this state, a professional with expertise in autism and related disorders, and the parent of a child with a learning disability or emotional or mental disorder.

Professional members must be appointed in consultation with the President of the Senate and the Speaker of the House of Representatives. Members of the study commission and of the advisory workgroups shall serve without compensation, but are entitled to reimbursement for travel and per diem pursuant to Section 112.061, Florida Statutes. Agency heads may not select designees to attend study commission meetings in their place. Appointments to the study commission must be completed 2 weeks after this act takes effect, and the study commission must conduct its initial meeting within 1 month after this act takes effect.

The partnership executive director shall appoint a study coordinator within 15 days after the appointment of the commission, within funds appropriated, and may appoint one professional staff member and one clerical staff member, within funds appropriated, subject to approval of the partnership. Staff shall serve under the direction of the partnership executive director and shall perform duties assigned by the partnership.

The study shall contain the following components: examination of the research and best practices in the pertinent psychiatric/medical, social, psychological/behavioral, and education professions in order to identify early interventions that will prevent or minimize the adverse effects of emotional, social, cognitive, learning, or developmental delays or disabilities on children and their families; determination of the best existing, age-appropriate screening and evaluation tools, such as School Readiness uniform screening, which are currently used by community service providers and education entities to identify and link children with appropriate specialized interventions and services; identification of community risk factors such as chronic community and family violence which expose infants and young children to a variety of developmental and clinical problems and limit the effectiveness of parents; identification of existing services and programs in this state which are effective and need to be expanded in scope, availability, or geographic access and identification of new services, programs, or interventions that have proven effective by means that include a review of the professional expertise, available and unavailable, in this state to provide these services; determination of the configuration and organizational arrangement of the delivery systems for early-intervention services and programs to assure coordination and integration with existing systems, which include, but are not limited to, School Readiness, Infants and Toddlers Early Intervention Program, Pre-Kindergarten Disability Program, Healthy Start Program, Healthy Families Florida, Florida KidCare, child and adolescent mental health services, juvenile justice programs, developmental services, foster care services, group care services, domestic violence services, and teenage parent programs; determination of the costs of providing services and proposed funding options; and, based on findings and conclusions, preparation of a plan for building a comprehensive early-intervention system in this state for young children with or at high risk of developmental delays or problems and recommendation of public policy changes to address violence prevention.

The plan must include a description of services and programs accessible to all communities in this state, budget and resource needs, proposed statutory revisions, legislative funding options, and an implementation schedule.

The study commission, with approval from the partnership, may invite national experts in the areas of brain research, child development and early intervention, and violence intervention to participate in study activities and provide pertinent recommendations regarding prevention and early intervention strategies, programs and services. Consultants' fees may be paid from the study's appropriation.

The study commission shall establish at least two advisory workgroups: a scientific advisory workgroup and a community advisory workgroup. The scientific advisory workgroup shall be comprised of scientific experts who will examine the effectiveness of various early-intervention and prevention programs and prepare a report to help

guide the study commission in the selection of programs. The community advisory workgroup shall provide the study commission with technical assistance on the services and systems of the state. The community advisory workgroup shall consist of state agency program representatives; parents of children who are at-risk of developmental delays or disabilities; parents of children with disorders or disabilities; local providers of child care, early-intervention services, and other relevant services; a local school readiness coalition representative; a regional policy council representative; and other experts in the field or service system.

The partnership must submit its report by January 1, 2001, to the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of appropriate substantive committees of each Legislative chamber. The recommendations of the task force must include proposed legislation.

A sum of \$250,000 in General Revenue funds for fiscal year 2000-2001 is appropriated to the partnership for the study, and \$100,000 of this appropriation may be used to reimburse any of the above mentioned national experts who provide consultation and share their expertise with the study commission.

Section 4 – This act expires June 30, 2001.

Section 5 – Effective upon becoming law.

GOVERNANCE

HB 135: **Citizen Participation in Government**

Effective Date: Upon becoming law

Key Contact: Michael Olenick, (850) 488-77-7

Summary:

Creates “Citizen Participation in Government Act”; provides legislative intent, defines terms, and prohibits “Strategic Lawsuits Against Public Participation” or “SLAPP” lawsuits by government entities; provides procedures for expedited resolution of alleged “SLAPP” litigation; authorizes award of damages, including costs and attorneys fees; and, requires reporting to Attorney General and certain other state officers.

Summary by Bill Section (where applicable):

Section 1 - HB 135 creates Section 768.29, Florida Statutes, the “Citizen Participation in Government Act” (“the Act”). The Act prohibits government entities from filing lawsuits commonly referred to as “Strategic Lawsuits Against Public Participation” or “SLAPP.” A SLAPP suit is defined as litigation which is otherwise without merit and brought solely because an individual has exercised certain constitutionally protected rights. These rights include the right of citizens to: peacefully assemble; instruct their representatives; and, petition agencies or courts for redress of grievances.

The Legislature finds that SLAPP suits brought by governmental entities are inconsistent with the right of individuals to participate in the state’s institutions of government and the purpose of the Act is to provide the individual with an expedited judicial process to dispose of the litigation. As defined in the law, “government entity” includes all three branches of government (legislative, executive and judicial), including all state agencies and local subdivisions.

The Act provides for the award of costs and attorney fees incurred in connection with a claim that an action was filed in violation of the Act. Further, the court may award the party sued by the governmental entity actual damages, subject to the limitations in Section 768.28, Florida Statutes, arising from the governmental entity’s violation of the Act.

In the event that a governmental agency is found by a court to be in violation of the Act, the governmental entity must report such finding and provide a copy of the order to the Attorney General within 30 days. The Attorney General must thereafter report the violation to the Cabinet, the President of the Senate, and the Speaker of the House of Representatives.

Section 2 - The Act becomes effective upon becoming a law.

SB 1738: **Repeal of Florida Statutes**

Effective Date: Upon becoming law

Key Contacts: Betty Coxe, (850)487-3663
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Andrea Willett, (850)-487-1023
willeta@mail.doe.state.fl.us

Summary:

This section repeals various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded relating to the development of the public school choice incentive program by the Department of Education.

Summary by Bill Section (where applicable):

Section 1 – Subsection (7) of Section 228.057, Florida Statutes, relating to the public school parental choice incentive program, is repealed due to requirements affecting prior school years.

All other sections of this act do not apply to school choice.

SB 1760: Repeal of Florida Statutes

Effective Date: Upon becoming law

Key Contact: H. Fred Varn, 850-487-8788

Summary:

This bill repeals and amends various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded.

Summary by Bill Section (where applicable):

Section 14 - Amends Section 230.2303(8)(a), Florida Statutes, to place the Florida Fast Start Program under the jurisdiction of the State Coordinating Council for School Readiness, rather than the State Coordinating Council for Early Childhood Services.

SB 1768: Repeal of Florida Statutes

Effective Date: Upon becoming law

Key Contact: H. Fred Varn, 850-487-8788
varnf@mail.doe.state.fl.us;

Summary:

This bill repeals various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded.

Summary by Bill Section (where applicable):

Section 1 - Repeals Section 239.5142, Florida Statutes, removing the requirement that the State Board of Education adopt a standard fee implementation schedule for instruction in certificate career education and continuing workforce education offered by community colleges and school districts.

Section 2 - Repeals Section 239.5143, Florida Statutes, deleting language relating to a report on implementation of chapter 98-58, Laws of Florida relating to workforce development.

Section 3 - Repeals Section 239.5144, Florida Statutes, deleting the provisions for the Employment Taskforce for Adults with Disabilities.

Section 4 - Repeals Section 240.209(3)(g), Florida Statutes, relating to development by the Board of Regents of the plan to transfer Statute University System employees from career service status.

Section 5 - Amends Section 240.147, Florida Statutes, conforming a cross reference.

Section 6 - Amends Section 240.296, Florida Statutes, conforming a cross reference.

Section 7 - Amends Section 240.531, Florida Statutes, conforming a cross reference.

Section 8 - Repeals Section 240.262(3), Florida Statutes, relating to a deadline for submission of university antihazing policies for review.

Section 9 - Repeals Section 240.326(3), Florida Statutes, relating to a deadline for submission of community college antihazing policies for review.

Section 10 - Repeals Section 240.40208(4), Florida Statutes, relating to the implementation of the Bright Futures Scholarship Program.

Section 11 - Repeals Section 240.6055, Florida Statutes, relating to access grants for community college graduates.

Section 12 - Amends Section 246.041(1)(r), Florida Statutes, conforming a cross reference.

Section 13 - Provides an effective date upon becoming law.

SB 1770: Repeal of Florida Statutes

Effective Date: Upon becoming law

Key Contact: Linda Champion, (850) 488-5142
 champil2@mail.doe.state.fl.us

Summary:

This bill repeals various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded.

Summary by Bill Section (where applicable):

Section 1- Repeals Section 229.121(1), (2), (3), and (5), Florida Statutes, removing obsolete provisions that require the State Board of Education to set terms and conditions and to make and enter contracts and agreements for the exchange of land of the State School Fund for land in this state held by other state agencies, counties or persons. This function has been transferred to the Bureau of Public Lands Administration in the Department of State Lands under the Department of Environmental Protection. The State Board of Education no longer exchanges land.

Section 2 - Repeals Section 232.2451(4), Florida Statutes, removing obsolete effective date language for readiness for postsecondary education.

Section 3- Repeals Section 232.271(5), Florida Statutes, removing an outdated provision for reports to the Legislature on the number of students expelled from classrooms.

Section 4- Repeals Section 232.36, Florida Statutes, removes a duplicative statute for adoption of rules pertaining to sanitation of schools. Sanitation requirements for facilities are established in Chapter 235, Florida Statutes

Section 5- Amends Section 228.053(12)(b), Florida Statutes, removing a reference to Section 232.36, Florida Statutes, to conform to repeals in other sections of the bill.

Section 6- Repeals Section 236.0815, Florida Statutes, removing a duplicative provision regarding funding of students who fail to master basic skills or functional literacy despite acquiring sufficient credits to graduate. This funding provision is included in Section 232.246(9), Florida Statutes

Section 7- Repeals Section 236.0817, Florida Statutes, removing a provision regarding the use of categorical funds for developmental research schools. This funding provision is included in Section 228.053(9)(a), Florida Statutes

Section 8- Repeals Section 236.0841, Florida Statutes, removing a provision regarding funds for supplementary enrichment, remedial, and drop-out prevention activities beyond the required 180 days of instruction. The Supplemental Academic Instruction Categorical created in Section 236.08104, Florida Statutes, provides funding for these services.

Section 9- Amends Section 232.246(7), Florida Statutes, removing a reference to Section 236.0841, Florida Statutes, to conform to repeals in other sections of the bill.

Section 10- Repeals Section 236.092, Florida Statutes, repealing the mathematics, science and computer learning laboratories, a program that is no longer implemented.

Section 11- Repeals Section 236.1228, Florida Statutes, repealing the Accountability Grants program that is no longer implemented.

Section 12- Amends Section 236.13, Florida Statutes, removing a reference to Section 236.1228, Florida Statutes, regarding accountability program grants to conform to repeals in other sections of the bill.

Section 13- Repeals Section 236.1229 and 236.12295, Florida Statutes, repealing the Florida School Improvement and Academic Achievement Trust Fund and its associated grant program that is no longer implemented.

Section 14- Repeals Section 236.145, Florida Statutes, repealing the Residential Nonpublic School Contract Reimbursement program that is no longer implemented.

Section 15- Amends Section 236.687(1), (2), and (3), Florida Statutes, removing outdated fiscal provisions and DOE reporting requirements and changes the purpose of the law from that of a study, to that of establishing goals for maximum class sizes in kindergarten through grade 3.

Section 16- Repeals Section 236.69, Florida Statutes, removing a duplicative provision requiring submittal of a state plan for use of Title I funds. The federal law already requires such a state plan. Furthermore, the Florida Partnership for School Readiness, established in 1999, is responsible for coordinating all state and federal funds identified for readiness.

Section 17- Repeals Section 238.05(5)(a), Florida Statutes, removing an obsolete reference to the Judicial Retirement System. The Judicial Retirement System was repealed in 1997.

Section 18- States that the bill will take effective upon becoming a law.

HB 2263: Florida Education Governance Reorganization Act

Effective Date: Upon becoming law

Key Contact: Kathy Mizereck, (850)488-9513
mizerek@mail.doe.state.fl.us

Summary:

HB 2263 implements the 1998 Constitutional revision that reorganizes Florida's Cabinet. The amendment specifies that the Governor shall appoint a seven-member State Board of Education, and the State Board shall appoint the Commissioner of Education. The bill establishes guiding principles and legislative policy for a seamless education system. Effective January 7, 2003, the Florida Board of Education, Commissioner of Education, and specific executive offices are established. Also Effective January 7, 2003, numerous boards and commissions are abolished and their duties relocated to the Florida Board of Education. A transition task force and timetable for recommendations are established to accomplish an orderly three-year phase in of the governance shift.

Summary by Bill Section (where applicable):

Section 1 – Creates an unnumbered section of the Florida Statutes. Provides that this act may be cited as the “Florida Education Governance Reorganization Act of 2000.”

Section 2 – Creates an unnumbered section of the Florida Statutes. Sets forth a declaration of policy and guiding principles.

Section 3 – Creates an unnumbered section of the Florida Statutes. Provides that effective January 7, 2003, the Florida Board of Education shall be responsible for overseeing kindergarten through graduate school education and shall appoint the Commissioner of Education. Establishes a Chancellor of K-12 Education, a Chancellor of State Universities, a Chancellor of Community Colleges and Career Preparation, and an Executive Director of Nonpublic and Nontraditional Education. Provides that each Chancellor and Executive Director appointed by the Commissioner shall be subject to confirmation by the Florida Board of Education and shall serve at the pleasure and under the authority of the Commissioner.

Provides, effective July 1, 2000, that the Governor shall appoint a seven-member board of trustees for the Florida On-Line High School.

Provides, effective January 7, 2003, that the Governor shall appoint for each university in the State University System a nine-member board of trustees. Specifies membership of the board of trustees of Florida Atlantic University.

Provides, effective January 7, 2003, that the following entities shall cease to exist and relocates their powers and duties to the Florida Board of Education which may retain or redistribute the powers and duties of each entity: The Board of Regents; The State Board of Community Colleges; The State Board of Independent Colleges and Universities; The State Board of Nonpublic Career Education; The Division of Workforce Development of the Department of Education; The Postsecondary Education Planning Commission; The Articulation Coordinating Committee; The Division of Human Resource Development of the Department of Education; The Division of Support Services of the Department of Education; The Division of Administration of the Department of Education; The Division of Financial Services of the Department of Education; The Division of Technology of the Department of

Education; The Office of Student Financial Assistance of the Department of Education; The Division of Universities of the Department of Education; The Division of Community Colleges of the Department of Education.

Provides that 27 sections of Florida Statutes are repealed and shall be reviewed by the Legislature prior to January 7, 2003.

Section 4 – Creates an unnumbered section of the Florida Statutes. Establishes, effective January 7, 2003, the Florida Board of Education as a body corporate. Provides that the board shall be a part-time citizen board consisting of seven members appointed by the Governor to staggered 4-year terms, subject to confirmation by the Senate. Provides that the Governor shall appoint the chairperson and may reappoint the members for additional terms. Provides the primary duties of the board, working with the Commissioner of Education, Chancellors, and Executive Director.

Section 5 – Creates an unnumbered section of the Florida Statutes. Provides qualifications and appointment guidelines for the Commissioner of Education, the Chancellor of K-12 Education, the Chancellor of State Universities, the Chancellor of Community Colleges and Career Preparation, and the Executive Director of Nonpublic and Nontraditional Education.

Section 6 – Creates an unnumbered section of the Florida Statutes. Provides for the appointment, not later than October 1, 2000, of an eleven-member Education Governance Reorganization Transition Task Force. Five members shall be appointed by the Governor, three by the President of the Senate and three by the Speaker of the House of Representatives. Provides task force duties, administrative assignment, staffing, and ability to procure assistance. Establishes the timetable for task force recommendations with due dates of March 1, 2001; March 1, 2002; March 1, 2003; and May 1, 2003.

Section 7 – Requires the Board of Regents to submit, by April 1, 2001, a plan for staffing and alignment of duties and functions consistent with task force recommendations.

Section 8 – Provides \$250,000 to implement this act.

Section 9 – Provides an effective date upon becoming law.

SCHOOL READINESS

CS/SB 2088: School Readiness

Effective Date: Upon becoming law

Key Contact: Shan Goff, (850) 488-1570
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Summary:

This bill amends the current school readiness law to revise the composition of the Florida Partnership for School Readiness and the membership of school readiness coalitions, and provides sovereign immunity for school readiness coalitions and their employees with respect to any liability beyond the limit on the waiver of sovereign

immunity, prescribed in Section 768.28, Florida Statutes, and revisions of terminology relating to payment. It revises funding for prekindergarten early intervention programs, and authorizes the Governor to request a transfer of funds from the Department of Children and Family Services and the Department of Education to the partnership. It also provides a qualification for readiness coalitions to receive an increase in funds, provides specified positions within the Department of Children and Family Services and the Department of Education to be co-located within the office of the partnership, and eliminates a competitive bid requirement for community childcare coordinating agencies.

Summary by Bill Section (where applicable):

Section 1 - Amends Section 411.01(4)(b), Florida Statutes, to change a reference from "Wages Program" to "Workforce Florida, Inc.," and to allow the Lieutenant Governor, the Commissioner of Education, the Secretary of Children and Family Services, and the Secretary of Health to have designees on the Florida Partnership for School Readiness. When the Lieutenant Governor or an agency head appoints a designee, that designee must attend consistently and, in the event that the member and his or her designee both attend a meeting, only one of them may vote.

Amends Section 411.01(5)(a), Florida Statutes, to allow the Department of Children and Families district administrator and the district superintendent of schools coalition members to have designees who are authorized to make decisions on their behalf. Such designee will be the voting member of the coalition, and any individual attending in his or her place, including the district administrator or superintendent, will have no voting privileges.

For purposes of tort liability, members of the school readiness coalition and its employees shall be governed by Section 768.28, Florida Statutes.

Appointed coalition members may serve a maximum of two terms; vacancies in appointed positions must be advertised by the coalition.

At least once every 3 years, beginning July 1, 2001, each coalition must follow the competitive procurement requirements of Section 287.057, Florida Statutes, for school readiness programs.

Amends Section 411.01(5)(e), Florida Statutes, to change the terminology "reimbursement rate schedule" to "payment schedule."

Section 2 - Amends Section 230.2305(6), Florida Statutes, to conform provisions related to the funding of prekindergarten early intervention programs to reflect the transfer of these funds from school districts to the Florida Partnership and local coalitions.

For the fiscal year beginning July 1, 2000, nothing in this section shall be construed to limit the Department of Education's authority to distribute funds under this program to local school districts if the local school district is authorized by the local school readiness coalition plan to be the provider.

Section 3 – For fiscal year 2000-2001, requires the Governor, at the request of the Florida Partnership for School Readiness and subject to notice and review procedures provided in Section 216.177, Florida Statutes, to request approval of the Administration Commission for transfer of funds from the Department of Children and Family Services and the Department of Education to the partnership for school readiness programs.

No increase in funds shall be provided to school readiness coalitions unless the coalition's plan has been conditionally approved by the partnership. Those coalitions who have a plan conditionally approved shall use any increase in funds only to increase the number of children served. Coalitions who have been fully approved by the partnership may use up to 5% of their total allocation for any purpose other than increasing the number of children served, as authorized by the partnership.

Section 4 - Requires that the positions currently assigned to the subsidized child care program in the Department of Children and Family Services and to the Prekindergarten Early Intervention program in the Department of Education which are recommended by the Florida Partnership for School Readiness and approved by the Executive Office of the Governor shall be physically co-located within the office of the Partnership no later than July 1, 2000. Prior to that date, the Secretary of Children and Family Services, the Commissioner of Education, and the chairman of the Partnership shall sign an interagency agreement to guide the implementation of the required co-location.

Section 5 – Eliminates all state funding, effective July 1, 2000, provided to support activities of the State Coordinating Council for School Readiness Services established pursuant to Section 411.222(4), Florida Statutes.

Section 6 - Repeals Section 402.3015(6)(a), Florida Statutes, to eliminate competitive bid requirements for selecting subsidized child care services by the Department of Children and Families.

Section 7 – Effective upon becoming law.

SB 2250: Public Records/School Readiness

Effective Date: Upon becoming law

Key Contact: Shan Goff, (850) 488-1570
goffs@mail.doe.state.fl.us;

Summary:

This bill provides access to student records by school readiness coalitions and the Florida Partnership for School Readiness and exempts records of children in subsidized child care programs and school readiness programs from the public records law. It also provides for future legislative review and repeal and provides a statement of public necessity.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 228.093(3)(d), Florida Statutes, to include school readiness coalitions and the Florida Partnership for School Readiness among the organizations to which personally identifiable records or reports may be released without the student or parent’s consent. Such release must be necessary to the assigned duties of the coalitions or Partnership.

Section 2 – Creates Section 402.3015(10), Florida Statutes, to provide that individual records of children enrolled in subsidized child-care programs are confidential and are exempt from the provisions of Section 119.07, Florida Statutes, and Section 24(a), Article I of the State Constitution. For purposes of this subsection, records include assessment data, health data, records of teacher observations, and identifying data, including the child’s social security number.

A parent, guardian, or individual acting as a parent in the absence of a parent or guardian, has the right to inspect and review the individual subsidized child-care record of his or her child and to obtain a copy of the record.

The school readiness coalition and the Florida Partnership for School Readiness shall have access to individual children’s records necessary to carry out their assigned duties under Section 411.01 and Section 216.136, Florida Statutes.

This exemption is subject to the Open Government Sunset Review Act of 1995 in accordance with Section 119.15, Florida Statutes, and shall stand repealed on October 2, 2005, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 3 - Creates Section 411.011, Florida Statutes, to provide that individual records of children enrolled in school readiness programs provided under Section 411.01, Florida Statutes, when held in the possession of the school readiness coalition or the Florida Partnership for School Readiness, are confidential and exempt from the provisions of Section 119.07, Florida Statutes, and Section 24(a), Article I of the State Constitution. For purposes of this section, records include assessment data, health data, records of teacher observations, and identifying data, including the child’s social security number.

A parent, guardian, or individual acting as a parent in the absence of a parent or guardian, has 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.

