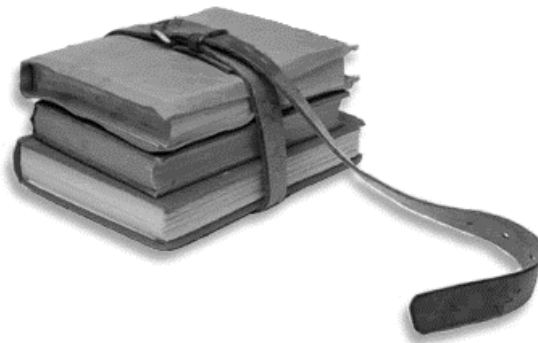


Florida Department of Education

Legislative Review 2001



Charlie Crist, Commissioner
www.firn.edu/doe



May 29, 2001

Dear Friend:

I am pleased to present this copy of Legislative Review 2001.

The 2001 Florida Legislature passed significant measures to improve our system of public education. Legislators acted to make our schools safe and secure. They supported efforts to reduce bureaucracy and redirect tax dollars to the classroom. They also provided for a seamless education delivery system spanning kindergarten through graduate school.

These and many other legislative accomplishments affecting education are explained in this detailed review. I hope it proves to be useful and informative.

Sincerely,

A handwritten signature in cursive script that reads "Charlie Crist".

Charlie Crist

Florida Department of Education Legislative Review 2001

The 2001 Legislature met in Tallahassee from March 6th through May 4th. During this time, a number of bills relating to education were passed and sent to the Governor. 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 regarding a particular bill, the final enrolled version of the bill should be referred to. Most bills were still under review by the Governor at the time this document was finalized. For updated action on any bill listed in this review, please refer to the Florida Legislature's web site, Online Sunshine, at the following Internet address:

www.leg.state.fl.us

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Government

SB 1162: **Education Governance/School Readiness/Financial Aid**

Effective Date: Upon Becoming Law (except as specified in the act)

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Summary: The bill continues the implementation of the 1998 Constitutional amendment requiring an appointed State Board of Education and an appointed Commissioner of Education. It also includes changes to the 1999 School Readiness Act; provides mechanisms for increased access to Baccalaureate degrees and college credit acceleration; and restores the Florida Prepaid College Program.

Summary by Bill Section (where applicable):

Section 1 - Provides for a short title: Florida Education Governance Reorganization Implementation Act.

Section 2 - Establishes policy direction and guiding principles for Florida's education governance system.

Section 3 - Describes the general structure of the reorganization:

- Establishes the Florida Board of Education (FBE) as responsible for overseeing kindergarten through graduate school education, and the education governance officers as the Commissioner of Education, Chancellor of Public Schools, Chancellor of Colleges and Universities, Chancellor of Community Colleges, and Executive Director of Independent Education. The chancellors and executive director are appointed by the FBE and serve at the pleasure and under the authority of the Secretary of the FBE.
- Requires the Governor to appoint a 12-member board of trustees for each state university, subject to confirmation by the Senate; establishes the student body president as an additional voting member of university boards of trustees.
- Abolishes the Board of Regents and the State Board of Community Colleges, and transfers all their authority, records, personnel, funds, etc., to the FBE via a type two transfer.
- Abolishes the Postsecondary Education Planning Commission, and transfers their personnel and funds to the newly created Council for Education Policy Research and Improvement, an independent office under the Office of Legislative Services.
- Transfers the Articulation Coordinating Committee and the Education Standards Commission from the Department of Education (DOE) to the FBE via a type two transfer.

- Requires the Commissioner of Education and the Secretary of the FBE to work together to commence the reorganization of DOE, to include an office of the Commissioner of Education composed of operations common to all delivery sectors (Office of Technology and Information Services, Office of Workforce and Economic Development, Office of Education Facilities and SMART Schools Clearinghouse, Office of Student Financial Assistance).
- Creates the Division of Colleges and Universities, the Division of Community Colleges, the Division of Public Schools, and the Division of Independent Education.
- Mergers the powers, duties and staff of the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education into a Commission for Independent Education.

Section 4 - Creates the Council for Education Policy Research and Improvement, effective July 1, 2001, and establishes their duties, composition, and staff.