School readiness records may be released to the United States Secretary of Education, the United States Secretary of Health and Human Services, and the Comptroller General of the United States for the purpose of federal audits; to individuals or organizations conducting studies for institutions to develop, validate, or administer assessments or improve instruction; to accrediting organizations in order to carry out their accrediting functions; to appropriate parties in connection with an emergency if the information is necessary to protect the health or safety of the student or other individuals; to the Auditor General in connection with his or her official functions; to a court of competent jurisdiction in compliance with an order of that court pursuant to a lawfully issued subpoena; and to parties to an interagency agreement among school readiness coalitions, local governmental agencies, providers of school readiness programs, state agencies, and the Florida Partnership for School Readiness for the purpose of implementing the school readiness program.

Agencies, organizations, or individuals that receive school readiness records must protect the data in a manner that will not permit the personal identification of students and their parents by persons other than those authorized to receive the records.

This exemption is subject to the Open Government Sunset Review Act of 1995 in accordance with Section 119.15, Florida Statutes, and shall stand repealed on October 2, 2005, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 4 – Establishes the Legislative finding that the exemptions from the public records law provided in sections 2 and 3 of this act are a public necessity in order to ensure the privacy of individual children in school readiness programs and subsidized child-care programs.

Section 5 – Effective upon becoming law.

WORKFORCE AND ECONOMIC DEVELOPMENT/ADULT AND POSTSECONDARY EDUCATION

CS/CS/HB 591: Health Care

Effective Date: October 1, 2000

Key Contact: Judy Conlin, (850) 487-4439
conlinj@mail.doe.state.fl.us

Summary:

CS/CS/HB 591 covers a wide array of health related issues. The Act transfers responsibility for approval of Certified Nursing Assistant training programs to the Board of Nursing, broadens responsibilities of Licensed Practical Nurses working in nursing homes, and provides for a home health aide competency test in lieu of a training program.

Summary by Bill Section (where applicable):

Section 79 – Transfers responsibility for approval of Certified Nursing Assistant training programs from the Department of Education to the Board of Nursing effective October 1, 2000. The Board of Nursing may contract with an agency to provide the examination services. The contract provider shall make applications for certified nursing assistant's examinations available on the internet and be required to provide preliminary results on the day the test is administered.

Section 97 – Broadens responsibilities of licensed practical nurses (LPNs) who are providing services in nursing home facilities. Permits them to supervise the activities of other licensed practical nurses, certified nursing assistants, and other unlicensed personnel providing services in nursing home facilities in accordance with rules adopted by the Board of Nursing.

Section 160 – Provides that successful passage of the home health aide competency test may be substituted for the training requirement.

Section 164 – Provides that the Board of Nursing must pay any costs incurred in the regulation of certified nursing assistants.

CS/SB 1016: Continuing Education

Effective Date: July 1, 2000

Key Contact: Lynda Hartnig, (850) 921-4430
hartnil@mail.doe.state.fl.us

Summary:

CS/SB 1016 covers a variety of changes to activities regulated by the Department of Business and Professional Regulation. Of specific interest to educational agencies is the potential impact on providing continuing education units that affect maintenance or renewal of licenses.

Summary by Bill Section (where applicable):

Section 7 – Establishes permissive authority for boards, or the department if there is no board, that approves continuing education providers to charge a fee to institutions who apply to provide continuing education. The initial fee would not exceed \$250. An additional biennial fee not to exceed \$250 could also be established for the renewal of authority to provide courses. The Florida Real Estate Commission is also provided permissive authority to establish a similar fee structure for institutions providing prelicensure, precertification, or postlicensure education courses.

HB 1481: Law Enforcement Academies

Effective Date: January 1, 2001

Key Contact: Lynda Hartnig, (850) 921-4430
hartnil@mail.doe.state.fl.us

Summary:

HB 1481 establishes restrictions on individuals who may enter law enforcement training programs that offer law enforcement, correctional, or correctional probation officer basic recruit training programs.

Summary by Bill Section (where applicable):

Section 1 – Provides that each criminal justice training school that offers law enforcement, correctional, or correctional probation officer basic recruit training shall conduct a criminal history background check of an applicant prior to entrance into the basic recruit class. A complete set of fingerprints must be taken by an authorized individual. The prints must be submitted to the Florida Department of Law Enforcement for a statewide criminal history and to the Federal Bureau of Investigation for a national criminal history check. Applicants found to have pled guilty to or been convicted of a crime which would render the applicant unable to meet the minimum qualifications for employment as an officer shall be removed from the pool of qualified candidates by the criminal justice training school.

Section 2 – Limits acceptance into basic recruit training programs to those individuals who have passed an assessment instrument based on a job task analysis in each discipline and adopted by the commission.

Section 3 – Establishes the effective date as January 1, 2001.

CS/CS/HB 1567: Colleges and Universities Rule Authorization Bill

Effective Date: July 1, 2000

Key Contact: Betty Coxe, (850) 488-2601
coxeb@mail.doe.state.fl.us

Summary:

HB 1567 revises the Board of Regents' authority to make rules governing the State University System in a number of areas. Some of the changes in the areas of student fees and admissions requirements may affect K-12 students who plan to attend state universities. Admissions rules must also require that each student submit SAT or ACT scores.

Summary by Bill Section (where applicable):

Section 1- Amends Section 240.209, Florida Statutes, by, among other things, authorizing the Board of Regents to establish certain fees including: an application fee up to \$30, an orientation fee up to \$35, an identification card fee up to \$10, a service charge for tuition installment plans up to \$15, a late registration fee between \$50 and \$100, and a late payment fee between \$50 and \$100.

Section 4- Amends Section 240.233, Florida Statutes, to mandate certain elements of the State University System admissions requirements. Admissions rules set by the Board of Regents and individual universities must require entering students to have completed a college-prep curriculum of 19 credits. The Board of Regents may define this curriculum in rule, but must permit students to earn at least four of the 19 credits as electives in courses that include:

- level two and higher courses in English, math, natural science, social science, and foreign language;
- level three courses in related disciplines;
- up to two credits in ROTC/military training, level two fine arts (visual arts, dance, drama/theater, language arts, and music), or additional courses determined to be equivalent by the Articulation Coordinating Committee.

The Board of Regents admissions rules shall allow for up to 5 percent of students to be exempted from the foreign language requirement if they otherwise show promise of success.

CS/SB 2050: Workforce Innovation Act of 2000

Effective Date: July 1, 2000

Key Contact: Lynda Hartnig, (850)921-4430
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Theresa Antworth(scholarship), (850)488-6056
antwort@mail.doe.state.fl.us

Summary:

Creates the Workforce Innovations Act of 2000. Establishes Workforce Florida, Inc., as the principal workforce policy organization for the state. Consolidates the Workforce Development Board and State WAGES Board of Directors. Establishes the Agency for Workforce Innovation to provide the administration arm for welfare transition, employment services, and other workforce development support functions. Transfers legal references related to workforce development boards and welfare transition to a new chapter of law and corrects statutory references. Appropriates funds as indicated.

Summary by Bill Section (where applicable):

Section 1 – Establishes the Workforce Innovation Act of 2000.

Section 2 – Provides definitions.

Section 3 - Establishes the Agency for Workforce Innovation as the administrative entity for Title I of the federal Workforce Investment Act of 1998. Transfers statutes related to the implementation of the Workforce Investment Act of 1998 from Section 288.9956, Florida Statutes, to Section 445.003, Florida Statutes. Changes references from the Workforce Development Board to Workforce Florida, Inc. (WFI). Changes the name of the one-stop career centers to the one-stop delivery system. Requires that \$2 million of the 15% Title I funds be set aside for the Incumbent Worker Training Program. Requires the Office of Program Policy Analysis and Government Accountability to review the new structure and report its findings by December 31, 2002.

Section 4 - Creates Workforce Florida, Inc. as the principal workforce policy organization for the state. For administrative purposes Workforce Florida, Inc. will reside within the Agency for Workforce Innovation; however, Workforce Florida, Inc. shall not be subject to the control, supervision, or direction by the Agency for Workforce Innovation in any manner.

Reconstitutes the membership of the state board to include one representative from a nonpublic postsecondary licensed individual training account provider, one from a private staffing service, and five from organized labor. The Governor may appoint remaining members from the current Workforce Development Board and the WAGES Program Board of Directors. The current Workforce Development Board will provide a transition plan to the Governor by July 1, 2000.

Requires the Workforce Florida, Inc., chairman to establish a minimum of three standing councils that will be established around the three primary strategies. These include: First Jobs/First Wages, Better Jobs/Better Wages, and High Skills/High Wages.

Workforce Florida, Inc. will provide policy direction for a number of federal and state programs that will be administered by the Agency for Workforce Innovation. (The list is on pp. 35-37 of the bill.)

Section 5 - Creates the First Jobs/First Wages, Better Jobs/Better Wages, High Skills/High Wages councils. First Jobs/First Wages will develop strategies that promote the successful entry into the workforce and serve as the state's youth council. Better Jobs/Better Wages will develop strategies that promote the ability of a worker to build careers and retain jobs. High Skills/High Wages will develop strategies that align the education and training programs with high-paying, high-demand occupations.

Section 6 – Requires Workforce Florida, Inc., to create a strategic plan supporting the goal of producing skilled employees for employers in the state. The plan will include a workforce marketing plan, performance measures, criteria for allocating resources to regional workforce boards, a performance-based payment structure to be used for all welfare transition program customers, and strategies to prevent or reduce an individual's need for public assistance. Appropriation: \$250,000 for the purchase of marketing materials.

Section 7 – Reconstitutes regional boards and renames the boards as Regional Workforce Boards. Changes membership criteria to include a representative from a nonpublic postsecondary institution granting certificates and diplomas, one from a nonpublic postsecondary institution granting degrees, and three (3) from organized labor. Individuals serving as members of regional workforce development boards or regional WAGES coalitions as of June 30, 2000 are eligible for appointment to the new board.

Requires each regional board to establish their own three committees--First Jobs/First Wages, Better Jobs/Better Wages, and High Skills/High Wages. The Act makes some changes to the membership of the High Skills/High Wages committee originally established in 1999.

Section 8 - Creates the Workforce Training Institute and sets purpose. The Institute will be geared to providing support to workforce professionals, advisors and counselors. The Institute can collect fees and recover costs. Appropriation: \$200,000 for the Workforce Training Institute.

Section 9 – Amends references related to the One-Stop Delivery System by changing its name and clarifying criteria. Allows any memorandum of understanding in effect on June 30, 2000, with the Department of Labor to stay in effect until September 30, 2000. By October 1, 2000, new memoranda of understanding with the Agency for Workforce Innovation will be required. These memoranda must be performance-based. The Office of Program Policy Analysis and Government Accountability shall review the delivery of employment services under the Wagner-Peyser Act and submit a report and recommendations by December 31, 2002.

Encourages core services to be delivered by electronic means and where possible accessible via the internet. Workforce Florida, Inc. and the Agency for Workforce Innovation shall coordinate among the agencies a plan for a One-Stop Electronic Network made up of one-stop delivery system centers and other partner agencies. The systems shall be fully coordinated at both the state and local levels by July 1, 2001. For education, this includes the public postsecondary education enrollment system and the Student Financial Assistance System.

The one-stop delivery system may use private sector staffing services firms in the provision of workforce services to individuals and employers and may contract with these firms.

Section 10 – Establishes the transition period for the implementation of the Act as the period between the Act becoming law and October 1, 2000. All agencies involved in this process are directed to support the transition.

Section 11 – Effective July 1, 2000 transfers the WAGES program and the Workforce Development Board of Enterprise Florida, Inc. to Workforce Florida, Inc.

Effective July 1, 2000, the Bureau of Apprenticeship in the Department of Labor and Employment Security is transferred to the Division of Workforce Development in the Department of Education.

Effective October 1, 2000, the Division of Workforce and Employment Opportunities and the Office of Labor Market Statistics are transferred to the Agency for Workforce Innovation. Staff supporting the displaced homemaker program of the Division of Community Colleges and staff of the Division of Unemployment Compensation are also transferred to the Agency for Workforce Innovation.

Section 12 – Establishes principles for information sharing within the workforce system. Appropriation \$10 million.

Section 13 - Requires the development of automated information systems that are necessary for the efficient and effective operation and management of the workforce development system.

Section 14 – Directs the Postsecondary Education Planning Commission (PEPC) to report on how to expand access to and production of certificates and degrees providing skilled workers for Florida's economy.

Section 15 - Requires Workforce Florida, Inc., to establish a “Step-up Challenge Grant Program” to support federal welfare-to-work funds. Workforce Florida, Inc., will solicit participation in this program from not-for-profit organizations, for-profit organizations, educational institutions, and government units.

Section 24 – Re-establishes the work requirements for individuals in the temporary cash assistance program that was formerly part of WAGES. Outlines a variety of activities that may be used individually or in combination to satisfy work requirements. When vocational education or training are provided by contract and the contract provides for the full cost of training, then a school district or community college may **not** report the student for other state funding. A new acceptable work requirement includes instruction related to receiving the GED or literacy programs. A participant may be required to attend literacy activities in addition to another work activity.

Section 50 - Repeals a variety of current laws including Section 239.249, Florida Statutes, which established the Performance-Based Incentive Funding program, that has been administered by the Jobs and Education Partnership.

Section 51 - Amends language to include education leaders in an annual meeting called by Governor working with the Office of Tourism, Trade and Economic Development to ensure direct linkages between the goals for economic development and workforce development in the state.

Section 53 - Creates the Agency for Workforce Innovation within the Department of Management Services. Establishes the Agency for Workforce Innovation as the designated agency to receive federal workforce development grants and other funds and shall carry out the duties and responsibilities assigned by the Governor. The agency head is a director who will be appointed by the Governor. There will be three offices: the Office of Workforce Services; the Office of Workforce Investment and Accountability; and the Office of Workforce Information Services.

Section 58 - Amends and renames the Occupational Forecasting Conference to the Workforce Estimating Conference. Adds "...special focus on occupations and industries which require high-skills, high-entry wages and experience wages levels." Adds the requirement that the Workforce Estimating Conference use local and regional data in generating statewide occupational forecasts. The conference shall make recommendations to Workforce Florida, Inc. semiannually.

Provides that the Workforce Estimating Conference sit as the Workforce Impact Conference, which shall meet during the legislative session and at other times as necessary to determine the effects of legislation as related to the state's workforce and economic development efforts. A minimum of two meetings is required, with one in February and one in August.

The principal representing the Office of the Governor shall preside over the conference rather than the principal representing the Commissioner of Education. Also changes the membership of the Workforce Estimating Conference by adding: the director of the Agency for Workforce Innovation, the Chancellor of the State University System (SUS), the Executive Director of the State Board of Community Colleges (SBCC), the chair of the State Board of Nonpublic Career Education, and the chair of Workforce Florida, Inc. Additions also include professional staff of the Senate and House, who have forecasting and substantive experience. A representative from the Florida Chamber of Commerce is designated as a nonprincipal participant.

Section 61 – Makes a conforming change to Section 232.17, Florida Statutes, related to the enforcement of school attendance by requiring that reports be submitted to the Department of Labor and Employment Security rather than the Division of Jobs and Benefits.

Section 62 and 63 – Makes conforming changes to permit the use of school buses to provide transportation for welfare transition participants.

Section 64 - Amends workforce development education definitions by providing that for licensure purposes, the associate in science degree is interchangeable with the associate in applied science degree.

Section 65 – Amends criteria for the Workforce Development Education Fund with conforming changes and by creating a program to support customized training by school districts and community colleges. (This program was not funded.) The Act also provides that educational programs that are funded need to be designed to be consistent with the workforce needs of private enterprise and regional economic development strategies as identified by Workforce Florida, Inc.

Section 67 – Amends references to the development of program standards for vocational, adult and community education programs. Requires that programs standards must be updated every three years and that program requirements include technical, academic, and workplace skills and identify the viability of distance learning and appropriate work/learn cycles. The Act also specifically states that no school can **mandate** participation in a school-to-work or job training program.

Section 70 - Requires that the Board of Regents, as part of their indicators of quality, include a specific indicator of industry-driven competencies for advanced and related programs.

Section 71 – Amends the requirement that community college programs be reviewed every five years to include an exception that certificate career education programs and degrees shall be reviewed every 3 years.

Section 78 – Amends the Quick Response Training program. Transfers the program to Workforce Florida, Inc. The Act clarifies uses of the grant, extends the term of the grant from 18 months to 24 months, and adds brownfields to enterprise zones for special consideration. Grant funds can no longer be used for equipment and cannot be spent to reimburse an employee's wages. The Quick Response advisory committee is deleted.

Section 96 – Directs Workforce Florida, Inc., through the Agency for Workforce Innovation, to establish an electronic transfer program for the use and management of payments related to education, training, childcare, transportation, and other program benefits. (Appears to use smart card technology for providing services.)

Section 111 – Provides that the Division of Workforce Development within the Department of Education has responsibility for the development of uniform standards for apprenticeship and preapprenticeship and the responsibility to promote, register, monitor, and service these programs.

Section 112 - Requires OPPAGA, in cooperation with Workforce Florida, Inc. and the Department of Education, to the Legislature by January 1, 2002, regarding joint programs, nonjoint programs and other programs that provide on-the-job training for the skilled trades. The report will also include recommendations on improving the efficiency of the programs, decreasing the cost of the programs, improving or retaining current practices regarding admission requirements, reducing the duration of the programs and increasing the number of persons who successfully complete the programs.

Section 115 – Requires that minority and gender diversity be considered in administering the apprenticeship programs.

Section 116 – Amends requirements related to the State Apprenticeship Advisory Council.

Section 126 - Amends references to the Displaced Homemaker program that is being transferred from the Division of Community Colleges to the Agency for Workforce Innovations.

Section 152 - Encourages community colleges to establish incubator facilities for small businesses supportive of development of content and technology for digital broadband media and digital broadcasting.

Section 153 – Creates the Digital Media Education Coordination Group. Requires the Board of Regents to create this group which shall be made up of representatives of the universities within the state university system. The Group will work in conjunction with the Department of Education, the State Board of Community Colleges, and the Articulation Coordinating Committee on a plan to enhance Florida's ability to meet the current and future workforce needs of the digital media industry. Gives specifications and requires a plan to be presented to the Legislature by January 1, 2001.

Section 154 – Permits Workforce Florida, Inc., through the Agency for Workforce Innovation, to use funds set aside for the Incumbent Worker Training Program for the digital media industry.

Section 155 - Creates a scholarship/forgivable loan program called Career for Florida's Future Incentive Grant Program. The program is developed to encourage Florida students to obtain degrees or certificates in postsecondary programs producing graduates with job skills in advanced technology. The program provides a forgivable loan for eligible students who maintain employment in an eligible occupation on a year for year match for each year of grant received. (Two years of grant equal two years of work.) Appropriation: \$12 million.

The program will be managed by Workforce Florida, Inc., who will contract with the Bureau of Student Financial Assistance to administer the program for students seeking baccalaureate degrees or who are enrolled in programs that articulate into baccalaureate degrees. Workforce Florida, Inc. shall allocate funds to each regional workforce board to administer incentive grants for diploma, certificate, and degree programs that do not articulate into baccalaureate programs. Each regional board shall administer the program, including determining award recipients. The Bureau of Student Financial Assistance will collect delinquent incentive grant repayments for the grants.

Baccalaureate degree seeking students shall receive \$100 for each lower-division credit hour, up to a maximum of \$1,500 per semester; and \$200 for each upper-division credit hour, for a maximum of \$3,000 per semester. A student enrolled in a program that does not articulate into a baccalaureate degree program shall receive \$2 for each vocational contact hour for certificate programs and \$60 per credit hour for degree career education programs.

Section 156 – Establishes the student eligibility for the Careers for Florida's Future Incentive Grant. Lower-division, baccalaureate degree-seeking students must show Florida residency for no less than 3 years, have

received a standard Florida high school diploma, have earned a cumulative GPA of 2.75 in at least 18 credit hours at the postsecondary level, and be enrolled in an eligible institution for at least 6 semester credit hours.

Upper-division students must show Florida residency for 3 years, be enrolled in an eligible baccalaureate degree program for at least 6 semester credit hours and have a cumulative GPA of 2.75.

Eligibility requirements for students enrolled in an applied technology diploma, certificate or degree career education program must be residents for 3 years and be enrolled in an eligible program.

Section 157 – Provides criteria for renewals of awards. A student enrolled in an eligible baccalaureate degree program or one that articulates into a baccalaureate degree must complete 12 semester credit hours and maintain at least a 2.75 GPA. Renewal of an award is up to a maximum of 110 percent of the credit hours required to complete the program.

Students enrolled in applied technology diplomas, certificates or degree career education programs must have attained the last occupational completion point attempted (or be making satisfactory progress toward completion), up to a maximum of 110 percent of the credit hours or clock hours required to complete the program.

Section 158 – Eligible postsecondary institutions include: a public university, community college, or technical center; an independent college or university recognized by the US Department of Education and operating in Florida for 3 years; an independent, domestic postsecondary institution accredited by SACS; an independent postsecondary institution licensed by the SBICU, is financially sound and has operated in Florida for 3 years; an independent postsecondary institution licensed by the SBNPCE showing a program completion rate required by law, is financially sound, is accredited by the USSDE, and has operated in Florida for 3 years, or has operated in Florida for 5 years.

Section 159 – Eligible programs are defined. Lower division programs are those which prepare a student for admission to an eligible degree program (which prepares students for employment in targeted areas listed in the upper division). Upper division programs are: information technology/telecommunications, biomedical technology, manufacturing-electronics, aviation/transportation. Eligible career education programs are: information technology/telecommunications, biomedical technology, manufacturing-electronics, aviation/transportation, and skilled building trades.

Section 160 – Repayment must begin one year after completion of the program, unless the student is employed in an eligible occupation. To receive credit for repayment, the student must maintain employment in an eligible occupation in this state for 1 year for each year in which the grant was received for a degree program and 6 months for every semester of full-time enrollment in a certificate program. If employment requirements are not met, the student must repay the loan plus accrued annual interest at the rate of the 3-month US Treasury Bill, plus 2.3 percent.

Section 161 - Creates the small business workforce service initiative. Workforce Florida, Inc. shall provide funds to be awarded competitively to regional workforce boards to support the needs of small businesses. Appropriation: \$500,000.

Section 165 – States that nothing in this Act creates an entitlement.

Section 166 – Establishes the effective date as July 1, 2000.

HB 2105: Veterans' Diplomas/Dual Enrollment

Effective Date: Upon becoming law

Key Contact: Loretta Costin (850)488-7591(For diplomas),
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Summary:

The bill allows the Commissioner of Education to award a standard high school diploma to veterans of World War II who were honorably discharged. It also clarifies and revises several aspects of the dual enrollment program, including eligibility, course and credit equivalency between postsecondary institutions and high schools, funding, and district articulation agreements.

Summary by Bill Section (where applicable):

Section 1 – Creates Section 232.246(11), Florida Statutes. Allows the Commissioner of Education to award a standard high school diploma to honorably discharged veterans who were scheduled to graduate between 1941 and 1950 but did not complete graduation requirements because of induction into military service between 1941 and 1946.

Section 2 – Amends Section 229.551, Florida Statutes. Requires the Articulation Coordinating Committee to appoint faculty committees to identify which postsecondary courses and credits earned through dual enrollment count toward particular high school graduation requirements.

Section 3 – Amends Section 232.246, Florida Statutes. Guarantees that credit earned through dual enrollment will count toward high school graduation requirements. Protects students in dual enrollment programs from increases in credit or grade point average requirements.

Section 4 – Amends Section 232.2462, Florida Statutes. For high school graduation, one credit equals 135 hours of instruction in a designated course of study. Requires the Articulation Coordinating Committee to determine, for purposes of high school graduation, how many college credits earned through dual enrollment are equivalent to one full high school credit.

Section 5 – Amends Section 236.081, Florida Statutes. Restricts school districts from counting a student in dual enrollment instruction beyond the normal school day or year as more than one FTE.

Section 6 – Amends Section 240.116, Florida Statutes. Exempts dually enrolled students from tuition and fees and provides for institution reimbursement. Postsecondary institutions that claim FTE funds as a charter school cannot receive this reimbursement. Sets guidelines for district and community college dual enrollment agreements and requires the Articulation Coordinating Committee to publish dual enrollment articulation information.

Section 7 – Amends Section 240.1161, Florida Statutes. Requires interinstitutional agreements to include a guidance plan for dual enrollment course selection based on education objectives and the requirements of the dual enrollment program. The Articulation Coordinating Committee must review each articulation agreement for dual enrollment course accuracy.

CS/HB 2281: Business and Professional Regulation/Food Service

Effective Date: July 1, 2000

Key Contact: Michelle Sizemore, (850) 487-3279
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Summary:
CS/HB 2282 covers a variety of changes to activities regulated by the Department of Business and Professional Regulation. Of specific interest to educational agencies are the changes in requirements related to food service employees.

Summary by Bill Section (where applicable):

Section 1 – The Division of Hotels and Restaurants of the Department of Business and Professional Regulation is authorized to develop the standards for a “food safety training certificate.” The program will be administered by a private nonprofit provider. The Division is authorized to determine a per employee fee to cover the contracted price for the program administered by the provider. Any food safety training program established and administered to food handler employees utilized at public food service establishments prior to the effective date of this act shall be submitted by the operator to the Division for its approval. Food service employees must receive certification pursuant to this section by January 1, 2001.

JUVENILE JUSTICE EDUCATION

CS/SB 1196: Juvenile Justice Programs

Effective Date: July 1, 2000

Key Contact: Shan Goff, (850) 488-1570
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Summary:

Applicable sections of this bill require the Prevention Services Program within the Department of Juvenile Justice (DJJ) to monitor all state-funded programs, grants, appropriations or activities designed to prevent juvenile delinquency; define a “family in need of services”; add educational and vocational goals as a component of a predisposition report; and specify responsibilities and duties of the department and other entities involved regarding reporting and collection of information.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 20.316, Florida Statutes, to require that the Secretary of Juvenile Justice monitor all state-funded programs, grants, appropriations, or activities designed to prevent juvenile crime, delinquency, gang membership, or status offense behaviors and those designed to prevent a child from becoming a “child in need of services,” as defined in chapter 984. The purpose of monitoring is to effect the goals and policies of the State Comprehensive Plan regarding children and governmental efficiency, and to determine the following: the number of youth served by such state-funded programs, grants, appropriations, or activities; the number of youth who complete such state-funded functions; the number and percentage of youth who are referred for delinquency while participating in such functions; and the number of youth who are referred for delinquency within 6 months after completing such functions.

Section 13 – Amends Section 984.03, Florida Statutes, to define “family in need of services” as a family that has a child who is running away; who is persistently disobeying reasonable and lawful demands of the parent or legal custodian and is beyond the control of the parent or legal custodian; or who is habitually truant from school or engaging in other serious behaviors that place the child at risk of future abuse, neglect, or abandonment or at risk of entering the juvenile justice system.

The child must be referred to a law enforcement agency or DJJ, or to an agency contracted to provide services to children in need of services. A family is not eligible to receive services if, at the time of the referral, there is an open investigation into an allegation of abuse, neglect, or abandonment, or if the child is currently under supervision by DJJ or the Department of Children and Family Services due to an adjudication of dependency or delinquency.

Section 30 – Amends Section 985.23, Florida Statutes, to provide that a predisposition report may be included in the department’s recommendations given during a child’s disposition hearing in a delinquency case. In addition to current criteria, the predisposition report must also include the child’s educational status, including, but not limited to, the child’s strengths, abilities, and unmet and special educational needs. The report shall identify appropriate educational and vocational goals for the child, such as attainment of a high school diploma or its equivalent, successful completion of literacy course(s), successful completion of vocational course(s), successful attendance and completion of the child’s current grade if enrolled in school, or enrollment in an apprenticeship of a similar program.

At the time of disposition, the court may make recommendations to the department as to specific treatment approaches to be employed.

Section 33 – Creates Section 985.3045, Florida Statutes, to require DJJ’s prevention service program to monitor all state-funded programs, grants, appropriations, or activities designed to prevent juvenile crime, delinquency, gang membership, or status offense behaviors and those designed to prevent a child from becoming a “child in need of services,” as defined in chapter 984, in order to inform the Governor and the Legislature concerning efforts designed to further the policy of the state concerning Juvenile Justice and Delinquency Prevention, consistent with Section 984.02 and Section 985.02, Florida Statutes.

No later than January 31, 2001, the Prevention Services program shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives, concerning the implementation of a statewide multiagency plan to coordinate the efforts of all state-funded functions identified above. The report shall include a proposal for a statewide coordinated multiagency juvenile delinquency prevention policy. In preparing the report, the department shall coordinate with and receive input from each state agency or entity that receives or uses state appropriations to fund the identified functions. The report shall identify whether legislation will be needed to effect a statewide plan, and consider the potential impact of requiring such state-funded efforts to target at least one of the following strategies designed to prevent youth from entering or reentering the juvenile justice system and track the associated outcome data:

Encouraging youth to attend school, which may include special assistance and tutoring to address deficiencies in academic performance; outcome data are to reveal the number of days youth attended school while participating in the program.

Engaging youth in productive and wholesome activities during nonschool hours that build positive character or instill positive values, or that enhance educational experiences; outcome data are to reveal the number of youth who are arrested during nonschool hours while participating in the program.

Encouraging youth to avoid the use of violence; outcome data are to reveal the number of youth who are arrested for crimes involving violence while participating in the program.

Assisting youth to acquire skills needed to find meaningful employment, which may include assistance in finding a suitable employer for the youth; outcome data are to reveal the number of youth who obtain and maintain employment for at least 180 days.

The department is encouraged to identify additional strategies which may be relevant to preventing youth from becoming children-in-need-of-services and to preventing juvenile crime, delinquency, gang membership and status offense behaviors. The report shall consider the feasibility of developing uniform performance measures and methodology for collecting such outcome data which can be used by all entities involved. The Prevention Service program is encouraged to identify other issues that may be critical to the prevention objectives.

The department shall expend funds related to the prevention of juvenile delinquency consistent with policies expressed in Section 984.02, Florida Statutes, and Section 985.02, Florida Statutes, and in a manner that maximizes public accountability and ensures the documentation of outcomes.

All entities receiving or using state monies to fund juvenile delinquency prevention services through contracts or grants with the department shall design the programs providing services to further one or more of the strategies specified above. The department shall develop an outcome measure for each program strategy that logically relates to the risk factor addressed by the strategy.

These entities shall also, as a condition of receiving state funds, provide the department with personal demographic information of all participants in the service sufficient to allow the department to verify criminal or delinquent history information, school attendance or academic information, employment information, or other requested performance information.

Section 34 – These entities shall also collect data relative to the performance of such activities and shall provide said data to the Governor, the President of the Senate, and the Speaker of the House no later than January 31st of each year for the preceding fiscal year, beginning in 2002. Further, such agency or entity shall cooperate with DJJ with regard to the report described in Section 985.3045(2), Florida Statutes.

Section 59 – Effective July 1, 2000, unless otherwise provided.

CS/CS/CS/SB 2464: Juvenile Justice Education Programs

Effective Date: July 1, 2000

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Summary:

This bill revises provisions relating to educational programs and facilities for youth in juvenile justice programs, requires district school systems to provide funds and instructional personnel for certain juvenile justice programs, and establishes duties for the Department of Education (DOE) and the Department of Juvenile Justice (DJJ) in providing education to juvenile offenders. It provides compulsory education requirements for such offenders; requires the creation of a multi-agency plan and cooperation between the two departments regarding juvenile offender educational programs and facilities; provides full-time teachers teaching in juvenile justice schools eligibility for critical-teacher-shortage tuition-reimbursement; and requires plans, studies and reports.

Summary by Bill Section (where applicable):

Section 1 - Amends Section 230.02, Florida Statutes, to provide that, pursuant to cooperative agreement, a district school system shall provide instructional personnel at juvenile justice facilities of 50 or more beds or slots with access to the district school system database for the purpose of accessing student academic, immunization and registration records for students assigned to the programs. Such access shall be in the same manner as provided to other schools in the district.

Section 2 - Amends Section 230.23161(1), Florida Statutes, to establish legislative intent that youth in the juvenile justice system be provided with equal opportunity and access to quality and effective education that will meet the individual needs of each child.

Amends Section 230.23161(1)(c)&(d), Florida Statutes, to further specify and expand coordination activities by DOE and DJJ, including developing academic and vocational protocols that provide guidance to school districts and providers in all aspects of education programming, including records transfer and transition; prescribing interdepartmental local school district or provider_collaboration strategies; and developing an annual cooperative agreement and plan for juvenile justice education service enhancement to be submitted to the Secretary of DJJ and the Commissioner of Education by June 30.

Amends Section 230.23161(5), Florida Statutes, to specify that educational services shall be provided at times of the day most appropriate for the juvenile justice program, and school programming in juvenile detention, commitment, and rehabilitation programs shall be made available by the local school district during the juvenile justice school year, as defined in Section 228.041(43), Florida Statutes.

Amends Section 230.23161(7), Florida Statutes, to correct a reference to the general education development (GED) test, and to provide that youth who have received a high school diploma or its equivalent and are not employed shall participate in workforce development or other vocational or technical education, or community college or university courses, while in the program, subject to available funding.

Amends Section 230.23161(11), Florida Statutes. This section provides for the recruitment of qualified teachers for juvenile justice education programs and provides that full-time teachers in working in juvenile justice schools, whether employed by a school district or a provider, be eligible for the Critical Teacher Shortage Tuition Reimbursement Program.

Amends Section 230.23161(13)(d), Florida Statutes, to provide that FTE count periods shall be the same for DJJ programs as for other public school programs. Eliminates the requirement that DOE develop a method that captures all direct instructional time provided to such students during the summer school period.

Creates Section 230.23161(24), Florida Statutes, requiring DJJ and DOE, in consultation with the statewide Workforce Development Youth Council, school districts, providers, and others, to develop a multi-agency plan for vocational education which describes the curriculum, goals, and outcome measures for vocational programming in juvenile commitment facilities, pursuant to Section 985.3155, Florida Statutes.

Section 3 - Amends Section 232.032(3)(e), Florida Statutes, to provide that an exemption for 30 days may be issued for a child who enters a juvenile justice program to permit the child to attend class until his or her records or immunizations can be obtained. An authorized juvenile justice official is responsible for follow-up of each child entering a juvenile justice program until proper documentation or immunizations are obtained.

Section 4 - Amends Section 235.1975(1), Florida Statutes, to replace *should* with *must* in the requirement that school districts be consulted regarding the type of students expected to be assigned to commitment facilities for education planning and budgeting purposes.

Amends Section 235.1975(3), Florida Statutes, to include the requirement that DJJ notify the district school superintendent within 30 days after obtaining a permit to begin construction of a new detention or commitment facility within that school district.

Section 5 - Creates Section 985.3155, Florida Statutes, to require a multi-agency plan for vocational education to be developed jointly by DJJ, DOE, the Workforce Development Youth Council, school districts, providers, and others. The plan must establish the curriculum, goals, and outcome measures for vocational programs in juvenile commitment facilities, and must include provisions for maximizing appropriate state and federal funding sources, including funds under the Workforce Investment Act and the Perkins Act; responsibilities of both departments and all other appropriate entities; and a detailed implementation schedule. The plan must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by May 1, 2001.

The plan must define vocational programming that is appropriate based upon the age and assessed educational abilities and goals of the youth to be served, and the typical length of stay and custody characteristics at the commitment program to which each youth is assigned. The plan must include a definition of vocational programming that includes prescribed classifications of commitment facilities that will offer vocational programming by different types.

The plan must also address strategies to facilitate involvement of business and industry in the design, delivery, and evaluation of vocational programming in juvenile justice commitment facilities and aftercare programs, including apprenticeship and work experience programs, mentoring and job shadowing, and other strategies leading to post-release employment. Incentives for business involvement, such as tax breaks, bonding, and liability limits, should be investigated, implemented where appropriate, or recommended to the Legislature for consideration.

By July 31, 2001, DJJ and DOE shall each align its respective agency policies, practices, technical manuals, contracts, quality-assurance standards, performance-based-budgeting measures, and outcome measures with the plan.

By August 31, 2001, each agency shall report on the implementation of this section to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

After January 1, 2002, provider contracts executed by DJJ must be aligned with the plan.

After August 1, 2002, the planning and execution of quality assurance reviews conducted by DOE or DJJ must be aligned with the plan.

Outcome measures reported by DJJ, DOE, and the Juvenile Justice Accountability Board for youth released on or after January 1, 2002, should include outcome measures that conform to the plan.

Section 6 - Creates Section 985.316(5), Florida Statutes, to require that participation in the educational program by students of compulsory school attendance age is mandatory for youth on aftercare or postcommitment community control status. A student of noncompulsory school-attendance age who has not received a high school diploma or its equivalent must participate in the educational program. A youth who has received a high school diploma or its equivalent and is not employed must participate in workforce development or other vocational or technical education or attend a community college or university while in the program, subject to available funding.

Section 7 - Requires DOE, in consultation with DJJ, school districts, and providers, to conduct a study to determine the precise funding level needed to provide specialized education programs, including academic and vocational programs, to youth in juvenile justice programs. The results of this study may be used to establish a unique program cost factor beginning in fiscal year 2001-2002 for juvenile justice education programs. The results of the study must be presented to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2001. The sum of \$100,000 in nonrecurring general revenue is appropriated from the General Revenue Fund to DOE for the purpose of conducting this study.

Section 8 - Requires DOE, in consultation with DJJ, to conduct a review and analysis of existing education facilities in DJJ facilities to determine the adequacy of the facilities for educational use. This information must be used to generate a 3-year plan to provide adequate space, equipment, furnishings, and technology, including retrofitting. DOE shall submit the plan to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Secretary of Juvenile Justice by January 1, 2001. The plan must contain sufficient detail for the development of a fixed capital outlay budget request. The sum of \$100,000 in nonrecurring general revenue is appropriated from the General Revenue Fund to DOE for the purpose of conducting this study.

Section 9 - Amends Section 228.081(4), Florida Statutes, to revise language relating to notifying noncompulsory-aged students in juvenile justice facilities that they do have the option of enrolling in a program to attain a Florida high school diploma by taking the general education development (GED) test prior to release from the facility. The administrative fees for the GED test required by DOE are the responsibility of school districts and may be required of providers by contractual agreement.

Section 10 - Creates Section 230.23(4)(p), Florida Statutes, to require that local school districts provide educational services to minors who have not graduated from high school, and eligible students with disabilities under the age of 22 who have not graduated with a standard or equivalent diploma, who are detained in a county or municipal detention facility as defined in Section 951.23, Florida Statutes. Services shall be based upon the estimated length of time the youth will be in the facility and the youth's current level of functioning. The county

sheriff or chief correctional officer, or designee, shall notify school district superintendents or their designees when a youth under the age of 21 is assigned to a facility. A cooperative agreement shall be developed with the local school district and applicable law enforcement units to address the notification requirement and the provision of educational services to these youth.

Section 11 - Creates Section 951.176, Florida Statutes, to require that local school districts provide educational services to minors who have not graduated from high school, and eligible students with disabilities under the age of 22 who have not graduated with a standard or equivalent diploma, who are detained in a county or municipal detention facility as defined in Section 951.23, Florida Statutes. Services shall be based upon the estimated length of time the youth will be in the facility and the youth's current level of functioning. The county sheriff or chief correctional officer, or designee, shall notify school district superintendents or their designees when a youth under the age of 21 is assigned to a facility. A cooperative agreement shall be developed with the local school district and applicable law enforcement units to address the notification requirement and the provision of educational services to these youth.

Section 12 – Effective July 1, 2000.

CHARTER/DEREGULATED SCHOOLS

HB 2087: Charter Schools

Effective Date: July 1, 2000

Key Contacts: Betty Coxe, (850)488-2601
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Summary:

This bill provides clarifying language for charter school statutes. It also changes the capital outlay formula for charter schools. Provides an incentive charter school conversion pilot program. Provides clarifying language for charter developmental research schools. Creates language to exempt charter schools from ad valorem taxes.

Summary by Bill Section (where applicable):

Section 1 – Creates Section 196.1983, Florida Statutes, Charter school exemption from ad valorem taxes. This section allows for any facility, or portion of a facility used to house a charter school, to be exempted from ad valorem taxes. It also provides for charter schools in leased facilities to have the lease payments be reduced to the extent of the exemption received. It requires the owner of the property to disclose to the charter school the full amount of the benefit derived from the exemption and the method to ensure that the charter school receives the benefit. The charter school will receive the benefit through either an annual or monthly credit on the charter school lease payment.

Section 2 - Amends Section 196.29, Florida Statutes, by adding charter school governing board to the legal entities that receive tax benefits.

Section 3 – Amends Section 228.056, Florida Statutes, by changing the word “proposal” to “application” throughout the statute. This section also adds parents to the list of who may submit an application for a conversion school. The subsection creates the usage and definition of the term “unlawful reprisal”. Procedures, processes and consequences of actions associated with unlawful reprisal are identified. The section also changes the date for districts to receive charter school applications from November 15 to October 1. Requires the district to submit to the Department of Education the name of the charter school within 15 days of receipt of the charter application for FTE budget projection; clarifies “days” as “calendar days;” and clarifies charter approval process by the local school board. Changes the word “contract” to “charter” throughout the statute. The limit for the number of charter schools does not include conversion schools. Addresses student eligibility at a developmental research school charter school and provides enrollment preference to children of governing board members. Provides for developmental research charter schools to require certain fees. Requires charter schools to maintain financial information in a format whereby they can be reported with all other public schools. Provides for the charter of a developmental research school to be up to 15 years. Does not require the state university to provide alternative arrangements for teachers not wanting to teach in the developmental research charter school. Changes the number of years needed for long term financing for charter school construction from 3 to 2 years of

successful operation. Adds the provision to the facility section that charter schools are exempted from ad valorem taxes. Requires that charter school facilities after January 1, 2001 comply with the Florida Building Code and the Florida Fire Prevention Code. Requires the 2005 Legislature to review the status of charter schools.

Section 4 – Amends Section 228.0561, Florida Statutes, Charter schools capital outlay funding. Changes the capital outlay formula from 1/30 to 1/15 of an FTE student station and states the payment periods. Requires that any charter school which is terminated/non-renewed shall have any unencumbered funds, property, or equipment purchased with district funds revert back to the district or the university if it is a developmental research school.

Section 5 – Creates Section 228.0581, Florida Statutes, Conversion charter school pilot program. This section establishes the incentives for the program. It also establishes a conversion charter school pilot program statewide selection panel with members of the panel identified by the Governor, Commissioner of Education, President of the Senate, and Speaker of the House. Provides for financial incentives for districts with schools converting to charter status. Requires schools participating in the pilot to make annual progress reports to the Commissioner of Education.

Section 6 – Amends Section 236.0817, Florida Statutes, Developmental research schools. Provides for categorical funds for a charter developmental research school.

Section 7 – Amends Subsections (2) and (3) of Section 228.053, Florida Statutes, Developmental research schools. Provides that a charter developmental research school be affiliated with a state university, but not necessarily the state university in the closest proximity. Adds language to the funding section to specifically include charter developmental research schools. Provides for charter developmental research school to receive charter capital outlay funding if it meets eligibility requirements.

Section 8 – Amends Section 228.505, Florida Statutes, Charter Technical career centers. This section provides new language regarding the governance of a charter technical career center.

Section 9 – This act shall take effect July 1, 2000.

TECHNOLOGY

CS/CS/SB 1334: Public Network Access Point

Effective Date Upon becoming law

Key Contact Glenn Mayne, 850/487-8656
mayneg@mail.doe.state.fl.us

Summary:
SB 1334 is intended to promote information technology (IT) within the state of Florida. It established an effort to entice businesses to bring IT into the state by promoting IT business through an Enterprise Florida campaign and by offering fiscal incentives to business and assistance in the recruitment of IT workforce elements in the state. All of the agency actions within sections 1-9 are directed to either Enterprise Florida, the Department of Labor and Employment Security and/or the State Technology Office.

Summary by Bill Section (where applicable):
Section 36 - Section 36 does have a positive effect on DOE. This portion of the act encourages private business to establish partnerships for the purpose of establishing a network access point (NAP) within the state. A NAP is a major access point for the Internet.

CS/HB 2063: Florida On-Line High School

Effective Date: Upon becoming law

Key Contact: George Haynie, (850) 487.4789
HaynieG@mail.doe.state.fl.us

Summary:
Establishes the Florida On-Line High School; provides for governance by a board of trustees consisting of seven members appointed by the Governor; provides for the board to exercise certain powers and duties relating to the

operation of the Florida On-Line High School including personnel, budget, finance, purchasing, curriculum and instruction; requires the Commissioner of Education to include the Florida On-Line High School in the department's legislative budget request; prohibits the credit of the state to be on behalf of the Florida On-Line High School; requires the board of trustees to submit a complete and detailed report by January 1, 2001; and, provides for an effective date.