Section 5 - Florida Board of Education:

- Establishes the FBE membership as a citizen board, serving without compensation, who are residents of the state; members are appointed by the Governor subject to Senate confirmation; first chairperson is appointed by the Governor, with subsequent chairperson and vice-chairperson to be selected by the FBE.
- Establishes duties and responsibilities of the FBE, working together with the Commissioner of Education.

Section 6 - Florida Education Governance Officers - Describes the roles of the Commissioner of Education, the Chancellor of Public Schools, the Chancellor of Colleges and Universities, the Chancellor of Community Colleges, and the Executive Director of Independent Education.

Section 7 - Revises the focus and duties of the Education Governance Reorganization Transition Task Force.

Section 8 - Guidelines for implementation, structure, functions, and organization of Florida's K-20 education system:

- Establishes Florida's education system as seamless, K-20, and decentralized.
- Establishes the FBE as the single strategic voice for Florida's education system, and authorizes the FBE to appoint ad hoc committees.
- Establishes the FBE's focus as high-level policy decisions.
- Requires a K-20 technology plan based on common data definitions.
- Establishes and clarifies the roles of the Legislature, the FBE, the education governance officers, institutional boards of trustees, school boards, institutional presidents, school district superintendents, and ad hoc advisory committees.
- Requires the Commissioner of Education's office to operate all statewide functions necessary to support the FBE and the K-20 system, including legal; communications (including a Citizen Information Center); strategic planning and budget development; general administration; assessment and accountability; data management, education technology and an education data warehouse; access and opportunity;

policy research and development; FBE personnel; workforce and economic development; education facilities; technology and information services; student financial assistance; and Inspector General.

Section 9 - K-20 Education Performance Accountability System:

- Establishes Legislative intent regarding information to be provided by the accountability system; roles of the FBE and Legislature; and Floridians' right to information on the return for their investment in education and how well the system educates students.
- Requires the FBE to work with each delivery system to develop proposals for performance-based funding, based on measures established by the Legislature; requires that 10% of state funds are conditional upon meeting or exceeding the performance standards.
- Establishes the mission, goals and measures of Florida's K-20 education system.

Section 10 - Reorganization and Implementation Process:

- By July 1, 2001, requires the Governor to appoint a seven-member FBE and a Secretary of the FBE.
- The FBE shall be housed within and operate under the direction of the State Board of Education.
- Establishes appointment requirements, Senate confirmation, duties and reorganization implementation responsibilities of the Secretary of the FBE.
- Establishes reorganization implementation duties and authority of the FBE.
- Establishes reorganization implementation duties and authority of the Commissioner of Education.

Section 11 - Reorganization of the Department of Education:

- Establishes the Secretary's Education Reorganization Workgroup to direct and oversee the reorganization of Florida's K-20 Department of Education.
- Establishes membership of the workgroup as the Secretary of the FBE, the Commissioner of Education, the Governor or designee, the chancellors and the executive director, working in consultation with the Legislative members of the Education Governance Reorganization Transition Task Force.
- Establishes outcomes of the reorganization and describes the roles of each Division.
- Establishes the duties and responsibilities of the offices within the Office of the Commissioner of Education.
- Establishes the responsibilities and membership of the K-20 leadership team, which includes the Secretary of the FBE and the education governance officers.

Section 12 - Division of Independent Education:

- Establishes the mission of the Division and duties of the executive director.
- Combines powers and duties of the State Board of Independent Colleges and Universities and the State Board of Nonpublic Career Education and transfers them to the Commission on Independent Education, administratively housed within the Division of Independent Education.
- Establishes membership, function, and executive director of the Commission.

Section 13 - Boards of Trustees of the State Universities:

- Requires the Governor to appoint 13-member boards of trustees for each state university, to be confirmed by the Senate; includes the student body president as a voting member; provides for removal for cause or upon recommendation of the FBE.
- Establishes powers of the boards of trustees.
- Provides for terms of members of boards of trustees; selection, duties and terms for board chairs and vice-chairs; role of university presidents as executive officer and corporate secretary.
- Provides for orientation, training, and board development activities for the trustees; requires trustees to set direction for universities and submit to the FBE action plans and timelines for devolution of duties and responsibilities to the trustees.
- Establishes responsibilities of the boards of trustees.
- Provides for sovereign immunity of boards of trustees.

Section 14 - Establishes powers and duties of state university boards of trustees; requires each board to work with other boards of trustees, community college boards of trustees, and district school boards to achieve the goals of the seamless education system. Provides requirements for each board of trustees to set university tuition and feeds, effective July 1, 2002.