FACILITIES/TRANSPORTATION/PLANNING

HB 219: Florida Building Code

Effective Date: Upon becoming law, with exceptions as noted within the bill.

Key Contact: Suzanne Marshall, (850) 487-1130
marshas@mail.doe.state.fl.us

Summary:

This bill amends sections of Florida Statutes relating to construction issues and implementation of the statewide Florida Building Code to remove obsolete and conflicting language. Revises implementation date of the Florida Building Code and the Florida Fire Prevention Code from January 1, to July 1, 2001.

Summary by Bill Section (where applicable):

Section 1 - NO WAIVERS - The Florida Building Commission may not grant any waiver or variance from the requirements of the Florida Building Code. Alternative means of compliance will be developed. Appeals from the denial of the use of alternative means shall be heard by the appeals board, with appeals to those decisions made to the Florida Building Commission.

Section 11 - CODES AND ENFORCEMENT - Effective July 1, 2001, amends Section 235.26, Florida Statutes, to transfer adoption of the statewide uniform building code for planning and construction of public educational and ancillary plants to the Florida Building Commission. Reorganizes the section, but maintains the DOE's responsibilities to develop standards relating to relocatable classrooms, sanitation, and safety of educational facilities. Specifies that firesafety criteria shall be established by the State Fire Marshal in cooperation with the Florida Building Commission. (This is consistent with one statewide Florida Fire Prevention Code under the authority of the Department of Insurance.) Maintains existing exemptions from county, municipal or other local amendments to the Florida Building Code and local amendments to the Florida Fire Prevention Code; building permit, and assessments of fees for building permits, except as provided in Section 553.80, Florida Statutes, ordinances; road closures; and impact fees or service availability fees. Provides board's responsibility to ensure that all plans and educational plant and ancillary plants meet the standards of the Florida Building Code and the Florida Fire Prevention Code. The board may employ a chief building official or inspector who have been certified pursuant to chapter 468 Florida Statutes. Boards may submit plans to the Department of Education for approval. The Commissioner of Education shall cooperate with FBC in addressing questions or interpretations involving the provisions of the Florida Building Code, (act as the school board and community college's equivalent to the "local boards of appeals"). DOE shall recommend to Florida Building Commission changes to the codes which govern the construction of public educational and ancillary facilities.

Section 26 - ELEVATORS - Deletes Department of Business and Professional Regulation's (DBPR) authority to inspect elevators and transfers to third party inspectors certified as qualified or if elevator is maintained pursuant to a service maintenance contract continuously in force. A statement verifying the existence, performance and cancellation of each service maintenance contract must be filed annually with the Division of Elevators as prescribed by rule.

Section 31 - INFORMATION SYSTEM - Amends Section 455.2286, Florida Statutes, to extend the requirement that DBPR provide an automated information system from November 1, 1999, to November 1, 2001, for all architects, engineers, contractors, plans examiners, building inspectors, and code officials.

Section 33 - UBCI - Amends Section 468.607, Florida Statutes, to provide that UBCI's (school inspectors) are certified to continue to conduct inspections until the person's UBCI certification expires, after which time they must possess the proper valid certificate issued in accordance with this part.

Section 34 - FACILITIES STAFF - Amends Section 468.609, Florida Statutes, by January 1, 2001, individuals who were employed by an educational board as building code administrators, plans examiners, or inspectors, who are not eligible for a standard certificate but who wish to continue in such employment, shall submit to DBPR the appropriate application and certification fees and shall receive a limited certificate qualifying such individuals to

engage in building code administration, plans examination, or inspection in the class, at the performance level, and within the governmental jurisdiction in which such person is employed.

Section 35 - OPTIONAL BUILDING CODE ENFORCEMENT - Amends Section 468.617, Florida Statutes, to provide for joint inspection departments. Any local jurisdiction, school board, community college board, state university, or state agency may:

- (1) Enter into contracts with other local jurisdictions or educational boards to create and support a joint inspection department for building code enforcement. In lieu of a joint inspection department, any local jurisdiction may designate an inspector from another local jurisdiction to serve as an inspector for the purposes of building code enforcement.
- (2) Enter into contracts with persons certified pursuant to this part to perform inspections or plan reviews. An individual or entity may not inspect or examine plans on projects in which the individual or entity designed or permitted the projects.
- (3) Enter into any contract with any person or entity for the provision of services regulated under this part, and notwithstanding any other statutory provision, such county or municipal governments may enter into contracts.

Section 64 – NEW DEPARTMENT OF COMMUNITY AFFAIRS (DCA) PROGRAM FOR RELOCATABLES - Creates Section 553.41, Florida Statutes, Factory-built school buildings- As used in this section, the term "factory-built school building" means any building designed or intended for use as a school building, which is in whole or in part, manufactured at an off site facility in compliance with the State Uniform Code for Public Educational Facilities and Department of Education rule, effective on January 5, 2000. The manufacturers are subject to the certification and enforcement requirements in part IV of chapter 553 except as provided in this section. Within 90 days after the effective date of this section, DCA shall adopt an emergency rule which requires that: manufacturers submit to (DCA) plans, specifications, alterations, and methods of construction for approval; a fee for review; DCA may delegate its plans review authority to a state agency or public or private entity; department-approved plans shall be accepted by the enforcement agency as approved for the purpose of obtaining a construction permit, for the structure, not the site adaptation. Changes in code will allow manufacturers 180 days to revise plans and submit and obtain a revised approved plan within the 180 days. A plan submitted after the period of time provided shall be processed as a new application with appropriate fees. The school district or community college district shall provide for periodic inspection of the proposed factory-built school building during each phase of construction or alteration. The inspector shall act under the direction of the governing board for employment purposes. (Not a third party inspection service hired by the manufacturer.)

The DCA shall develop a unique identification label for all newly constructed factory-built school buildings and existing factory-built school buildings which have been brought into compliance with the standards for existing "satisfactory" buildings pursuant to chapter 5 of the Uniform Code for Public Educational Facilities, bearing the department's name and state seal, shall at a minimum, contain:

- (a) The name of the manufacturer.
- (b) The standard plan approval number or alteration number.
- (c) The date of manufacture or alteration.
- (d) The serial or other identification number.
- (e) The following designed-for loads: lbs. per square foot live load; lbs. per square foot floor live load; lbs. per square foot horizontal wind load; and lbs. per square foot wind uplift load.
- (f) The designed-for flood zone usage.
- (g) The designed-for wind zone usage.
- (h) The designed-for enhanced hurricane protection zone usage: yes or no.

As of July 1, 2001, all existing and newly constructed factory-built school buildings shall bear a label pursuant to subsection (12). Existing factory-built school buildings not bearing such label shall not be used as classrooms pursuant to Section 235.061, Florida Statutes. Nothing in this section shall affect any requirement for compliance with fire safety criteria. (Note: in another section there is additional language that requires relocatables in high hazard velocity zones to have impact resistant doors, shutters, siding and roofs.)

Section 73 - LOCAL AMENDMENTS -Effective July 1, 2001, amends Section 553.73, Florida Statutes, and provides relative to education, that any amendment adopted by a local enforcing agency shall not apply to state or school district owned buildings, manufactured buildings approved by the commission, or prototype buildings approved pursuant to Section 553.77(6), Florida Statutes. However, the respective responsible entities shall consider the physical performance parameters substantiating such amendments when designing, specifying, and constructing such exempt buildings. A local code enforcement agency may not administer or enforce the Florida Building Code to prevent the siting of any publicly owned facility, including, but not limited to, correctional facilities, juvenile justice facilities, or state universities, community colleges, or public education facilities, as provided by law.

Section 75 - BOARD CODE ENFORCEMENT PROGRAMS - All entities authorized to enforce the code (including school boards, community colleges and state universities) shall comply with applicable standards for issuance of mandatory certificates of occupancy, minimum types of inspections, and procedures for plans review and inspections as established by the commission by rule.

Section 82 - MOVING RELOCATABLES - The Florida Building Commission shall establish by code, standards for permitting the moving of structures when such structures do not comply with the code. These buildings will not be required to be brought into compliance with the new code, but must meet a list of criteria described in law, including foundation plans signed and sealed by a Florida registered engineer.

Section 84 - PERMIT REVIEW INCLUDES CERTIFIED FIRE SAFETY APPROVAL - Effective July 1, 2002, no enforcement agency may issue a building permit for construction, erection, alteration, modification, repair or demolition of any building until the appropriate fire safety inspector certified pursuant to Section 633.081 Florida Statutes, has reviewed the documents and found them to be in compliance with the Florida Fire Prevention Code.

Section 85 - BOARD CODE ENFORCEMENT PROGRAMS - Effective July 1, 2001, amends Section 553.80, Florida Statutes, to require enforcement of the Florida Building Code. This section contains the authority of school boards, community colleges and state universities to provide plan review, inspections and code enforcement, but the only change to the section was the effective date.

Section 86 - ANNUAL MAINTENANCE PERMIT - In lieu of individual maintenance project permits as required by the Florida Building Code, effective July 1, 2001, school boards, community college boards, and state universities are authorized to use annual facility maintenance permits to facilitate routine maintenance, emergency repairs, building refurbishment, and minor renovations of systems and equipment. Maximum \$200,000 per project (as otherwise authorized in 255, 235, and 489 Florida Statutes); 1 year permit; detailed log of alterations and inspections must be maintained. If a pattern of code violations is found the future issuance of annual facility maintenance permits may be withheld.

Section 88 - CODE VIOLATIONS - Effective July 1, 2001, amends Section 553.84, Florida Statutes, (statutory civil action) to provide that any person or party, in an individual capacity or on behalf of a class of persons or parties, damaged as a result of a violation of this part or the Florida Building Code has a cause of action in any court of competent jurisdiction against the person or party who committed the violation.

Section 111 - EXISTING BUILDING FIRE CODE OPTION STUDY - The select committee authorized by chapter 98-287 to investigate performance based criteria for cost-effective application of fire codes to existing educational facilities is authorized and funded to continue. The State Fire Marshal may adopt such alternative code.

CS/SB 430: Emergency Management Planning

Effective Date: October 1, 2000

Key Contact: Suzanne Marshall, (850) 487-1130
 marshas@mail.doe.state.fl.us

Summary:

Provides for shelter construction in public schools, community colleges and state universities where a shelter deficit exists; deletes 3 mile radius exemption.

Summary by Bill Section:

Section 1 - Provides \$7,000,000 funding for shelter retrofit.

Section 2 -Amends Section 235.26, Florida Statutes, to provide for shelter construction in public schools, community colleges and state universities where regional planning council and the Department of Community Affairs determine a shelter deficit exists; deletes 3 mile radius exemption.

Section 6 - Amends Section 252.385, Florida Statutes, to require public facilities to be made available at the request of local emergency management agency.

CS/CS/HB 1911: Motor Vehicle Equipment

Effective Date: October 1, 2000

Key Contact: Charlie Hood, (850) 488-4405
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Summary:

This bill removes certain restrictions on types of vehicles owned or operated by a school board for transportation of students in limited circumstances. Further, the bill contains numerous revisions to traffic laws.

Summary by Bill Section:

Sections 1, 3-46. These sections of the bill contain numerous revisions to Florida Statutes relating to traffic laws under the authority of the Florida Department of Highway Safety & Motor Vehicles (DHSMV). The changes streamline several processes, address needed penalties for violations of law, and automate procedures of the DHSMV.

Section 2. This section amends Section 234.02 (1)(d), Florida Statutes, removing certain restrictions on the types of vehicles that may be owned or operated by a school board for the transportation of students in the limited circumstances when a school bus is not required to be used. The amendment allows the use in specified circumstances of most multipurpose passenger vehicle (MPVs) designed to transport 10 or fewer persons and meeting all applicable Federal Motor Vehicle Safety Standards (FMVSSs). The amendment specifies that MPVs with a wheelbase of 110 inches or less that carry a federally specified rollover warning label may not be owned or operated by a school board for student transportation. This section of law currently restricts the use of MPVs to only those certified to the state or districts as meeting the federal passenger car standards. Passenger car standards are not applicable to the MPV vehicle type under federal regulations. Since recent changes in FMVSS ensure that both vehicle types (passenger cars and MPVs) must meet relatively equivalent safety standards, the changes in this bill ensure similar consistency in allowable uses of the two vehicle types by Florida school districts. Since many district policies for the use of privately owned vehicles used by parents or volunteers are written to be consistent with this section of law, it is likely that these policies will be amended by school districts accordingly, removing unnecessary restrictions on parent volunteers as well. The bill does not amend the basic requirement that school buses be used in most circumstances, due to the higher level of safety that they provide.

CS/SB 1530: Teenage Safety Driving Act

Effective Date: October 1, 2000

Key Contact: Brandy Bartol, 850/488-1701
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Summary:

Changes from 16 to 18 the age below which passengers must wear a safety belt or child restraint and requires that before a person who is between 16 and 18 may obtain a driver's license he or she must hold a learner's driver's license for 12 months instead of 6 and the parent, guardian, or other responsible adult must certify that he or she or another licensed driver 21 years or older has accompanied the applicant during a total of 50 hours behind-the-wheel experience, including 10 hours at night.

Summary by Bill Section(where applicable):

Section 1 - Names this act as the "Justin Marksz Teen Safety Driving Act."

Section 2- Amends Subsections 316.614(4)(5), Florida Statutes, to make it unlawful for any person to operate a motor vehicle in this state unless each passenger of the vehicle under the age of 18 years (previously 16) is restrained by a safety belt or by a child restraint device and for any person 18 years of age or older (previously 16) to be a passenger in the front seat of a motor vehicle unless such person is restrained by a safety belt when the vehicle is in motion.

Section 3- Amends Section 322.05, Florida Statutes, to provided a drivers license may not be issued to a person who is at least 16 years of age but is under 18 years of age unless the person holds a valid learner's driver's license for at least 12 months (previously 6 months), with no traffic convictions, before applying for a license; or the person holds a learner's driver's license for at least 12 months and who has a traffic conviction but elects to attend a traffic driving school for which adjudication must be withheld; or (c) the person holds a license that was issued in another state or in a foreign jurisdiction and that would not be subject to suspension or revocation in Florida; or to a person who is at least 16 years of age but who is under 18 years of age, unless the parent, guardian, or other responsible adult certifies that he or she, or another licensed driver 21 years or older, has

accompanied the applicant for a total of not less than 50 hours' behind-the-wheel experience, of which not less than 10 hours must be at night.

Section 4. Notwithstanding, a person who is at least 16 years of age but who is under 18 years of age who meets the requirements of Section 322.091, Florida Statutes, and has been issued a valid learner's license prior to October 1, 2000 and has held such license for at least 6 months, may be issued a driver's license.

AUXILIARY SERVICES

CS/SB 212: Health Care Assistance

Effective Date: July 1, 2000

Key Contact: Shan Goff, (850) 488-1570
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Anne Glass (Medicaid Consultant), (850) 487-8716
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Summary:

This bill requires the Social Services Estimating Conference to develop certain information regarding the Florida KidCare program. It revises eligibility requirements for the Kidcare program. It removes the applicability of the Medicaid third-party liability requirements to the Medikids program. It allows for mandatory assignment. It provides for premium assistance, subject to annual appropriation. It provides for dental coverage under the Florida Kidcare program, subject to specific appropriation. It requires that certain children and pregnant women who are eligible for Medicaid be offered the opportunity for presumptive eligibility, subject to federal rules. It revises eligibility requirements for optional payments for medical assistance for certain children. The bill provides for optional payments for certain pregnant women. The bill requires a study to be performed of the feasibility of subsidizing health insurance coverage for children of certain state employees. It provides for assistance to families in evaluating summer recreation and day camp programs. It authorizes the Department of Children and Family Services to increase family income limits for certain eligibility for subsidized child care and provides that an eligible family be considered a needy family for federal Temporary Assistance for Needy Families funding, subject to appropriations. The bill establishes the Teacher Education and Compensation Helps (TEACH) scholarship program, and authorizes the Department of Children and Family Services to contract for administration of the program and to create rules for the program. The bill revises the definition of "large family child care home" to include certain children related to the caregiver. It provides procedures for referrals for developmental assessment of children in subsidized child care programs. It defines a "child enrichment service provider" and specifies requirements relating to parental consent, compensation, and background screening for such providers. The bill revises provisions of child care facilities' licensing standards relating to transportation safety. It removes a restriction on the use of child care purchasing pool funds under the Child Care Executive Partnership Act. The bill requires a workgroup and a report therefrom, on health and safety in summer camp programs, contingent upon specific appropriation.

Summary by Bill Section (where applicable):

Section 1 - Creates Section 216.136(6)(a)(4), Florida Statutes, requiring the Social Services estimating Conference to develop information relating to the Florida Kidcare program for the purpose of planning for and projecting future budgets and drawdown of federal matching funds. Information developed shall include, but not be limited to, enrollment, outreach impacts, caseload, utilization, and expenditure information. Requires each agency, required to collect and analyze Florida Kidcare program data under Section 409.8134, Florida Statutes, (Agency for Health Care Administration, Department of Children and Families, Department of Health, and Florida Healthy Kids Corporation), Florida Statutes, to be participants in the Social Services Estimating Conference for purposes of developing information relating to the Florida Kidcare program.

Section 2 – Amends Section 409.8132, Florida Statutes, to remove children under age 1 from enrollment in the Medikids program and to delete outdated information concerning open enrollment periods in Medikids. Provides for mandatory assignment for a Medikids applicant who has not chosen a managed care plan or a MediPass provider after the applicant's voluntary choice period ends.

Section 3 - Amends Section 409.8134(3), Florida Statutes, directing all agencies that administer the Florida Kidcare program components to collect and analyze data needed to project Florida Kidcare program enrollment,

including outreach impacts, participation rates, caseloads, utilization, and expenditures, and report trends to the Social Services Estimating Conference.

Section 4 – Amends Section 409.814, Florida Statutes, to provide for presumptive eligibility, eligibility, and disenrollment as follows: Provides for Medicaid presumptive eligibility for an applicant under 19 years of age, who, based on a completed application, appears to be eligible for Medicaid, subject to federal rules. Provides for the Florida Healthy Kids Corporation, subject to compliance with applicable requirements of the Agency for Health Care Administration and the Department of Children and Family Services, to be designated as an entity to conduct presumptive eligibility determinations. Provides for presumptive eligibility for an applicant under 19 years of age, who, based on a completed application, appears to be eligible for Medikids, Florida Healthy Kids, or Children's Medical Services, if the child is not otherwise eligible for Medicaid. Provides that applicants deemed presumptively eligible shall be enrolled in, and begin receiving coverage from, the appropriate program on the first of the month following the receipt of a completed application and prior to verification of the applicant's eligibility for, or enrollment in, Medicaid and prior to determination of the applicant's eligibility for coverage under the state employee health benefit plan. Provides for disenrollment of a previously determined presumptively eligible applicant, if the applicant is determined to be ineligible. Requires that enrollment eligibility in the Children's Medical Services network include a medical or behavioral screening. Requires that a child who has been deemed presumptively eligible for Medicaid shall not be enrolled in a managed care plan until the child's full eligibility determination for Medicaid has been determined. Requires that when determining or reviewing a child's eligibility under the program, the applicant be provided with reasonable notice of changes in eligibility which may affect enrollment in one or more of the program components. Mandates that when a child transitions between program components, cooperation between the program components and the affected family occur to promote continuity of health care coverage.

Section 5 – Amends Section 409.815, Florida Statutes, to include dental benefits, subject to a specific appropriation, as covered services for eligible children under KidCare programs, except Medikids and Medicaid, at the same level of service provided to children by the Florida Medicaid program under Section 409.906(6), Florida Statutes.

Section 6 – Amends Section 409.8177, Florida Statutes, clarifying that the required KidCare annual report developed by the Agency for Health Care Administration, in consultation with The Department of Health, Department of Children and Family Services, and the Florida Healthy Kids Corporation, be submitted, by January 1 of each year, to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Requires the KidCare annual report to include an assessment of the impact of outreach. Requires the Agency for Health Care Administration to submit a monthly report of enrollment for each program component of the Florida KidCare program to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 7 – Amends Section 409.818(1)(b), Florida Statutes, relating to administration of the Florida Kidcare program. Directs the Department of Children and Families, in consultation with the Agency for Health Care Administration and the Florida Healthy Kids Corporation, to develop procedures for redetermining eligibility which enable a family to easily update any change in circumstances which could affect eligibility. Authorizes the Department of Children and Family Services to accept changes in a family's status as reported to the department by the Florida Healthy Kids Corporation without requiring a new application from the family. Specifies that a child's redetermination of eligibility for Medicaid may not be linked to a child's eligibility determination for other programs.

Section 8 – Amends Section 409.903(6) & (7), Florida Statutes, relating to Medicaid mandatory payments for eligible persons. Provides for presumptive eligibility for children under this subsection who are under age 19, subject to federal rules. Provides for presumptive eligibility for a child who has attained the age of one, but has not attained the age of six, subject to federal rules. Requires that a child deemed presumptively eligible for Medicaid under these subsections shall not be enrolled in a managed care plan until the child's full eligibility determination for Medicaid has been completed.

Section 9 – Amends Section 409.904, Florida Statutes, relating to Medicaid optional payments for eligible persons. Provides for presumptive eligibility for Medicaid for children under subsection (6) who have attained the age of six, but are under age 19. Provides that a child deemed presumptively eligible under this section shall not be enrolled in a managed care plan until the child's full eligibility determination for Medicaid has been completed. Extends Medicaid eligibility for Medicaid to children under age one with family incomes above 185% of the most recently published federal poverty level, but at or below 200% of such poverty level. Requires that in determining the eligibility of such a child, an assets test is not required.

Section 10 – Amends Section 391.025(3), Florida Statutes, removing a restriction that did not extend an exemption to contractors of the Children's Medicaid Services program to be exempt from the licensing requirements of the Department of Insurance, when providing services to children who receive Medicaid benefits, other Medicaid-eligible children with special health care needs, and children participating in the Florida KidCare program.

Section 11 – Any provisions of this act which would require changes to contracts in existence as of June 30, 2000, between the Florida Healthy Kids Corporation and its contracted providers shall be applied to such contracts upon renewal of the contracts, but no later than July 1, 2002.

Section 12 - The Division of State Group Insurance of the Department of Management Services and the Florida Healthy Kids Corporation shall study the feasibility of providing a subsidy comparable to the subsidy available through the Healthy Kids Corporation for health insurance coverage for children of state employees who meet eligibility requirements of the Florida Healthy Kids program. The agencies shall submit a report to the Governor, President of the Senate, and Speaker of the House of Representatives by January 1, 2001. The report shall contain recommendations as to whether such a subsidy should be provided through the state employee health insurance program and how a subsidy could be administered.

Section 13 – Amends Section 402.27, Florida Statutes, to require the statewide child care resource and referral network established by the Department of Children and Family Services, contingent upon specific appropriation, to develop a checklist of important health and safety qualities that parents can use to choose their summer camp programs and to distribute the checklist in a manner that will reach parents interested in such programs for their children.

Section 14 - Amends Section 402.3015, Florida Statutes, providing the Department of Children and Family Services the option of extending eligibility to children of working families who are currently in subsidized child care and whose family income does not exceed 200 percent of the federal poverty level. A family that is eligible to participate in the subsidized child care program be considered a needy family for purposes of the program funded through the federal Temporary Assistance for Needy Families (TANF) block grant, to the extent permitted by appropriation of funds.

Section 15 - Creates Section 402.3017, Florida Statutes, to establish the Legislature's intent to help fund a program that links teacher training and education to compensation and commitment to the field of early childhood education. Authorizes the Department of Children and Family Services to contract for the administration of the Teacher Education and Compensation Helps (TEACH) scholarship program, which provides educational scholarships to caregivers and administrators of early childhood programs, family day care homes, and large family child care homes. Authorizes the Department to adopt rules as necessary to implement the program.

Section 16 - Amends Section 402.302(8), Florida Statutes, to revise the definition of a large family child care home to include children under 13 years of age who are related to the caregiver.

Section 17 - Creates Section 402.3028, Florida Statutes, to require the Department of Children and Family Services, Department of Health, and Department of Education to implement certain procedures for making referrals for Level III developmental assessment, pursuant to Section 402.3027, Florida Statutes. Requires that children under the age of 3 who are in the subsidized child care program and are identified as needing a Level III developmental assessment pursuant to Section 402.3027, Florida Statutes, shall be referred to the Early Intervention for Infants and Toddlers with Disabilities Program of the Department of Health, funded under the federal Individuals with Disabilities Education Act, Pub. L. No. 105-17, Part C. Requires that assessments shall be completed within 45 days after the referral. Provides for a referral to be made to a local community service provider if the Early Intervention for Infants and Toddlers with Disabilities Program is not available.

Children age three through five who are in the subsidized child care program and identified as needing a Level III developmental assessment shall be referred to the appropriate program under the local school district or appropriate local service provider. States the intent of the Legislature that assessments be completed within 45 days because of the critical nature of child development at this age. Services to children with disabilities under this section shall be integrated and delivered with child care programs to the extent possible. Nothing in the section prohibits a subsidized child care program from referring a child to Medicaid or the Florida KidCare program to determine eligibility for services, or from making a referral to a child's primary health care provider.

Section 18 - Creates Section 402.3054, Florida Statutes, to define a child enrichment service provider, to require parental consent, and to require background screenings. Defines a child enrichment service provider as an individual who provides enrichment activities, such as language training, music instruction, education instruction,

and other experiences to specific children during a specific time that is not part of the regular program in a child care facility. A child's parent shall provide written consent before a child may participate in activities conducted by a child enrichment service provider that are not part of the regular program of the child care facility. A child enrichment service provider shall not be considered a volunteer or child care personnel, as the provider receives compensation either from the child's parent or from the child care facility. A child enrichment service provider shall undergo a level 2 screening, using level 2 standards for screening set forth in Chapter 435. A child enrichment service provider shall meet screening requirements prior to providing services to a child in a child care facility. A child enrichment service provider who has met the screening standards is not required to be under the direct and constant supervision of child care personnel.

Section 19 - Amends Section 402.305(10), Florida Statutes, to require child restraints or seat belts in vehicles used by large-family child care homes to transport children and to require accountability for children being transported.

Section 20 -Amends Section 409.178(3), Florida Statutes, to remove the restriction that funds used from the child care purchasing pool may not be used to supplant the maintenance of effort presently exerted by the employer or other participant in the activity funded.

Section 21 -Contingent upon specific appropriation, the statewide child care resource and referral network (established by the Department of Children and Family Services), pursuant to Section 402.27, Florida Statutes, shall convene a workgroup for the purpose of developing recommendations for improving the health and safety qualities of summer camp programs without over-regulation. One component of the deliberations of the workgroup shall include examining the feasibility of requiring summer camp programs to register with the Department of Children and Family Services, to provide annual program information to the statewide child care resource and referral networks, or to publish their health and safety plans. The workgroup shall include representatives from summer camp program related associations, the Department of Children and Family Services, parents, and other interested parties. All workgroup participants shall attend meetings at their own expense. A report of recommendations shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2001.

Section 22 – Effective July 1, 2000.

CS/SB 358: Mental Health Services

Effective Date: September 1, 2000

Key Contact: Mary Jo Butler, (850) 488-6726
 butlerm@mail.doe.state.fl.us

Summary:
 Applicable sections of this bill outline provisions requiring the Department of Children and Families, Agency for Health Care Administration, and their contracted providers to coordinate and integrate substance abuse and mental health activities with school districts and others, and require that these provisions be included in the school district's substance abuse and mental health plan.

Summary by Bill Section (where applicable):

Section 5 - Amends Section 394.66(5), Florida Statutes, requiring the Department of Children and Families, Agency for Health Care Administration, and their contracted providers to coordinate and integrate substance abuse and mental health treatment and prevention services with school districts and other groups.

Section 11 – Amends Section 394.75, Florida Statutes, to provide that required state and district substance abuse and mental health services plans provide for the integration of such services with other systems, including schools.

Section 157 – Effective September 1, 2000.

CS/SB 924: Blind Babies Program

Effective Date: July 1, 2000

Key Contact: Shan Goff, (850) 488-1570
 goffs@mail.doe.state.fl.us

Summary:

CS/SB 924 creates the Blind Babies Program within the Division of Blind Services; outlines program intentions and components; specifies responsibilities of the division and the Office of Program, Policy Analysis, and Government Accountability; and provides an appropriation.

Summary by Bill Section (where applicable):

Section 1 - Establishes Legislative findings that all children must have a healthy start in life, including babies who are visually impaired or blind. Early intervention services at the youngest age greatly improve a child's chances for success and self-sufficiency in life and reduce the severity of long-term disabilities resulting from babies not developing normally. It is critical to teach infants and toddlers who are born or become blind or visually impaired, and to teach the parents, families, and caregivers of such children, the skills to assist them so these children do not miss critical developmental stages normally dependent on vision. This early intervention is also essential to ensure that these children can access and benefit from other services that assist, educate, train, and employ young people.

Section 2 - Creates the Blind Babies Program within the Division of Blind Services of the Department of Labor and Employment Security to provide community-based early intervention education to children from birth through 5 years of age who are blind or visually impaired, and to their parents, families, and caregivers, through community-based provider organizations.

The division shall enlist parents, ophthalmologists, pediatricians, schools, Infant and Toddlers Early Intervention Programs, and therapists to help identify and enroll blind and visually impaired children, and their parents, families, and caregivers, in these educational programs.

The program is not an entitlement, but shall promote early development with a special emphasis on vision skills to minimize developmental delays. The education shall lay the groundwork for future learning by helping a child progress through normal developmental stages; teach children to discover and make the best use of their skills for future success in school; seek to ensure that visually impaired and blind children enter school as ready to learn as their sighted classmates; and seek to link these children, and their parents, families, and caregivers, to other available services, training, education, and employment programs that could assist them in the future. This linkage may include referrals to the school districts and the Infants and Toddlers Early Intervention Program for assessments to identify any additional services needed which are not provided by the Blind Babies Program.

The division shall develop a formula for eligibility based on financial means and may create a means-based matrix to set a co-payment fee for families having sufficient financial means.

The division shall establish program outcomes, which shall include, but are not limited to, outcomes relating to the children's age-appropriate developmental stages, knowledge of assistive technology, proficiency at daily living, ability to participate in pre-school and school, participation in their communities, and ability to be literate.

The division shall also develop criteria to be used in identifying and contracting with community-based provider organizations, and require any community-based provider organizations delivering services under this program to develop performance measures related to those services and report to the division on the progress in achieving those measures.

All services offered through the Blind Babies Program shall be provided by community-based provider organizations.

Section 3 - The Office of Program, Policy Analysis, and Government Accountability shall conduct a review of, and prepare a report concerning the Blind Babies Program which must be submitted, by January 1, 2002, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The review must be comprehensive but, at a minimum, must specifically determine the following: the program's progress towards achieving its established outcomes; the circumstances contributing to the program's capacity to achieve, not achieve, or exceed its established outcomes; and whether it will be sound public policy to continue funding the program and the consequences of discontinuing the program.

Section 4 - A sum of \$530,000 from General Revenue in the General Appropriations Act for the 2000-2001 fiscal year for the Blind Babies Program and a sum of \$470,000 from the General Revenue fund to the Division of Blind Services of the Department of Labor and Employment Security is appropriated to fund the Blind Babies Program during the 2000-2001 fiscal year. Of the total amount appropriated, 90% of the funds must be provided for direct consumer services. Funds shall be distributed based on enrollment, which is contingent upon the Division of Blind Services determining eligibility.

Section 5 – Effective July 1, 2000.

HB 2329: Health Care/Medicaid

Effective Date: July 1, 2000

Key Contact: Shan Goff, (850) 488-1570
goffs@mail.doe.state.fl.us

Anne Glass, (850) 487-8716(Medicaid Consultant)
aglass@tempest.coedu.usf.edu

Summary:

Applicable sections of this bill require that confidential information be furnished to the Medicaid Fraud Control Unit of the Department of Legal Affairs upon request, including certain information regarding Medicaid provider agreements with school districts. The bill provides additional authority to the Agency for Health Care Administration (AHCA) for denial of Medicaid provider applications, authorizes AHCA to require Medicaid providers to post a surety bond, and authorizes university developmental research schools to participate in the Medicaid certified school match program.

Summary by Bill Section (where applicable):

Section 5 - Creates Section 409.9071(7), Florida Statutes, to require that Medicaid provider agreements for school districts certifying state match contain a clause waiving AHCA and school districts' confidentiality. Requires the Agency for Health Care Administration and school districts to provide any information or documents relating to Section 409.9071, Florida Statutes, to the Medicaid Fraud Control Unit in the Department of Legal Affairs, upon request, pursuant to its authority.

Section 16 - Authorizes the AHCA to require Medicaid providers, who are reimbursed on a fee-for-services basis, or fee-schedule basis which is not cost-based, to post a surety bond not to exceed \$50,000 or the total amount billed by the provider to the program during the current or most recent calendar year, whichever is greater. Establishes methodology for determining the bond amount for new providers, based on estimations.

Section 21 - Authorizes developmental research schools, as authorized under Section 228.053, Florida Statutes, to participate in the Medicaid certified school match program subject to the provisions of Section 236.0812, Florida Statutes, Section 409.9071, Florida Statutes, and Section 409.908(21), Florida Statutes.

Section 31 – Effective July 1, 2000.

ADMINISTRATIVE/FISCAL ISSUES

CS/CS/SB 94: Disability Retirement/Special Risk

Effective Date: July 1, 2000

Key Contact: Sherrye A. Earst, (850) 488-8652
earsts@mail.doe.state.fl.us

Summary:

SB 94 amends Section 121.091, Florida Statutes. This bill increases the disability retirement benefit for Special Risk Class members from 42 percent to 65 percent of the average monthly compensation

Summary by Bill Section (where applicable)

Section 1 – Amends Section 121.091, Florida Statutes, by providing an increase from 42 percent to 65 percent of the average monthly compensation for Special Risk Class members retiring on or after July 1, 2000, due to a disability occurring in the line of duty.

Section 2 – Amends Section 121.071, Florida Statutes, by providing an increase in contribution rates for Special Risk Class and Special Risk Class Administrative Support Class membership. The increase is .13 percent and .21 percent, respectively, of each class.

Section 3 – Provides a statement of important state interest as required by Section 14, Articles X of the State Constitution, and part VII of chapter 112, Florida Statutes.

Section 4 – Provides an effective date of July 1, 2000.

Note: The Department of Education does not have any employees in the Special Risk Class. Some of the larger school districts do.

CS/CS/CS/SB 130: Florida Prepaid College Program

Effective Date: July 1, 2000

Key Contact: Nancy Rivers, (850) 410-1479
Riversn@mail.doe.state.fl.us

Summary:

The Act allows the transfer of Florida Prepaid College benefits for qualified beneficiaries enrolled in certain applied technology programs and vocational certificate programs.

Summary by Bill Section (where applicable) :

Section 1 - Section 240.551(10), Florida Statutes, is amended to authorize state community colleges and area technical centers operated by school boards to receive transfers from the Florida Prepaid College Program for qualified beneficiaries enrolled in applied technology diploma programs or vocational certificate programs.

CS/SB 372: Investment of Public Funds

Effective Date: October 1, 2000

Key Contact: Joyce Hobson, (850) 487-2310
hobsonj@mail.doe.state.fl

Summary:

SB 372 requires that investment of assets of any local retirement system or plan be consistent with written investment policy; requires that such policies list authorized investments and prohibits investments not listed; revises requirements regarding local governments' investment policies; revises authority of Banking & Finance Department to follow up on entities that fail to file annual financial reports.

Summary by Bill Section (where applicable):

Section 1 - Amends Section 112.625, Florida Statutes, definitions of statement of value, named fiduciary, (board or board of trustees) and adds the definition of plan sponsor.

Section 2 - Creates Section 112.661, Florida Statutes. The investments of the assets of any local retirement system or plan must be consistent with a written investment policy adopted by the board. The policies must be structured to maximize the financial return to the retirement system or plan consistent with the risks in each investment and must establish and maintain an appropriate diversification of the retirement system or plan assets.

Section 3 - Amends Section 218.415, Florida Statutes. Local government investment policies must be conducted in accordance with subsection (17) and must have an investment policy for any public funds in excess of the amounts needed to meet current expenses as provided in subsections (1)-(16). The policies must be structured to place the highest priority on safety of principal and liquidity of the funds; in addition must adopt policies that are commensurate with the nature and size of the public funds within its custody.

Section 4 - Amends Section 11.45, Florida Statutes. Revises the authority of the Department of Revenue and Banking & Finance Department to follow up on local government, district school board, or charter school that fail to file annual financial reports.

Section 6 – Amends Section 218.38, Florida Statutes, notice of bond issues required and verification. Revises the authority of the Department of Revenue and Department of Banking & Finance to follow up on a unit of local government that fails to verify and provide the information required.

Section 8 - Amends Section 159.416, Florida Statutes. Pool financing investments are not limited to investments described in Section 218.415, Florida Statutes.

Section 10 – Amends Section 236.24, Florida Statutes, sources of district school fund. Deletes subsection paragraph (2) (a).

Section 11 – Amends Section 236.49, Florida Statutes. Proceeds from bond issues not immediately needed must be invested in the investments listed in Section, 218.45, Florida Statutes.

CS/SB 388: Sales Tax Exemptions

Effective Date: January 1, 2001

Key Contact: David Morris, (850) 488-5142
morrisd@mail.doe.state.fl.us

Summary:

Nonprofit organizations holding Internal Revenue Code Section 501(c)(3) status are given tax exemption from the sales and use tax.

Summary by Bill Section:

Section 1. Nonprofit organizations holding Internal Revenue Code Section 501(c)(3) status are not currently exempt under Section 212.08, Florida Statutes, from paying sales or use tax on purchases or leases because of the federal status. This Act confers exemption based on holding 501(c)(3) status. Section 212.08(7)(o), Florida Statutes, which currently defines the exemption for educational institution is amended to state, "Schools, colleges, and universities. Also exempt from the tax imposed by this chapter are sales or leases to state tax supported schools, colleges, or universities."

Section 10. This act shall take effect January 1, 2001.

CS/CS/CS/SB 406: Community and Faith-Based Organizations

Effective Date: July 1, 2000

Key Contact: Lynda Hartnig, (850) 921-4430
hartnil@mail.doe.state.fl.us

Summary:

CS/CS/CS SB 406 establishes a number of economic development initiatives. While educational agencies are not the direct recipients of most of these initiatives, there are opportunities to work with other agencies to provide opportunities for students in distressed communities.

Summary by Bill Section (where applicable):

Section 1 – Creates the Community and Faith-based Organizations Initiative, which shall be administered by the Institute on Urban Policy and Commerce at Florida A&M University. The purpose of the program is to promote community development in low-income, distressed communities through partnerships with not-for-profit and faith based organizations. Another purpose is to establish partnerships to encourage public libraries eligible for e-rate discounted telecommunications services to partner with community and faith-based organizations to provide technology access and training to assist other state efforts to close the digital divide. Appropriation: \$800,000 (Specific Appropriation 2088C)

Section 2 – Creates community computer access grant program. This program is designed to address the digital divide among Florida's youth who reside in distressed urban communities. Creates the Community High-Investment Partnership (CHIP). The program will be administered by the Institute on Urban Policy and Commerce at Florida A&M University. The maximum of each grant is limited to \$25,000.

Section 12 – Creates a Toolkit for Economic Development. Using the emergency response philosophy, this initiative would focus the expertise of at least 23 state agencies to help needy families in distressed communities use state and federal resources effectively and avoid public assistance, retain employment, and become self-sufficient. The Department of Education is listed as an agency liaison. Appropriation: \$25 million

Section 13 – Establishes the effective date as July 1, 2000.

HB 509: Local Option Tourist Taxes

Effective Date: Upon becoming law

Key Contact: Nancy E. Rivers, (850) 410-1460
riversn@mail.doe.state.fl.us

Summary:

This bill contains several provisions related to the Department of Revenue and tax administration. Section 9 pertains to a school district's ability to levy additional millage.

Summary by Bill Section (where applicable):

Section 9. The Sarasota County School Board may levy up to 1.0 additional mill of discretionary school millage for one year for the purpose of implementing the transition to charter district status. Such levy is conditioned upon approval of a majority vote of the electorate in a referendum. The funds generated are not to become part of any calculation of hold harmless or total potential funds under the FEFP in 2000-2001 or any subsequent year.

HB 627: Lottery Capital Outlay and Debt Trust Fund

Effective Date: Upon becoming law

Key Contact: David Morris, (850) 488-5142
morrisd@mail.doe.state.fl.us

Summary:

Creation of a trust fund administered by the Department of Education for the purpose of maintaining and accounting for lottery funds appropriated for capital outlay and debt service.

Summary by Bill Section (where applicable):

Section 1. Lottery funds appropriated for fixed capital outlay and debt service, along with interest earned is to be transferred from the Educational Enhancement Trust Fund to the fund created by this Act. Any balance in the trust fund at the end of the fiscal year is to remain in the trust fund and is to be available for carrying out the purposes of the fund.

Section 2. This act shall take effect upon becoming a law.

CS/HB 701: Educational Funding and Exceptional Student Education

Effective Date: Upon becoming law

Key Contact: David Morris, (850) 488-5142
morrisd@mail.doe.state.fl.us

Summary:

This Act includes major actions relative to the funding of public schools: (1) Creates the Task Force on Public School Funding to examine and make recommendations to the Governor and the Legislature on the funding of public schools. (2) Provides for "sun setting" of the FEFP. (3) Revises funding of exceptional student education programs, amends cost reporting, and sets ESE expenditure requirement at 90 percent at school level. (4) Provides a scholarship program for students with disabilities to attend a public or private school of choice if the student's progress in the prior year did not meet expected levels in two areas of the individual education plan. (5) Requires school boards to allocate set percentages of revenue from state and local FEFP, discretionary lottery, and operating discretionary millage to each school with unused funding at fiscal year-end not to revert to the district.

Summary by Bill Section (where applicable):

Section 1. The Task Force on Public School Funding is to be composed of fifteen members with five appointments made by the Governor, five appointments made by the President of the Senate, and five appointments made by the Speaker of the House. Its organizational meeting is to be held by September 1, 2000. Draft recommendations are due by September 1, 2001, with the final report due by February 1 2002. Before adopting the final recommendations, at least one public hearing is to be conducted in each of the five service regions of the Department of Education. The Task Force is to consider at least the following areas; funding based on performance, the relationship between state and local funding, equity in the allocation of dollars among districts and schools, technology, parental choice in the selection of educational services, and recommendations of funding studies conducted by nationally recognized experts, groups, and other states. Employment of an executive director and staff is authorized.

Section 2. The FEFP is repealed effective June 30, 2004, subject to prior review by the Task Force.

Section 3. The Exceptional Student matrix funding model as specified in Section 236.025, Florida Statutes, is revised to retain weighted funding cost factors for students with matrix ratings of level IV or level V. Matrix rating for students in level IV or level V must be completed at the time of the student's initial placement into an exceptional program and at least once every three years. In order to reduce the paper work burden of state funding, ratings under the matrix model are no longer required for students who would currently be classified in ESE matrix levels I, II, and III. For these students, funding is generated on the basis of full-time equivalent student membership in the FEFP at the same funding level per student as provided for basic students. Additional funds for these exceptional students will be provided through a guaranteed allocation for each district as provided in the General Appropriations Act. This guaranteed allocation, which will not change during the year, is based on the district's projected membership in levels I, II, and III and is to be used to provide special education and related services for exceptional students.

Section 4. Section 236.081, Florida Statutes. FEFP is revised to effect the changes described in Section 3. Section 236.081, Florida Statutes, is further amended to clarify procedural steps for the Department of Education's calculation of a district's required local effort in the event of a contested assessed value of more than six percent.

Section 5. Section 237.34, Florida Statutes, is amended to require program cost reporting for each exceptional education program funded in Section 236.081, Florida Statutes and to set the expenditure requirement for exceptional education programs at 90 percent in the aggregate.

Section 6. Section 229.05371, Florida Statutes. Scholarships to public or private school of choice for students with disabilities, is expanded from a pilot program in Sarasota County to state-wide application. Scholarships are provided for students whose academic progress in at least two areas has not met expected levels for the previous year. Student participation is limited to five percent of the students with disabilities in the school district for the first year of the program. The limit is increased to ten percent the second year, 20 percent the third year, and no caps in subsequent years. Funding for private school scholarships is determined under provisions of the Opportunity Scholarship Program which provides the lesser of the amount the student would have generated from the FEFP, the ESE Guarantee, the Instructional Materials allocation, and the Public School Technology allocation or the amount of the private school's tuition and fees. The amount generated from the listed sources is removed from the district's allocations.