Section 15 - Establishes the powers and duties of state university system presidents.

Section 16 – Transfers the Florida Partnership for School Readiness (Partnership) from the Executive Office of the Governor to the Agency for Workforce Innovation effective July 1, 2001, by a type two transfer, pursuant to Section 20.06(2), Florida Statutes.

Section 17 – Transfers the Child Care Executive Partnership Program, child care and early childhood resource and referral, and the subsidized child care program, including but not limited to statewide staff as referenced in the interagency agreement between the Department of Children and Family Services and the Partnership, to the Agency for Workforce Innovation effective July 1, 2001, by a type two transfer, pursuant to Section 20.06(2), Florida Statutes.

Section 18 – Transfers the pre-kindergarten early intervention, migrant prekindergarten, and Florida First Start programs, including but not limited to statewide staff as referenced in the interagency agreement between the Department of Education and the Partnership, to the Agency for Workforce Innovation effective July 1, 2001, by a type two transfer, pursuant to Section 20.06(2), Florida Statutes.

Section 19 – Designates the Agency for Workforce Innovation as the lead agency with responsibilities in compliance with federal law for administration of the Early Learning Opportunities Act and the Even Start Family Literacy Programs pursuant to Public Law No. 105-54.

Section 20 – Amends Section 411.01, Florida Statutes (Florida Partnership for School Readiness), to add Legislative intent that school readiness services shall be an

integrated and seamless system of services with a developmentally appropriate education component for the state's eligible birth-to-kindergarten population and shall not be construed as part of the seamless K-20 education system except for the administration of the uniform screening system upon entry into kindergarten.

Creates Section 411.01(3)(b), Florida Statutes, to clarify that nothing in this act is intended to relieve parents and guardians of their own obligations to ready their children for school, or to create any obligation to provide publicly funded school readiness programs or services beyond those authorized by the Legislature.

Amends Section 411.01(4)(a), Florida Statutes, to specify the three major purposes for the Partnership:

- to administer school readiness program services that help parents prepare eligible children for school
- to coordinate the provision of school readiness services on a full-day, full-year, full-choice basis to the extent possible in order to enable parents to work and be financially self-sufficient
- to establish a uniform screening instrument to be implemented by the Department of Education and administered by the school districts upon entry into kindergarten to assess the readiness for school of all children.

Specifies that readiness for kindergarten is the outcome measure of the success of each school readiness program that receives state or federal funds. Assigns the Partnership to the Agency for Workforce Innovation for administrative purposes.

Amends Section 411.01(4)(b), Florida Statutes, to specify that the Partnership shall:

- coordinate the birth-to-kindergarten services for eligible children and the programmatic, administrative, and fiscal standards pursuant to this section for all public providers of school readiness programs
- continue to provide unified leadership for school readiness through local school readiness coalitions
- focus on improving the educational quality of all publicly funded school readiness programs.

Revises Partnership membership to a total of 14, with four new members, including one private for-profit child care representative, one faith-based child care provider, and two business community representatives, to be appointed by July 1, 2001, based on prescribed nomination procedures. Members and their families must not have a direct contract with any local coalition to provide school readiness services.

Clarifies that the Partnership's executive director shall serve at the pleasure of the Governor, with continued responsibility for hiring, direction, and control of all employees and staff members.

Deletes references to obsolete timelines.

Deletes Section 411.01(4)(j)10, Florida Statutes, which required the Partnership Board, in consultation with the Postsecondary Education Planning Commission and the Education Standards Commission, to assess the expertise of public and private postsecondary institutions in the related areas and the status of articulation among those programs, and to make recommendations for program improvements to enhance school readiness initiatives.

Deletes Sections 411.01(4)(l) and (q), Florida Statutes, which required that the Partnership be an independent, nonpartisan body and not be identified or affiliated with any one agency, program, or group; and that it recommend revisions or repeal of rules which would increase the effectiveness of programs that prepare children for school.

Amends Section 411.01(5)(a), Florida Statutes, to delete the provision that school readiness coalitions shall replace district interagency coordinating councils (requirements for which are repealed in other legislation).

Amends 411.01(5)(d), Florida Statutes, to require the Partnership to review coalition plans at least annually (rather than biennially).

Revises school readiness program plan requirements to include instructional staff who have, in addition to required training courses, additional training or credentials as required by the Partnership (rather than the respective program providers).