Section 7. Section 236.08103, Florida Statutes, Equity in School Level Funding Act, is created. This Act requires district school boards in the 2000-2001 fiscal year to allocate to each school at least 50 percent of the funds generated by that school based upon the Florida Education Finance Program and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy. This requirement is increased to 65 percent in 2001-2002, 80 percent in 2002-2003, and 90 percent in 2003-2004. Total funding for each school is to be recalculated during the year to reflect funding changes due to actual weighted full-time equivalent students. Programs or services provided from federal grants earned by students enrolled in the school are to be provided to the school. Districts that initially applied for charter school status and have been approved by the State Board of Education are exempt from these provisions. Funds that are unused at the end of the fiscal year are not to revert to the district. These carryforward funds may be used for any purpose provided by law at the discretion of the principal of the school. Recommendations made by the Governor's Equity in Educational Opportunity Task Force are to be reviewed to identify potential categorical funds to be included in this allocation methodology. Supplemental Academic Instruction allocations are excluded from this methodology.

Section 8. This act shall take effect upon becoming a law.

HB 879: State Tax/Print Materials

Effective Date: July 1, 2000

Key Contact: Tanner Holloman, 850/488-7003
hollomt@mail.doe.state.fl.us

Summary:

Shifts the burden of paying taxes on printed materials under some circumstances from the printer to the purchaser. Authorizes the Department of Revenue to adopt rules and forms to implement the provisions of the act.

Summary by Bill Section (where applicable):

affected when state agencies terminate private leases early in the term, to occupy state owned space as permitted with six months notice, leaving in some cases large unamortized tenant improvement cost.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 216.043, Florida Statutes, Budgets for fixed capitol outlay, inserting language that requires agency heads of the executive branch, and the Chief Justice of the Judicial Branch to include in their Legislative Budget Request (LBR), unamortized cost of tenant improvements under any lease executed after September 30, 2000, which is terminated before the expiration of its term for the purpose of relocating to a state-owned building.

Section 2 – Amends Section 255.249, Florida Statutes, Department of Management Services responsibilities; department rules. Renumbers subsections (2) and (3) of Section 255.249, Florida Statutes as subsections (4) and (5), and inserts new language that requires DMS to promulgate rules that require state agencies planning to terminate a lease for the purpose of occupying space in a new state-owned office building with funds appropriated after June 30, 2000, to state why the proposed relocation is in the best interest of the state, and requires DMS to the extent feasible to coordinate vacating of privately owned leased space with the expiration of the lease on that space and, when lease is terminated before expiration of its base term, make reasonable efforts to assign lease to another agency needing to lease space. Clarifies that any state agency may lease space in any building that was subject to a lease terminated by another state agency for a period equal to the remainder of the base term without requirements of competitive bidding.

Section 3 – Adds paragraph (d) and (e) to subsection (3) of Section 255.25, Florida Statutes, Approval required prior to construction or lease of buildings. Requires the agency and lessor when entering a lease for 5,000 square feet or more of privately owned building, shall, before the effective date of the lease, agree upon and separately state the cost of tenant improvements which may qualify for reimbursement if the lease is terminated before the expiration of its base term. DMS shall serve as mediator as needed, and the amount agreed upon and stated shall, if appropriated, be amortized over the original base term of the lease on a straight-line basis. If appropriated, unamortized portion of tenant improvements will be paid in equal monthly installments over the remaining term of the lease. If any portion of the original leased premises is occupied after termination but during the original term be a tenant that does not require material changes to the premise, the repayment of the cost of tenant improvements applicable to the occupied but unchanged portion shall be abated during occupancy. The portion of the repayment to be abated shall be based on the ratio of leased space to unleased space.

HB 2179: School District Revenue

Effective Date: July 1, 2000

Key Contact: David Morris, (850) 488-5142
morrisd@mail.doe.state.fl.us

Summary:

This Act restricts the power of Boards of County Commissioners to levy impact fees for school purposes and provides for the use of state funds appropriated in lieu of impact fees.

Summary by Bill Section (where applicable):

Section 1. Counties are prohibited from levying any impact fee for school purposes in an amount in excess of 37.5 percent of any school impact fee which that county adopted by county ordinance prior to May 1, 1999. If in any year the Legislature appropriates an amount less than 62.5 percent of the total impact fee for school purposes collected in fiscal year 1999-2000, a county may increase the county levied portion to make up the difference. State funds appropriated in lieu of impact fees adopted by county ordinance prior to May 1, 1999 may be used for the same purposes as the impact fees.

Section 2. The Department of Education is to distribute the state appropriation to school boards on a pro-rata basis based on the amount of fees enacted prior to May 1, 1999 and collected during the 1999-2000 fiscal year. (Note: Appropriation 87A provided \$50,000,000 for this purpose.)

Section 4. Provision is made to include counties in which there was public notice prior to April 23, 2000 of an ordinance imposing an impact fee which was adopted after May 1, 1999.

Section 5. The effective date of the Act is July 1, 2000.

APPROPRIATION\$

HB 2145: **General Appropriations Act**

Effective Date: July 1, 2000

Key Contact: Nancy Rivers, 850-410-1460
riversn@mail.doe.state.fl.us

While appropriations are contained in other laws, the General Appropriations Act is essentially the state budget. Proviso language in the Act and substantive law codified in Florida Statutes govern expenditures to be made from appropriations. Proviso requirements for public school appropriations are summarized herein. Changes in substantive law governing public schools are described by enactment (bill number) in this legislative review. The following bills have particular relevance for funding and budgeting and should be read in conjunction with this analysis:

HB 2147, Implementation Bill

CS/CS/HBs 63 & 77 and 891, 995, 2009 and 2135, Teacher Bonuses, Florida Teachers Lead

CS/HB 701 Funding Study, ESE Funding, Scholarships for Handicapped Students (State-wide Implementation), Required School Allocations

The following listing of major education funding provides a comparison between the 1999-2000 and 2000-2001 General Appropriations Acts. In most instances, funds are distributed to school districts on a formula basis.

Allocations for Districts
General Revenue Fund, State School Trust Fund
and Educational Enhancement Trust Fund

Line Item	1999-2000 Appropriations	2000-2001 Appropriations	Increase or Decrease
3 District Discretionary Lottery Funds	151,535,000	190,125,000	38,590,000
4 Partnership for School Readiness	1,075,000	1,075,000	0
5 School Recognition/Merit Schools	15,000,000	60,000,000	45,000,000
5A Assistance to Low Performing Schools	0	17,250,000	17,250,000
6 Pre-School Projects	103,765,000	103,765,000	0
7 Coalition Incentive Funds	2,085,000	2,085,000	0
78 Florida Education			
Finance Program (FEFP) ¹	5,636,048,955	6,458,518,139	822,469,184
--- Supplemental Academic Instruction ¹	527,036,284	0	(527,036,284)
79A Teacher Recruitment and Retention	0	60,000,000	60,000,000
80 Instructional Materials - Formula ²	193,691,807	192,091,807	(1,600,000)
81 Public School Technology - Formula ³	63,400,000	62,400,000	(1,000,000)
82 Student Transportation	395,245,086	402,435,183	7,190,097
83 Teacher Training	34,000,000	36,000,000	2,000,000
84 Florida Teacher Lead Program	14,749,913	15,044,000	294,087
85A Public School Technology - Supplemental	0	1,700,000	1,700,000
86 Alternative Schools/Public Private			
Partnership Incentives	2,000,000	2,000,000	0
87 Florida On-Line High School	3,800,000	6,170,000	2,370,000
87A Local Impact Fee Replacement	0	50,000,000	50,000,000
88 School Choice	12,000,000	12,000,000	0
89 Instructional Materials - Non Formula ²	0	1,600,000	1,600,000
90 Excellent Teaching	14,000,000	19,000,000	5,000,000
92 Public School Technology - Non Formula ³	0	1,000,000	1,000,000
93 Extended School Year	40,000,000	11,000,000	(29,000,000)
93A Assistance to Low Performing Schools	0	21,050,000	21,050,000
93B Florida Humanities Council	275,000	275,000	0
94 College Reachout Program	0	4,000,000	4,000,000
95 Communities in Schools	2,000,000	3,000,000	1,000,000

95B	College Fast Start Program	0	2,500,000	2,500,000
96	Florida Diagnostic and Learning Resource Centers	2,889,494	2,989,494	100,000
97	Education/Business Cooperation	1,914,244	1,914,244	0
99	New World School of the Arts	964,618	964,618	0
99A	School District Matching Grants	0	3,400,000	3,400,000
99B	Jobs for Florida Graduates	3,000,000	3,000,000	0
100	Minority Teacher Incentive	180,000	180,000	0
100A	Safe Schools	0	2,176,676	2,176,676
100B	Salary Bonus for Outstanding Teachers in F Schools	0	12,250,000	12,250,000
107	School and Instructional Enhancements	4,674,718	8,824,718	4,150,000
108	Exceptional Education	5,403,127	4,029,773	(1,373,354)
113	School Lunch and Breakfast Match	18,161,046	17,886,046	(275,000)
131	Adult Handicapped Funds	18,673,446	17,726,725	(946,721)
133	Preferred Technology Curriculum Pathway	2,000,000	2,000,000	0
134A	Critical Jobs Initiative	0	18,829,184	18,829,184
135	Workforce Development	402,840,652	407,025,396	4,184,744
---	Innovative Practices	3,865,000	0	(3,865,000)
---	HIV/Aids Education	100,000	0	(100,000)
---	Vocational Performance Incentive	2,000,000	0	(2,000,000)
---	Reading Programs	15,000,000	0	(15,000,000)
---	Children's Resource Fund	350,000	0	(350,000)
---	SER/Saber Youth Co-op ⁴	600,000	0	(600,000)
---	Incentive Grants for Expanding Programs	16,964,184	0	(16,964,184)

¹ Due to a reduction in the required contribution rate for regular members from 9.21% to 8.21%, the financial obligation to the Florida Retirement System for school districts will be lower in school year 2000-2001. The value of this one-percent reduction is estimated to be \$84,980,000. The 2000-2001 FEFP provides FTE funding for the 180 day regular school year and summer programs for juvenile justice students only; all other summer programs are funded through the Supplemental Academic Instruction Allocation (SAI). The SAI is included in the FEFP for school year 2000-2001, but was funded as a separate item in 1999-2000. The Supplemental Academic Instruction Allocation provides funding for supplemental academic instruction to K-12 students in any manner and at any time during or beyond the regular 180-day term. The Compression Adjustment was folded into the 2000-2001 Supplemental Academic Instruction Allocation.

² The Instructional Materials categorical is now divided into two appropriations. One for formula based allocations and one for non-formula based allocations.

³ The Education Technology categorical is now divided into two appropriations. One for formula based allocations and one for non-formula based allocations.

⁴ The SER/Saber Youth Co-op received \$600,000 in the Assistance to Low Performing Schools appropriation. 2000-2001 Allocations for Districts -- Facilities Funding

Line Item	1999-2000 Appropriations	2000-2001 Appropriations	Increase or Decrease
1 Classrooms First	\$180,000,000	\$180,000,000	\$ 0
9E Remodeling, Renovation, and Maintenance	78,725,190	160,675,132	81,949,942
9F New Construction	167,963,557	129,951,388	(37,742,169)
9I Special Facility Construction ¹ (Columbia, DeSoto Jackson, and Madison)	50,846,972	40,312,964	(10,534,008)
10C Public School Facilities ²	28,269,325	19,045,484	(9,223,841)
95A Charter Schools Facilities and Equipment	5,000,000	20,000,000	15,000,000
--- Class Size Reduction/Capital Outlay	100,000,000	0	(100,000,000)

NOTE: Appropriations in Line Items 9E, 9F, and 9I are considered PECO appropriations, even though 9F (New Construction for Survey Recommended Needs) is funded from the General Revenue Fund and the Principal State School Trust Fund.

¹ Projects and appropriations are as follows:

Columbia County School District	New High School	\$ 2,787,000
DeSoto County School District	DeSoto Middle School	10,251,379
Madison County School District	New K-8 School	13,016,155
	New K-5 School	4,434,485
Jackson County School District	New Marianna High School	9,823,945

² Projects and appropriations are as follows:

Osceola County/Lake County School District		
	Shared K-8 Facility	\$ 2,865,484
Indian River County School District		
	Auditorium	3,000,000
Broward County School District		
	New Lauderdale Lakes Elem. School Site Bridge	280,000
St. Lucie County School District		
	Agriculture Education Center	4,300,000
Escambia County School District		
	Model Technical High School Infrastructure	500,000
P.K. Younge Laboratory School		
	Structural Emergency Phase I	1,500,000
Martin County School District		
	IRCC Career Tech Center	6,600,000

Performance Standards

The kindergarten through twelfth grade program is to meet the following performance standards, as required by the Government Performance and Accountability Act of 1994, to provide instructional experiences in elementary and secondary schools that enable students to attain entry-level employment and enroll in postsecondary institutions:

Performance Measures - Outcomes		FY 2000-2001 Standards
Number and percentage of teachers with National Teacher's Certification, reported by district	1,046	0.8%
Number and percentage of "A" schools, reported by Districts	254	10.0%

The following are additional approved performance measures and standards, which are established in the FY 2000-2001 Implementing Bill and are incorporated in the Appropriation Bill by reference.

Number/percent of "D" or "F" schools, reported by district	494	20.0%
Number/percent of schools declining one or more letter grades, reported by district	FY 2001-2002 Legislative Budget Request	
Number/percent of schools improving one or more letter grades, reported by district	FY 2001-2002 Legislative Budget Request	

FLORIDA EDUCATION FINANCE PROGRAM (FEFP)

An amount of \$6,458,518,139 is appropriated to fund the state's share of the Florida Education Finance Program (FEFP). FTE funded through the FEFP includes all student enrollment associated with the 180-day regular school year and students in juvenile justice education programs during the summer.

Major Changes from 1999-2000 FEFP

Exceptional education students funded in Support Levels 1, 2, and 3 in the 1999-2000 FEFP will be funded in the appropriate Basic Programs in the 2000-2001 FEFP. Additional funding for these students is contained in the Exceptional Student Education (ESE) Guaranteed Allocation within the FEFP. The ESE Guaranteed Allocation is \$938,682,628.

The Supplemental Academic Instruction (SAI) Categorical is now an allocation within the FEFP. The SAI Allocation includes the compression adjustment calculated in 1999-2000 Fourth Calculation of the FEFP. The compression adjustment as a separate calculation is no longer a part of the FEFP.

For the 2000-2001, School Year the FTE surveys for students in Department of Juvenile Justice programs will be conducted in the same manner as surveys for all other students. This is the way DJJ FTE were reported before the 1999-2000 School Year.

Base Student Allocation

The 2000-2001 Base Student Allocation (BSA) for K-12 FEFP is \$3,419.73.

Juvenile Justice Education Programs and Charter Schools

The school year for juvenile justice education programs shall be comprised of up to 250 days, but not less than 240 days, distributed over 12 months. Students in these programs are funded for no more than 25 hours per week of direct instruction. The summer school period for these students shall begin on the day immediately following the end of the district's regular school year and end on the day immediately preceding the subsequent regular school year.

Juvenile Justice educational programs shall receive no less than the funds per student in 1998-1999.

Charter schools shall be provided an allocation pursuant to Section 228.056 (13), Florida Statutes. However, for those charter schools that were in operation prior to July 1, 1999, funds per student shall be no less than they received in 1998-99.

Minimum Guarantee

This adjustment guarantees each district a minimum 1.0-percent increase in potential funding per weighted FTE K-12 student over the actual funding per weighted FTE K-12 student in the 1999-2000 school year. The calculation includes state FEFP, major categorical funds, discretionary lottery funds, required local effort tax proceeds, and discretionary tax proceeds. The base year, 1999-2000, includes an adjustment for the 2000-2001 reduction in the Florida Retirement System contribution rate from 9.21% to 8.21%. The amount of the reduction is \$84,980,000.

District Cost Differential

The district cost differential (DCD) for each district is to be calculated as provided in Section, 236.081(2), Florida Statutes. (Same provision as 1999-2000)

District Sparsity Supplement

An amount of \$31,000,000 is provided for District Sparsity Supplement, as defined in Section 236.081(6), Florida Statutes, for districts of 20,000 or fewer FTE students. (Same provision as 1999-2000)

Required Local Effort

Provides for an unadjusted required local effort of \$4,119,245,677 in ad valorem taxes, an amount that will require an estimated 6.035 mills on a statewide basis. The local effort calculation from taxes continues to be adjusted based on the equalization provisions authorized in Section 236.081(4)(c), Florida Statutes, and by Section 236.081(4)(6), Florida Statutes, which limits a district's required local effort to 90 percent of its FEFP entitlement. (Actual millage is to be certified by July 19.)

Discretionary Millage and Discretionary Tax Equalization

The maximum local discretionary millage is set at .510 mills; however, districts may make an additional supplemental levy, not to exceed 0.25 mills, that will raise an amount not to exceed \$50 per K-12 FTE student. Districts that levy the entire 0.25 mills and raise less than \$50 per K through 12 FTE are to receive an amount that, combined with funds raised by the 0.25 mills, will provide \$50 per K-12 FTE. To be eligible for the state Discretionary Tax Equalization funds, a district must levy the full 0.25 mills and the full 0.51 mills. (Same provision as 1999-2000.)

Districts that provide 90 percent of their total FEFP from required local effort no longer have additional authority for discretionary millage.

Program Weights (Cost Factors)

FEFP funds for 2000-2001 are based on program cost factors as follows:

	<u>Program Number</u>	<u>Cost Factors</u>
1. Basic Programs		
K-3 Basic ¹	101	1.036
4-8 Basic	102	1.000
9-12 Basic	103	1.096
2. Programs for Exceptional Students		
Support Level 4	254	3.948
Support Level 5	255	5.591
3. English for Speakers of Other Languages	130	1.226
4. Vocational Education, Grades 6-12	300	1.211

¹ Includes children of teenage parents.

Ceiling for Group 2 Programs

Section 236.081(1)(d)4, Florida Statutes, provides a supplemental capping calculation for the 25 districts that had projected FTE transferred from Group 2 (exceptional student education, English for speakers of other languages, and vocational programs) to Group 1 (basic programs in grades K-3, 4-8, and 9-12) by the FTE Estimating Conference. For those districts with FTE transferred: district's reported unweighted full-time equivalent student membership (FTE) for Group 2 programs will be compared to district's total appropriated unweighted FTE for these

programs; if the reported unweighted FTE for these programs exceeds the appropriated amount, then the difference is to be funded at a weight of 1.0 up to the amount transferred from Group 2 to Group 1 by the FTE Estimating Conference. Funding at 1.0 over the Group 2 cap does not apply to all reported FTE over the cap - only to FTE students included in the 2000-2001 district Group 2 forecast. (Same provision as 1999-2000.)

Exceptional Student Education (ESE) Funding

The Legislature provided an Exceptional Student Education (ESE) Guaranteed Allocation of \$938,682,328 within the FEFP for school districts to provide educational programs and services for exceptional students who would have been funded in ESE Support Levels I, II, and III in school year 1999-2000. These exceptional students will also receive weighted FTE funding in the FEFP, using the appropriate Basic Program weight for their grade level. Each district's ESE Guaranteed Allocation is the amount shown in the legislative work papers for the 2000-2001 appropriation for the FEFP and will not be recalculated. School districts that are providing educational services in 1999-2000 for exceptional students who are residents of other districts cannot discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in Section 237.34 (3), Florida Statutes, for programs for exceptional students.

Supplemental funding is provided for districts that have less than 10,000 FTE and less than 3 FTE students in ESE support levels 4 and 5. This supplement is limited to the value of 27.85 weighted FTE. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the FEFP funding. The supplemental value shall not exceed 3 FTE each for ESE support levels 4 and 5. (Same provisions as 1999-2000.)

FTE

FTE earned by students receiving dropout prevention services is reported in the appropriate basic education program appropriate for each student's grade level.

Declining Enrollment Supplement

The declining enrollment supplement is determined by comparing the unweighted FTE in 1999-2000 to the unweighted FTE of the prior year. In those districts where there is a decline in unweighted FTE, 50 percent of the decline is multiplied by the prior year calculated FEFP per unweighted FTE and added to the allocation of the district. For this purpose, the calculated FEFP is computed by multiplying the weighted FTE by the base student allocation and then by the district cost differential. (This component is specified in Section 236.081(7), Florida Statutes, and is unchanged from 1999-2000.)

Safe Schools

An amount of \$75,350,000 is appropriated for Safe School activities. Each district is allocated a base amount of \$30,000 with two-thirds of the remaining funds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total weighted student enrollment. Safe School activities are: (1) after school programs for middle school students, (2) other improvements to enhance the learning environment, (3) alternative school programs for adjudicated youth, and (4) other improvements to make the school a safe place to learn. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe School activity.

Supplemental Academic Instruction

An amount of \$662,632,143 is appropriated for supplemental academic instruction to be provided at appropriate times throughout the school year to help students gain at least a year of knowledge for each year in school and to help students not be left behind. Districts may use these funds to implement remedial instruction required by Section 232.245, Florida Statutes, and the requirements of Section 232.246, Florida Statutes. Schools shall determine the supplemental strategies that are most appropriate for each student. Strategies may include, but are not limited to: modified curriculum, reading instruction, after school instruction, tutoring, mentoring, class size reduction, extended school year, and intensive skills development in summer school. Each district's Supplemental Academic Instruction allocation will be the amount shown in the legislative work papers for the 2000-2001 appropriation for the FEFP and will not be recalculated during the school year.

Disparity Compression Adjustment

The Disparity Compression Adjustment is no longer calculated, but districts are held harmless to the amount of the compression adjustment calculated in the 1999-2000 fourth FEFP calculation. This is included in the Supplemental Academic Instruction Allocation.

Summer School - Courses and Fees

Grades K-12 summer school programs are funded through the Supplemental Academic Instruction categorical with the exception of summer programs for students in juvenile justice education programs which are funded through the FEFP.

Districts may charge a fee for grades K-12 voluntary, noncredit summer school enrollment in basic program courses. The amount of a student's fee is to be based on ability to pay as determined by board policy. (Same provision as 1999-2000.)

FEFP Earmarks

From the FEFP funds allocated to the St. John's County School District, \$60,000 shall be withheld by the Department of Education for payment to the St. John's River Community College for legal expenses associated with the transfer of the criminal justice training academy.

The Bay County School District may use \$250,000 of its FEFP allocation for the Bay Regional Renaissance Institutes at Bay County High School.

From the FEFP funds allocated to the Hillsborough County School District, \$105,000 may be provided to Equity 2000 and \$1,000,000 may be provided to implement a dual language immersion program for grades K-3.

From its allocation of FEFP funds, Duval County may extend the length of the school day for students enrolled in grades one through three by one hour in order to provide additional reading instruction.

From its allocation of FEFP funds, Broward County may provide \$88,860 for a contract with the Department of Juvenile Justice, District 10, to provide after school vocational education training.

From its allocation of FEFP funds, Broward County may provide \$60,000 for an after school program for at-risk students which emphasizes the use of technology in the work place.

Charter School On-Line Instruction

Funds are not provided for charter school FTE student enrollment for on-line instruction received by students principally in their own homes. However, charter schools may serve students who are temporarily homebound or who receive a portion of their instruction on-line.

Distribution of FEFP

Funds provided through the FEFP appropriation will be distributed in equal payments on or about the 10th and 26th of each month. Section 236.08105, Florida Statutes, provides for advance distribution to eligible districts. (Same provision as 1999-2000.)

District Discretionary Lottery Funds

An amount of \$190,125,000 is appropriated from the Educational Enhancement Trust Fund to be expended in accordance with school district policies and procedures that define enhancement and the types of expenditures consistent with that definition. Districts are required to provide the Department of Education (DOE) with a copy of these policies and procedures and to submit an annual report showing all actual expenditures of enhancement funds. Districts are to use the unique revenue and expenditure accounting specified by the Department.

The 2000 Legislature continued the proviso language for this appropriation as follows:

School boards must allocate, not later than October 1, 2000, at least \$10 per unweighted FTE student to be used at the discretion of the School Advisory Committee, or in the absence of such a committee, at the discretion of the staff and parents of the school. A portion of the money should be used for implementing the school improvement plan. The improvement plan shall include performance indicators which are measurable.

Funding for use by the School Advisory Councils should be allocated directly to the School Advisory Councils, should be clearly earmarked for their use and is not subject to override by the principal or interim approvals by school district staff. The funds must be accounted for and are subject to being audited on a yearly basis.

District entitlements are calculated by prorating the amount of the appropriation to each district's share of FEFP base funding (WFTE x BSA x DCD).

CATEGORICAL PROGRAMS

Teacher Recruitment and Retention

An amount of \$60,000,000 is provided for the recruitment and retention of full-time middle and high school classroom teachers who are certified and teaching in the following areas of critical state concern; foreign language, science, math, computer science, and exceptional student education. These funds will be allocated by the Department of Education to each school district based on each district's proportion of the state total number of teachers in these areas of critical state concern. The allocation of these funds will not be recalculated during the fiscal year.

District and school officials shall use funds for Teacher Recruitment to provide bonus payments to classroom teachers employed by the school district for the first time in the 2000-2001 school year. These funds are provided as an incentive for employment and may be used for purposes defined by the district school board such as payment of the newly hired teacher's moving expenses or purchase of a laptop computer for the newly hired teacher's use. Payments to each newly hired teacher shall be in amounts not to exceed \$1,200.

District and school officials shall use funds for Teacher Retention to provide bonus payments to classroom teachers employed by the school district during the 1999-2000 school year. To be eligible to receive a bonus payment, each teacher must have received a favorable performance appraisal for the 1999-2000 school year and must agree to maintain employment as a classroom teacher in an area of critical state concern for the 2000-2001 school year. Payments to each teacher shall be in amounts not to exceed \$1,200 and must be paid to teachers on or before August 1, 2000.

To be eligible to receive funds in Specific Appropriation 79A for Teacher Retention, school districts must agree to require exit interviews for every teacher who leaves the district's employment and to report the results of those exit interviews to the Department of Education every six months. The Department of Education shall summarize and forward the results of those exit interviews for each six month period to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives and the Office of Economic and Demographic Research.

See Section 3 of CS/CS/HBs 63 & 77 and 891, 995, 2009 and 2135 for further explanation of the use of the funds.

Instructional Materials

An amount of \$192,091,807 is appropriated for the purchase of instructional materials with \$15,000,000 of the appropriation specifically earmarked for library media materials and \$3,200,000 for science lab materials and supplies.

School districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided by Section 236.081(1)(g), Florida Statutes.

The growth allocation per FTE student is \$299.83. If the funds provided are insufficient to pay in full the growth and maintenance allocations of Section 236.122, Florida Statutes, growth will be paid in full and maintenance prorated. These funds are to be distributed as follows: 50% on or about July 10, 35% on or about October 10, 10% on or about January 10, and the balance on or about June 10.

The Commissioner is authorized to purchase, upon requisition by school districts, up to 12,000 copies of the *Florida Handbook* for distribution to public schools. Distribution of these handbooks is to be based on an equitable formula determined by the number of students in each district.

School districts may use funds from their instructional materials allocation to purchase Learning for Life materials for use in the Character Education Program.

Public School Technology

An amount of \$62,400,000 is provided for public school technology. District allocations are based on each district's share of the state total K-12 FTE.

School Transportation

An amount of \$402,435,183 is appropriated to fund transportation of students as authorized in Section 236.083, Florida Statutes.

Teacher Training

The amount of \$36,000,000 is appropriated for Teacher Training and includes the funds required for inservice personnel training as prescribed in Section 236.081(3), Florida Statutes, as well as teacher training funds formerly funded through the Public School Technology categorical.

Teacher Training funds are provided for inservice training of instructional personnel. Each school district shall design a system, approved by the Department of Education, for the professional growth of instructional personnel that links and aligns inservice activities with student and instructional personnel needs as determined by school improvement plans, annual school reports, student achievement data, and performance appraisal data of teachers and administrators. Inservice activities shall primarily focus on subject content and teaching methods, including technology, as related to the Sunshine State Standards; assessment and data analysis; classroom management; and school safety.

District Teacher Training allocations are based on each district's proportion of the state total unweighted full time equivalent student enrollment.

To be eligible to receive Teacher Training funds, districts must have a professional development system approved by the Department of Education and must require school principals to establish and maintain individual professional development plans for each instructional employee. The need for any training activity defined in a teacher's professional development plan must clearly be related to specific performance data for the students to whom the teacher is assigned. Plans must include clearly defined training objectives and specific and measurable improvements in student performance that are expected to result from the training activity. Plans must also include an evaluation component; principals must measure the extent to which each training activity did accomplish the student performance gains that were predicted to result from the training activity.

Florida Teachers Lead Program

This appropriation of \$15,044,000 is to be allocated by prorating the total on each school district's share of the total K-12 unweighted FTE student enrollment and shall be used only to fund stipends to classroom teachers for the purchase of classroom instructional materials and supplies for use in teaching students.

From the funds allocated to each district the school board shall calculate an identical amount for each classroom teacher. The full amount for each teacher shall be provided no later than September 30, 2000. Disbursement of the Florida Teacher Lead Program stipend directly to each teacher shall complete the school district's expenditure of these funds.

Each teacher shall have sole discretion about which classroom materials and supplies best meet the needs of the students, when they are needed, and where they are acquired. The funds expended by individual teachers shall not be subject to state or local competitive bidding requirements. Each teacher shall sign a statement acknowledging receipt of the funds, agreeing to keep receipts to show the expenditure of the funds for classroom materials and supplies for use in the instruction of students assigned to them and to return to the school district any funds not expended for this purpose. No further record keeping, reporting, or paper work regarding these funds shall be required of teachers.

For purposes of this appropriation the term "classroom teacher" includes certified teachers employed on or before September 1 of the school year and whose full-time job responsibility is the classroom instruction of students in kindergarten through grade 12, or full-time librarian/media specialists, or full-time guidance counselors. Only school district personnel employed in these positions are eligible to receive a Florida Teacher Lead Program stipend.

See Section 58 of CS/CS/HBs 63 & 77 and 891, 995, 2009 and 2135 for further explanation of the use of the funds.

Public School Technology - Supplemental

An amount of \$1,700,000 is provided for public school technology from which the Department of Education shall make the following allocations. PAEC shall be allocated \$1,500,000 to establish a statewide professional development capacity and management system using distance learning technology to reach every K-12 school in Florida. An amount of \$200,000 is allocated for a grant program to be developed for school districts to purchase lap top computers for middle school and high school students.

Alternative Schools/Public Private Partnership Incentives

An amount of \$2,000,000 is appropriated for the provision of educational services to students committed to the Department of Juvenile Justice. Pilot projects shall be created with the provider or providers selected by

participating school districts via the state competitive procurement process. These funds are not to be used in lieu of FEFP funding generated by the students participating in the pilot. The funds in this appropriation shall be used for direct-contracted service provision, project start up, or as an incentive for meeting performance-based contractual outcomes, with the sole exception that not more than \$50,000 from these funds may be used at a time for administrative costs to complete each request for proposal process.

In addition, funds from this Specific Appropriation may be used for pilot programs with proven academic-based alternative schools for disruptive and low performing students. This would include but not be limited to students at-risk for commitment to the Department of Juvenile Justice, as well as those expelled from their home school.

The Department of Education shall select the school districts that wish to participate in this pilot project and shall ensure that these funds are disbursed to the participating school districts in a timely manner. Any executed contracts relating to this pilot project or projects shall contain performance-based outcome measures which shall include, but not be limited to, the following:

1. The provider shall perform a comprehensive educational assessment on each student to determine the educational achievement level within 30 days of admission to the program.
2. Students who receive educational services for a minimum of 6 months shall display a full grade level increase in reading skills proficiency.
3. Students who receive services for a minimum of 6 months shall display a full grade level increase in math skills proficiency.
4. The provider shall ensure job placement or successful educational placement for 70% of eligible students who have received vocational education services for a period of 12 months or who have received a vocational trade certificate. From the funds in Specific Appropriation 86, \$200,000 is provided to students enrolled in Phase II Associated Marine Institutes (AMI) programs for transportation and employment assistance services.

Florida On-Line High School

An amount of \$6,170,000 is appropriated to be used for the Florida On-Line High School. First priority for funds in Specific Appropriation 87 shall be to increase the availability of and provide access to Advanced Placement and college preparatory courses for students in D and F schools. Those students shall be given priority for courses offered by the school.

From the funds in Specific Appropriation 87, 25% shall be distributed at the beginning of each quarter unless the Executive Office of the Governor approves an accelerated release schedule to address workload requirements of the On-Line High School.

Local Impact Fee

An amount of \$50,000,000 is provided to substitute for school impact fee. These funds will be distributed to eligible school districts as prescribed in HB 2179.

School Choice

An amount of \$12,000,000 is appropriated to be used for the public school choice incentive grants. Funds may be used to provide alternatives for public school students attending failing schools. The Department is to develop a competitive process to support school districts that choose to implement a controlled open enrollment plan. Provided, however, any district that received a public school choice incentive grant in 1999-2000 and continues the program in 2000-2001 shall receive not less than the amount it received in 1999-2000.

Instructional Materials

An amount of \$1,600,000 is appropriated to be used for the following purposes. Last year these allocations were funded in the same the instructional materials appropriation as the growth and maintenance allocations.

The sum of \$200,000 is provided for instructional materials for partially sighted pupils as provided in Section 233.49, Florida Statutes.

An amount of \$450,000 is provided for competitive incentive grants for Extended Access to School Library Media Centers.

An amount of \$950,000 is provided for the Sunlink Uniform Library Database.

Excellent Teaching Program

The amount of \$19,000,000 is appropriated for the Excellent Teaching Program authorized in Section 236.08106, Florida Statutes. From this appropriation, school districts will receive the amount of the employer's share of Social Security and Medicare taxes (7.65%) for those teachers who qualify for national board certification and receive bonus amounts consistent with the provisions of Section 236.08106, Florida Statutes.

Public School Technology

An amount of \$1,000,000 is appropriated to be used for Library Equipment Automation Grant Section. Last year these grants were funded in the same appropriation as Public School Technology formula based allocations.

Extended School Year

An appropriation of \$11,000,000 is provided for a three year Extended School Year Pilot Program for schools in eight districts. The purpose of the extended school year pilot program is to provide schools an opportunity to extend the school year by 30 days and then assess its effect on student performance. Participating schools must extend the length of the academic year for students beyond 180 to 210 days. An extended school year will encompass the following:

- (1) Programs shall be planned for all students enrolled in the school with full participation being required.
- (2) Additional time-on-task for students will be used to provide additional content.

These funds shall not be used to extend the school day or support traditional summer school programs.

By July 15, 2000, schools selected to participate in the pilot program for 2000-2001 must submit implementation plans for each school, which include, but are not limited to:

- (1) teacher training, individual and collaborative teacher planning time, and innovative use of technology as key elements of the school's implementation of an extended school year, and
- (2) student performance data that will be used at the end of the school year to evaluate the extent to which an extended school year is associated with student performance.

The Department of Education shall allocate funds specified to each school district for the identified school to participate in the extended school year pilot program.

Each district shall receive an allocation for the operation of the participating schools which shall be calculated by:

- (1) dividing each district's FY 2000-2001 FEFP base funding amount by the total funded weighted student enrollment of the district
- (2) multiplying that product by the estimated number of weighted students enrolled in the extended school year times 1/6.

The Commissioner is authorized to adjust the amount of the award to be based on actual student enrollment. Students participating in the extended school year pilot program shall be eligible to receive transportation funding as provided in Section 236.083, Florida Statutes. The Executive Office of the Governor is authorized to certify forward into next fiscal year any unspent funds, from Specific Appropriation 93, necessary for the implementation of the pilot program.

The following schools shall participate in the pilot:

Broward: Lauderdale Lake Middle School, Hollywood Park Elementary School

Miami-Dade: Drew Elementary School, Toussaint L'Overture Elementary School, Opa Locka Elementary School, North Miami Elementary School

Duval: St. Clair Evans Elementary School, Bethune Elementary School, Sallye Mathis Elementary School

Escambia: Spencer Bibbs Elementary School, A.A. Dixon Elementary School

Hillsborough: Oak Park Elementary School, Robles Elementary School, Sulphur Springs Elementary School

Orange: Ivey Lane Elementary School, Engelwood Elementary School

Pinellas: Frontier Elementary School, Gulfport Elementary School, Maximo Elementary School

Sarasota: Booker Elementary School

Sumter: South Sumter Middle School

In the event of an unforeseen circumstance that prevents a selected school from participating in the pilot program, the Superintendent of the district may select a different school to participate. However, the replacement school must implement an extended school year within the allocation amount provided to the school that is being replaced. The school must meet the extended school year pilot program criteria in order to participate in the pilot program.

Each school in the pilot program is required to participate in a formal evaluation to determine the effect of implementing an extended school year. The Department of Education shall issue an RFP to contract with an objective and independent evaluator with experience and expertise in evaluating student achievement to conduct the study. A proposal review committee, composed of each participating district's director of evaluation and research, shall evaluate proposals and recommend an evaluator to the Commissioner. From the funds provided in Specific Appropriation 93, up to \$150,000 may be used to conduct the study.

As part of the study, the evaluator must conduct regular meetings with school staff to ensure the methodology and data used to assess the effect of the extended school year are accurate and consistently applied in each of the schools. The report must address, at a minimum, the extent that the community and parents participated, the effect on student performance and the perception of the teachers and school staff on the benefits of implementing an extended school year. In addition, the report must provide qualitative and quantitative information on how each participating school enhanced their curriculum as a result of participating in the pilot program. The evaluator shall annually submit, by October 15, a report to the President of the Senate, Speaker of the House of Representatives and the Governor on the results of the pilot program for each of the three years the pilot program is implemented.

Assistance to Low Performing Schools

An amount of \$21,050,000 is appropriated for Assistance to Low Performing Schools. This amount is composed of \$11,050,000 from the General Revenue Fund and \$10,000,000 from the Principal State School Trust Fund. Additional funds (\$17,250,000) from the Educational Enhancement Trust Fund (Lottery) for Low Performing Schools are discussed in a following section of this document.

From the funds appropriated from the Principal State School Trust Fund \$4,000,000 is provided to support school-wide change designed to improve student performance in D and F elementary schools. Schools that apply for funds shall provide a description of the school-wide program approved by the school board, and designed to dramatically improve student learning. The school must demonstrate tangible changes in factors supporting an improved instructional program such as leadership, curriculum realignment, technology, teaching approaches, student expectations, parent and community involvement, professional development and teacher quality, and attendance. Eligible schools shall implement research-based, structured mentoring programs which have a record of proven success. To be eligible, schools must demonstrate that the district and school budget priorities have been changed to support the redesigned program and that the school board has shifted funds to the low performing schools to address identified needs. Approved proposals will make funding available to the schools to support only items that cannot be provided through the redesigned budget. Funds shall be used for nonrecurring activities and shall be matched by the district through general operating or Supplemental Academic Instruction funding. Grants shall be awarded by the Department of Education no later than October 1, 2000.

From the funds appropriated for Assistance to Low Performing Schools, \$6,000,000 from the Principal State School Trust Fund and \$2,200,000 from General Revenue shall be used to fund activities designed to improve student achievement and readiness for college especially in low performing middle and high schools. The Department of Education shall contract with a nonprofit member organization, such as those which provide the PSAT or ACT examinations, with broad expertise and experience in preparing students and training teachers for success in Advanced Placement and other advanced college preparatory courses as provided in Section 236.081 (1)(m), Florida Statutes. The entity selected for this program must provide teacher training, college entrance test preparation, curriculum alignment with FCAT and Advanced Placement courses, implementation of a software and database for individual assessment of students strengths and weaknesses as related to advanced courses and college readiness, a free Internet-based student help service for preparation for college entry tests, recruiting tutors to help students meet higher performance standards, and a student performance management process for tracking and improving student achievement. The service provider shall conduct a rigorous evaluation of the effectiveness of such activities with greatest emphasis on student achievement and shall match at least one-third of this allocation in materials and services to the program.

From the funds appropriated from the General Revenue Fund \$1,250,000 is provided for mentoring services for at-risk students as part of the Governor's Mentoring Initiative. Programs funded in 1999-2000 with demonstrated results shall receive priority funding. The Commissioner of Education shall consult with the Governor's Mentoring Office prior to expenditure of funds.

From the funds appropriated for Assistance to Low Performing Schools, school districts may pay for background screening of individuals participating in mentoring activities for students enrolled in the school district.

From the funds appropriated from the General Revenue Fund, \$600,000 is provided for SER/SABER/YOUTH CO-OP.

From the funds appropriated from the General Revenue Fund, \$3,000,000 is provided on a one-to-one matching basis to the Take Stock in Children Foundation to continue expansion of its statewide program.

From the funds appropriated from the General Revenue Fund, \$1,000,000 is provided to the Department of Education to contract with the Big Brothers and Sisters for the purpose of providing mentoring services to at-risk children identified in the districts which request assistance. The districts shall provide a reporting mechanism which insures that a child is not served by more than one organization. A report must be provided to the Legislature on student progress resulting from this program.

From the funds appropriated from the General Revenue Fund, \$1,500,000 is provided to the Department of Education to contract with the Boy Scout Council for the program entitled Learning for Life, for the purpose of providing mentoring services to at-risk children.

From the funds appropriated from the General Revenue Fund, \$1,500,000 is provided to the Department of Education to contract with the Boys and Girls Clubs to provide mentoring services to at-risk students identified in districts that request assistance. A report shall be provided to the Legislature on student participation in this program.

School District Matching Grants

Funds in the amount of \$3,400,000 are provided as challenge grants to match private contributions made to critically low performing "F" schools. The amount of each grant shall be equal to the private contribution made to a qualifying school, and the maximum amount that any qualifying school may receive from these funds is \$50,000. In-kind contributions for equipment or facilities only may qualify for state match at a value equal to one-half of the fair market value of the in-kind contribution. Before any these funds may be released to any district for any school, the district school board must, through formal action taken in a public board meeting, certify to the Commissioner of Education that private cash or in-kind contributions have actually been received by the school seeking state matching funds.

Safe Schools

An appropriation of \$176,676 is provided for the Partnership for School Safety, with an additional \$2,000,000 provided for a Student Support Services pilot program in Sarasota County (SB 852).

Salary Bonus for Outstanding Teachers in F Schools

An appropriation of \$12,250,000 is provided for the recruitment and retention of outstanding teachers in critically low performing "D", "F", and alternative schools. Funds shall be allocated by the Department of Education to each school district based on each district's proportion of the state total number of classroom teachers in schools designated as "D", "F" or alternative during the 1999-2000 school year. Based on teacher performance appraisal and student achievement data, the principal of each "D", "F" or alternative school shall recommend outstanding teachers to receive bonus payments in amounts not to exceed \$3,500. These recommendations shall include both teachers who are currently employed in the 1999-2000 school year and teachers the principal would like to recruit for employment during the 2000-2001 school year. The district school board shall review the performance data supporting each bonus payment recommendation and shall approve the award of all bonus payments. These bonus payments to outstanding teachers shall be made no later than October 1, 2000 for the 2000-2001 school year.

See Section 3 of CS/CS/HBs 63 & 77 and 891, 995, 2009 and 2135 for further explanation of the use of the funds.

District Operational Performance Audits

An appropriation of \$200,000 is provided to the Office of Program Policy Analysis and Government Accountability to conduct a Best Financial Management Practice pilot program review in Lake County during fiscal year 2000-01. The review shall utilize the ten existing best practice areas and OPPAGA shall develop and utilize four additional best practice areas (educational service delivery, safety and security, administrative and instructional technology, community involvement) in its review of the Lake County School District. OPPAGA shall review and revise the Best Financial Management Practice Areas, upon completion of its review, to determine their effectiveness and usefulness based on the results and feedback obtained from the Lake County school board members and district staff, President of the Senate, the Speaker of the House of Representatives and the Governor. Funds appropriated

for the pilot program review may be used at the discretion of the Director of OPPAGA to implement this pilot, including utilizing services of private evaluators.

An appropriation of \$100,000 is provided to the Office of Program Policy Analysis and Government Accountability for an independent audit of the land purchasing practices of the Miami-Dade County school district.

Regional Education Consortium Services

An appropriation of \$350,000 is provided for the PAEC Staff Academy.