Clarifies that reimbursement rates developed by the coalitions shall not have the effect of limiting parental choice or creating standards or levels of services that have not been authorized by the Legislature.

Revises references to statutes subsequently repealed (see Sections 25-27 below) and obsolete provisions related to coalition initiation grants.

Creates Section 411.01(9)(b), Florida Statutes (Funding; School Readiness Programs), to provide that the Agency for Workforce Innovation shall:

- administer school readiness funds, plans, and policies pursuant to contract with the Partnership
- prepare and submit a unified budget request for the school readiness program in accordance with state requirements

Requires that:

- all instructions to local school readiness coalitions shall emanate from the Agency pursuant to policies of the Legislature, plans of the Partnership, and the contract between the Partnership and the Agency

- the Agency prepare a plan that provides for the distribution and expenditure of all state and federal school readiness funds for children participating in public or private school readiness programs based upon an equity and performance funding formula. The plan shall be submitted to the Governor and the Legislative Budget Commission; upon approval, the Commission shall authorize the transfer of funds to the Agency for distribution in accordance with the provisions of the formula.

Creates Section 411.01(10), Florida Statutes (School Readiness Uniform Screening), to require that the Department of Education implement a school readiness uniform screening, including a pilot program during the 2001-02 school year to validate the system recommended by the Partnership as part of a comprehensive evaluation design. Beginning with the 2002-03 school year, DOE shall require that all school districts administer the school readiness uniform screening to each kindergarten student in the district school system upon the student's entry into kindergarten. Children who enter public school for the first time in first grade must undergo a uniform screening adopted for use in first grade. DOE shall incorporate school readiness data into the K-20 data warehouse for longitudinal tracking.

Notwithstanding Section 228.093, Florida Statutes (Pupil and student records and reports; rights of parents, guardians, pupils, and students; notification; penalty.--), DOE shall provide the Partnership and the Agency with complete and full access to kindergarten uniform screening data at the student, school, district, and state levels in a format that will enable the Partnership and the Agency to prepare reports needed by state policymakers and local school readiness coalitions to assess progress toward school readiness goals and provide input for continuous improvement of local school readiness services and programs.

Section 21 – Provides that, notwithstanding any other provision of law to the contrary, minimum child care licensing standards shall be developed to provide for reasonable, affordable, and safe before-school and after-school care. Standards, at a minimum, shall allow for a credentialed director to supervise multiple before-school and after-school sites.

Section 22 – Amends Sections 216.136(6)(a) and (10), Florida Statutes, to delete from the Social Services Estimating Conference duties related to forecasts of children eligible for subsidized child care and prekindergarten early intervention programs, and to clarify that the School Readiness Program Estimating Conference shall develop estimates and forecasts of the unduplicated count of children eligible for school readiness programs in accordance with established standards of eligibility. The Agency for Workforce Innovation is added to the principals for the latter Conference.

Section 23 – Amends Section 232.01(1)(a), Florida Statutes, to delete the requirement that children who will have attained the age of 3 years on or before September 1 of the school year are eligible for admission to pre-kindergarten early intervention programs, consistent with the subsequent repeal of Sections 230.2305 and 228.061, Florida Statutes.

Section 24 – Amends Sections 445.023(1)(b)(c) and (4), Florida Statutes, to conform references.

Section 25 – Repeals the following Florida Statutes effective January 1, 2002:

Section 228.061(1) – Other public schools; preschool programs.

Section 228.061(2) – Other public schools; pre-kindergarten early intervention programs.

Section 230.23(4)(o) – Establishment, organization, and operation of schools. Early childhood and basic skills development.

Section 230.2303 – Florida First Start Program.

Section 230.2305 – Pre-kindergarten early intervention program.

Section 230.2306 – Pre-kindergarten children service needs assessments; reports; reasonable efforts by school district.

Section 26 – Repeals the following Florida Statutes effective January 1, 2002:

Section 402.28 – Child Care Plus.

Section 402.281(1) – Gold Seal Quality Care program.

Section 402.3015 – Subsidized child care program; purpose; fees; contracts.

Section 402.3027 – Observation and assessment of young children in subsidized child care programs.

Section 402.3028 – Referral for Assessment.

Section 402.305(18) – Licensing standards; child care facilities.

Section 402.3052 – Child development associate training grants program.

Section 402.3135(2)(c) – Subsidized child care case management program.