An appropriation of \$750,000 is provided for allocation as provided in Section 228.0857, Florida Statutes.

Work Keys

An appropriation in the amount of \$250,000 is provided for the final year funding of the 4-year Work Keys Pilot Program, a collaborative workforce development project between the Duval County Public School District and the Jacksonville Chamber of Commerce. Upon completion of the post-testing assessment, a final report shall be submitted to the Department of Education not later than July 1, 2001. These funds will be provided to the Duval County School District for the purpose of administering the program.

Exceptional Education

A general revenue appropriation of \$4,029,773 and a federal aid appropriation of \$2,333,354 are provided to support Exceptional Education. The funds provided may be used for, but are not limited to the following: the Pre-Kindergarten Handicapped Information System, Network of Centers for Severely Emotionally Disturbed, Florida Diagnostic and Learning Resource Centers, Resource Materials for the Hearing Impaired, Visually Handicapped Resources, Exceptional Students who are Limited English Proficient, Very Special Arts, Governor's Summer Program for the Gifted, Challenge Grant Program for the Gifted, and the Duval Autism Partnership.

From these funds, an amount of \$1,000,000 is provided to Prevent Blindness Florida for screening, follow-up and evaluation of children in rural areas with mental or physical disabilities in special pre-kindergarten programs and for school personnel and volunteers to conduct vision screening.

School Lunch Match/Breakfast Supplement

An amount of \$17,886,046 is appropriated to be used as state matching funds for the Federal Food Service Program and for the school breakfast program.

Adult Handicapped Funds

The amount of \$20,556,859 is allocated to community colleges and school districts for programs serving adults with disabilities and senior adult learners as described in responses to an RFP process conducted by the Department of Education in consultation with the Division of Community Colleges. The department will allocate the second through the fourth quarter release of these funds to each school district and community college only if the LEA has complied with the final recommendations of proposal reviewers and the technical review of the department's staff. No funds from the second through the fourth quarter release will be awarded to an LEA prior to submittal and approval of the recommended proposal revisions.

Additional funds appropriated in Specific Appropriation 131 for FY 2000-2001 in the amount of \$302,808 shall be distributed through an RFP process to maintain services in areas containing LEAs that conducted programs during FY 1999-2000, but were not recommended for funding for FY 2000-2001 as a result of the original FY 1999-2000 RFP process. Applicant eligibility is limited to providers serving counties within the following community college service areas: Central Florida Community College, Chipola Junior College, Florida Community College at Jacksonville, Indian River Community College, St. Johns River Community College and Tallahassee Community College. These funds are not to be used for enhancement of existing programs but to provide services to additional participants in targeted counties within the service areas. Each applicant must ensure that the proposed program will target individuals that reside in one of the following counties: Marion, Liberty, Nassau, Indian River, St. Johns or Wakulla. The RFP will be distributed by the Department of Education under the same criteria as outlined in proviso associated with Specific Appropriation 142A in the 1999-2000 General Appropriations Act.

From the funds provided in Specific Appropriation 131, \$17,726,725 is provided for school district adult handicapped programs. These funds shall be allocated as follows:

Alachua	52,368
Baker	229,953
Bay	205,520
Bradford	74,613

Brevard	640,000
Broward	1,947,448
Calhoun	0
Charlotte	74,105
Citrus	160,000
Clay	20,407
Collier	55,176
Columbia	55,000
Miami-Dade	2,378,232
DeSoto	342,355
Dixie	0
Duval	0
Escambia	312,460
Flagler	1,132,656
Franklin	0
Gadsden	575,000
Gilchrist	0
Glades	0
Gulf	45,000
Hamilton	0
Hardee	63,736
Hendry	0
Hernando	107,121
Highlands	0
Hillsborough	606,355
Holmes	0
Indian River	0
Jackson	2,154,271
Jefferson	81,409
Lafayette	0
Lake	37,882
Lee	0
Leon	1,216,398
Levy	0
Liberty	0
Madison	0
Manatee	0
Marion	0
Martin	436,199
Monroe	110,463
Nassau	0
Okaloosa	0
Okeechobee	0
Orange	590,851
Osceola	46,620
Palm Beach	1,607,344
Pasco	19,836
Pinellas	791,193
Polk	0
Putnam	0
St. Johns	0
St. Lucie	0
Santa Rosa	52,318
Sarasota	925,513
Seminole	0
Sumter	18,355
Suwannee	100,990
Taylor	99,843
Union	109,980
Volusia	0
Wakulla	0

Walton
Washington

0
249,715

Critical Jobs Initiative

An amount of \$18,829,184 is appropriated for critical jobs initiatives. From this amount, \$5,000,000 will be used to support training programs at community colleges or school districts for new horizon jobs approved by the Workforce Development Board. The Postsecondary Education Planning Commission will manage the awards process in consultation with the State Workforce Board. All awards will be made by September 30, 2000. Grants may be used for capitalization and operating expenses for the creation of workforce training programs developed in response to emerging economic development needs of Florida that may not yet be captured by occupational forecasting conference data. Grant awards may range from \$500,000 to \$1,000,000.

From this amount \$5,000,000 is also provided to create one large comprehensive program that: is based on a documented emerging need; leverages federal, local or private funds; includes partnerships with public and private entities; has potential major economic impact on a region of the state that has been affected by events such as military base closures, or involves an industry that supports the economic well being and economic growth of the state; utilizes technology enhanced delivery methods; documents the ability to create a revenue stream that can be reinvested into the program to reduce reliance on state funding; and uses underutilized or donated facilities.

From this amount \$400,000 is also provided to fund the Commissioner of Education's request to retrofit the existing 17 Health Science Education Centers of Excellence sites through a RFP process with a cash match.

The remaining funds (\$8,429,184) are provided for Workforce Development Capitalization Incentive Grants pursuant to the procedures established in Section 239.514, Florida Statutes. These funds will be allocated based on the scores received on the list of Workforce Development Capitalization Incentive Grants which was approved by the Postsecondary Education Planning Commission on February 18, 2000, with the exception that no funds are provided for grants for Adult Basic Education. Funds should be distributed at the Postsecondary Education Planning Commission recommended award amounts beginning with the highest scored proposals until all available remaining funds are exhausted.

PEPC will review each grant funded by these funds and recommend to the Legislature by December 15, 2000 any funds which should be placed into an institution's base for continuation funding for future years.

Workforce Development

The amount of \$402,840,652 is provided for school district workforce development programs as defined in Section 239.105(28), Florida Statutes, and shall be used for no other purpose. Fees charged for participation in workforce development education shall be no less than the level charged in 1998-99. Workforce development funds are not to be used to support K-12 programs or the district K-12 administrative indirect costs. These funds are allocated as follows:

Alachua	1,366,025	Hillsborough	31,191,469
Baker	164,443	Holmes	0
Bay	3,469,960	Indian River	690,875
Bradford	887,951	Jackson	591,858
Brevard	2,798,184	Jefferson	205,326
Broward	72,459,887	Lafayette	50,024
Calhoun	162,195	Lake	4,533,063
Charlotte	2,791,862	Lee	11,317,116
Citrus	2,667,281	Leon	6,312,937
Clay	619,283	Levy	0
Collier	7,321,979	Liberty	12,012
Columbia	311,691	Madison	0
DeSoto	859,391	Manatee	5,916,999
Dixie	36,345	Marion	2,714,575
Duval	0	Martin	2,471,799
Escambia	5,322,278	Miami-Dade	107,122,464
Flagler	2,924,379	Monroe	697,941
Franklin	54,696	Nassau	385,853
Gadsden	644,854	Okaloosa	2,734,503
Gilchrist	4,281	Okeechobee	0
Glades	8,154	Orange	35,700,508
Gulf	163,714	Osceola	4,559,676
Hamilton	78,037	Palm Beach	15,838,083
Hardee	317,831	Pasco	3,525,684
Hendry	383,039	Pinellas	26,383,352
Hernando	507,534	Polk	12,116,381
Highlands	0	Putnam	349,134

St. Johns	6,515,855	Union	157,211
St. Lucie	0	Volusia	0
Santa Rosa	1,819,645	Wakulla	266,266
Sarasota	10,528,204	Walton	81,801
Seminole	0	Washington	3,454,301
Sumter	204,766	Washington Special	11,081
Suwannee	976,767		
Taylor	1,262,593		

The Workforce Development Education Program will meet the following performance standards as required by the Government Performance and Accountability Act of 1994, to respond to emerging local and statewide economic development needs by providing workforce development programs.

Performance Measures - Outcomes FY 2000-2001 Standards

Number and percent of vocational certificate program completers who left the program and are found placed according to the following definitions:

Level III - Completed a program identified as high-wage/high-skill on the Occupational Forecasting List and found employed at \$4,680 per quarter or more	12,227	42.6%
Level II - Completed a program identified for new entrants on the Occupational Forecasting List and found employed at \$3,900 per quarter or more, or was found continuing education in a college credit-level program	4,369	15.2%
Level I - Completed any program not included in Level II or III and found employed, found as a military enlistment, or found continuing education at the vocational certificate level	10,801	37.6%

Number and percent of associate in science degree and college-credit certificate program completers who left the program and are found placed according to the following definition:

Level III - Completed a program identified as high-wage/high-skill on the Occupational Forecasting List and found employed at \$4,680 per quarter or more	6,897	57.9%
Level II - Completed a program identified for new entrants On the Occupational Forecasting List and found employed at \$3,900 per quarter or more, or was found continuing education in a college credit-level program	1,351	11.3%
Level I - Completed any program not included in Level II or III and found employed, found as a military enlistment, or found continuing education at the vocational certificate level	1,661	13.9%

The following are additional approved performance measures and standards were established in the FY 2000-2001 Implementing Bill and are incorporated in the Appropriation Bill by reference.

WORKFORCE DEVELOPMENT OUTCOME MEASURES.--
Number/percent of workforce development programs which meet or exceed nationally recognized accrediting standards for those programs which teach a subject matter for which there is a nationally recognized accrediting body

FY 2001-2002 Legislative Budget Request

Number/percent of students attending workforce development programs which meet or exceed nationally recognized accrediting standards
FY 2001-2002 Legislative Budget Request

Number/percent of students completing workforce development programs which meet or exceed nationally recognized accrediting standards
FY 2001-2002 Legislative Budget Request

WORKFORCE DEVELOPMENT OUTPUT MEASURE.--
Number of adult basic education, including English as a Second Language, and adult secondary education completion point completers who are found employed or continuing their education
FY 2001-2002 Legislative Budget Request

School Recognition/Merit Schools

An amount of \$60,000,000 is appropriated from the Educational Enhancement Trust Fund for school recognition and merit schools. Up to \$100 per student in each qualifying school will be awarded by the Commissioner as provided in Section 231.2905, Florida Statutes. If the funds in Specific Appropriation 5 are insufficient to pay \$100 per student, these funds will be prorated among all eligible students.

Assistance to Low Performing Schools (Lottery Funds)

An amount of \$17,250,000 is appropriated from the Educational Enhancement Trust Fund for Assistance to Low Performing Schools. Additional funds from the General Revenue Fund (\$11,050,000) and the Principal State School Trust Fund (10,000,000) for Low Performing Schools are discussed in a preceding section of this document. Funds from the Educational Enhancement Trust Fund to be allocated as follows:

These funds will be used to provide incentives and support for school districts to test and evaluate the use of reading programs and strategies that show promise in improving the reading skills of students who are below minimum standards in reading. Grant awards shall not supplant existing funding efforts in school districts to improve students' reading proficiency. As a requirement to participate, superintendents will certify that the programs and strategies supported in these pilot programs will be formally considered for adoption by the school board if found to be successful and cost effective.

The superintendent shall certify that funds requested for eligible programs will not supplant those used to support the instructional process, or federal and state supplemental funds. The grant funds will be used for special materials, supplies, assistance, training and other costs necessary to implement the programs. Districts proposing the broadest implementation for their students with the most critical needs for assistance will be given priority for funding.

A sum of \$7,250,000 is provided for intensive reading programs targeted at improving the reading proficiency of students in kindergarten through grade three who are enrolled in schools receiving a grade of D or F on the State School Accountability Report. These funds will be distributed through a grant program to school districts. The Commissioner of Education will establish guidelines and eligibility criteria for awarding these funds. The awards will cover the school district's expense of curriculum materials, coaches, teacher professional development, and a senior trainer and program administrator and will require the LEA's to follow developer guidelines for reaching grade level performance standards for all students. The reading programs funded under this appropriation will be validated by multiple large scale experimental studies with at-risk populations. The programs will include systematic and explicit phonics instruction targeted at language concepts needed for later success in school, and will be congruent with research findings on effective reading, i.e., research of the NICHD on beginning reading. The program will follow the program design of the Direct Instruction Curriculum developed at the University of Oregon or its equivalent. The Commissioner of Education will establish accountability criteria which will include pre- and post-student testing and will report the outcomes to the President of the Senate, the Speaker of the House, and the Governor. School districts receiving an award may delay implementation of the program until the 2001-2002 school year at the district's discretion. Grant awards will be distributed to school districts no later than December 1, 2000.

A sum of \$1,500,000 is provided to the Department of Education for a grant to the Institute for School Innovation for the continuation of a research study to determine the effect of class size on academic achievement in reading, writing and mathematics. The Department of Education will make funds available for this program no later than August 1, 2000.

A sum of \$1,000,000 is provided to the Department of Education for a grant to the Institute for School Innovation for contracting with "D" and "F" schools to provide Project CHILD at individual schools. "D" and "F" schools may contract with the Institute for School Innovation at a rate not to exceed \$580.00 per student. The institute will provide the school with the appropriate materials, teacher training, leadership training and other necessary services to fully implement Project CHILD. The Department of Education will make funds available for this program no later than August 1, 2000.

A sum of \$6,500,000 will be used for competitive grants to school districts to implement a pilot test for a failure free reading program which is an Education Commission of the States promising practice and is proven to improve the reading skills of students who have scored in the lowest quartile in reading as measured by standardized tests. The failure free reading program will consist of two major study groups: (1) non-reading students in residential commitment programs under the control of the Department of Juvenile Justice and (2) non-reading students in low performing public elementary and middle schools. All approved programs will include a bridges component which is a comprehensive assessment of cognitive, processing, and perceptual skills and abilities including attention, visual and auditory sequencing, memory, and comprehension. The failure free reading program eligible for funding will include a verbal interactive computer component designed for rapid word recognition and retention and will be limited to those with national validation or identification as promising programs for the lowest level readers based on student performance data. Each participating district will use a portion of the grant funds to support participation in a common evaluation of the effect of strategies and materials on student reading proficiency. Funds from this allocation may be used to support evaluation activities and the Commissioner will contract with an independent evaluator to manage the project. The end of year report will be presented to the Governor, Speaker of the House and President of the Senate and shall be considered in future funding of reading programs.

From these funds the Commissioner of Education shall allocate \$575,000 for the Northeast Florida Educational Consortium Best Practices Reading Initiative.

From these funds, a sum of \$425,000 will be used to develop a pilot program to improve reading skills for students in prekindergarten and kindergarten. The pilot program will provide instructional services for one year for a group of at least 300 children and no more than 400 children. The program will use a combination of computers and instructors to teach children reading, mathematics, motor skills, and vocabulary. The Department of Education will issue a request for proposals for the pilot program by August 1, 2000, and will enter into an agreement with the successful bidder no later than September 1, 2000. Criteria for the pilot program and request for proposal must be developed by the Department of Education and include standards for evaluation, measurements and outcomes. At the conclusion of the pilot, the successful bidder and the Department of Education must provide a report to the Legislature detailing the number of children who joined the program and the progress they demonstrated over the term of the pilot.

Pre-School Projects

An amount of \$103,765,000 is appropriated the Educational Enhancement Trust Fund for Pre-School Projects.

HB 2147: Appropriations Implementing Act

Effective Date: July 1, 2000

Key Contact: Link Jarrett, (850) 488-6303
jarretl@mail.doe.state.fl.us

Summary:
Specifies policy for the implementation and administration of the General Appropriations Act for the 2000-2001 fiscal year.

Summary by Bill Section (where applicable):

Section 2 – Provides for the transfer of workforce development funds between community colleges and school districts by budget amendment.

Section 3 – Directs the release of funds, including PECO funds, to the San Carlos Institute.

Section 4 – Requires the Auditor General to do an analysis of the funding for law enforcement programs transferred from the school districts of Leon and St. Johns Counties to Tallahassee Community College and St.

Johns River Community College. The analysis is to be completed no later than August 1, 2000 and prior to the release of Workforce Development Funds. This subsection is repealed on July 1, 2000.

Section 5 – Amends Section 236.025, Florida Statutes, related to funding for exceptional students creating the ESE Guaranteed Allocation. Reduces the number of ESE cost factors from five to two (deletes Levels I, II, and III; with Levels IV and V remaining). For students served in one of the two ESE weighted funded programs, a matrix of services is prepared upon initial placement and then every three years instead of once each year. For students identified as exceptional who do not have a matrix of services the Guaranteed Allocation is created. The Guaranteed Allocation funds are in addition to the FEFP funds earned by the students in the appropriate basic programs.

Section 6 - Section 5 expires on July 1, 2001, and the text reverts to that in existence on June 30, 2000, except any other amendments to this text shall continue to operate as enacted.

Section 7 – Amends Section 236.081(1) (c) & (d), Florida Statutes, to provide for two ESE Support Levels (IV & V) and amends the definition of programs included in the Group 2 Enrollment Ceiling.

Section 8 – Clarifies that Section 7 expires on July 1, 2001, and the text reverts to that in existence on June 30, 2000, except any other amendments to this text shall continue to operate as enacted.

Section 9 – Amends Section 237.34(2) & (3), Florida Statutes, deleting the provision allowing districts to report costs on an aggregate basis for exceptional students, thus requiring costs to be reported for the two remaining exceptional student programs. Revises the percent expenditure requirement of program revenues for exceptional students from 80% to 90% on an aggregate program basis.

Section 10 – Clarifies that Section 9 expires on July 1, 2001, and the text reverts to that in existence on June 30, 2000, except any other amendments to this text shall continue to operate as enacted.

Section 11 – Amends Section 236.081(4)(d), Florida Statutes, providing for the calculation of required local effort when a portion of the tax roll is the subject of litigation. Further, it provides for the inclusion of a good faith payment by the litigant that will be included in the district's required local effort revenue.

Section 12 – Clarifies that Section 11 expires on July 1, 2001, and the text reverts to that in existence on June 30, 2000, except any other amendments to this text shall continue to operate as enacted.

Section 19 – Authorizes the transfer of positions and general revenue funds among several agencies, including the Department of Education, as necessary to comply with any provision of the 2000-01 General Appropriations Act or Workforce Innovation Act of 2000, which requires or specifically authorizes the transfer of positions and general revenue funds between the agencies cited. The section is repealed on July 1, 2001.

Section 64 – Provides for the extension of time for implementing the revised budget structure and reorganizations contained in the 2000-01 General Appropriations Act. This includes budget restructuring and account code conversion of financial, purchasing, and similar systems.

Section 65 – Clarifies that language implementing a specific appropriation is void if the appropriation is vetoed by the Governor.

Section 66 – Clarifies that language of other bills that is substantively the same as language in this bill, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, shall take precedence.

Section 67 – Establishes for individual programs in education agencies Performance Measures and Standards which are applicable to the 2000-01 fiscal year.

Section 72 – Specifies that in the event any provision of this act is held invalid, the invalidity shall not affect other provisions or applications of the act.

Section 73 – Clarifies that the act shall take effect July 1, 2000.

Effective Date: July 1, 2000

Key Contact: Wayne Pierson, (850) 488-6539
piersow@mail.doe.state.fl.us

Summary:

Revises the State Planning and Budgeting Process, both substantive changes and technical adjustments.

Summary by Bill Section (where applicable):

Section 1 – Defines various terms to be used in the planning and budgeting process including new policy for long-range program plans to include operation, facilities, and technology.

Section 2 – Creates Section 216.013, Florida Statutes, entitled long-range program plan. The five-year plan will become effective July 1, of each year and provides the framework for agency budget requests. The plans are due by August 1 of each year.

Section 7 – Changes the due date for legislative budget requests from September 1 to September 15 of each year. Annually by June 30, agencies submit adjustments to performance standards.

Section 8 – Changes the due date for target budgets from September 15 to September 30, if they are required by the EOG, Senate, or House of Representatives.

Section 9 - Fixed Capital Outlay projects in the budget request, to be managed by DMS, must be submitted to DMS for consultation.

Section 10 – Creates a Technology Review Workgroup within the Legislature to make recommendations about agencies' long-range program plans pertaining to information resources.

Section 11 – Clarifies policy for Community budget requests for projects from a local, county, or regional governmental entity, private organization or non-profit organization. Request must be in a form prescribed by the Legislature or EOG and must be heard at public hearing.

Section 16 – Technical amendment to the Education Estimating Conference appointing the Commissioner of Education, not the Associate Deputy Commissioner for Education Management as the principal for Education. Creates the Self-Insurance Estimating Conference and the Florida Retirement System Actuarial Assumption Conference.

Section 20 – Eliminates the legislative statement of intent for the Appropriations Act.

Section 23 – For Information Resource Management projects in excess of \$500,000, must be reviewed by the Technology Review Workgroup. Salary rate for DOE shall be controlled by Division.

Section 24 – The Legislative Budget Commission shall apply zero based budgeting principles in reviewing the budget of each state agency at least once every 8 years. In fiscal year 2001-2002 budgets of the DOR and the FDLE will be the subject of zero based budgeting review.

Section 34 – The head of each department may transfer funds within programs for specified objects provided there is no adverse effect on program performance and 5 days prior notification to EOG and Legislature.

Section 35 – Creates policy for fixed capital outlay grants and aids to certain nonprofit entities.

Section 36 – Authorizes the Auditor General to conduct audits of any direct support organization or citizen-support organization authorized by law.

Section 37 – Creates Section 11.90, Florida Statutes, Legislative Budget Commission, replacing the Administration Commission with duties specified in various sections of the revised Chapter 216, Florida Statutes

Section 42 – Eliminates State Agency Strategic Plans and creates long-range program plans amending Section 186.021, Florida Statutes. The plan shall provide the framework and context for designing and interpreting the agency budget request including performance indications.

Section 58 – Transfers Section 216.3491, Florida Statutes, to Section 215.97, Florida Statutes, transferring the reference for and amending the Florida Single Audit Act.