Section 402.45(2) – Community resource mother or father program.

Section 402.45(6) – Community resource mother or father program.

Section 27 – Repeals the following Florida Statutes effective January 1, 2002:

Section 391.304(1)(a) – Program coordination.

Section 411.222 – State Coordinating Council for School Readiness Programs; responsibilities.

Section 28 – Florida Virtual High School

- Renames the Florida On-Line High School as the Florida Virtual High School (FVHS); administratively houses the FVHS in the Commissioner of Education's Office of Technology and Information Services; requires the Commissioner of Education to monitor and report on the school's performance.
- Establishes the mission and priorities of the FVHS.
- Requires FVHS trustees to identify performance measures and standards and implement an accountability system.
- Establishes responsibilities of the FVHS board of trustees.
- Requires reports, and resolution of the issue of double funding.

- Requires Commissioner of Education to include the FVHS as a grant-in-aid appropriation until fiscal year 2003-04.

Section 29 – Beginning with fiscal year 2002-03, no Department of Education funds received from indirect cost allowance may be expended without specific appropriation by the Legislature; exempts funds received pursuant to Section 240.241, Florida Statutes.

Section 30 – Repeals Section 229.8065, Florida Statutes, effective June 30, 2002.

Section 31 – Subjects personnel employed by the Department of Education through the Projects, Contracts and Grants Trust Fund to the requirements of Section 216.262(1)(a), Florida Statutes.

Section 32 – Deletes the authority of the Board of Regents to acquire commodities, goods, equipment, contractual services, leases and construction exceeding \$1 million.

Sections 33 and 34 – Repeals selected subsections of Section 235.217, Section 240.209, and Section 240.311, Florida Statutes; repeals Sections 240.145, 240.147, 240.227, and 240.307, Florida Statutes.

Section 35 – Site-determined baccalaureate degrees:

- Establishes legislative intent to expand access to baccalaureate degree programs through community colleges
- Allows the FBE to authorize a community college to offer a limited number of baccalaureate degrees to meet local workforce needs; prescribes the process of such authorization.
- Establishes Legislative intent regarding the primary mission of community colleges.
- Deletes existing law.

Section 36 – State University System defined:

- Establishes the University of South Florida St. Petersburg and the University of South Florida Sarasota/Manatee as fiscally autonomous campuses.
- Establishes New College of Florida as the state’s four-year residential liberal arts honors college.

Section 37 – University of South Florida St. Petersburg

- Substantially rewords Section 240.527, Florida Statutes.
- Establishes the St. Petersburg campus of the University of South Florida as the “University of South Florida St. Petersburg.”
- Establishes legislative intent, campus board, and campus executive officer.
- Requires the President of the University of South Florida to begin the process of application for separate accreditation of the University of South Florida St. Petersburg.
- Establishes membership and appointment process for the campus board.
- Establishes the powers and duties of the campus board.

- Establishes a campus executive officer as appointed by, reporting to, and serving at the pleasure of the President of the University of South Florida.
- Establishes the authority and responsibilities of the campus executive officer.
- Identifies specific entities that remain under the administrative control of the University of South Florida.

Section 38 – University of South Florida Sarasota/Manatee

- Establishes the Sarasota/Manatee campus of the University of South Florida as the “University of South Florida Sarasota/Manatee.”
- Establishes legislative intent, campus board, and campus executive officer.
- Requires the President of the University of South Florida to begin the process of application for separate accreditation of the University of South Florida Sarasota/Manatee.
- Establishes membership and appointment process for the campus board.
- Establishes the powers and duties of the campus board.
- Establishes a campus executive officer as appointed by, reporting to, and serving at the pleasure of the President of the University of South Florida.
- Establishes the authority and responsibilities of the campus executive officer.

Section 39 – New College of Florida

- Establishes the mission and goals for New College of Florida, as a member of the State University System.
- Requires New College of Florida to apply for separate accreditation.
- Establishes membership of the board of trustees, to be appointed by the Governor.

Section 40 – St. Petersburg College

- Establishes Legislative intent to increase access to baccalaureate degree education, to especially address the need for teachers, nurses and business managers requiring expertise in technology.
- Renames St. Petersburg Junior College as St. Petersburg, College; requires the college to seek accreditation as a baccalaureate degree granting college; establishes mission.
- Maintains distinction between the college and its university center.
- Establishes requirements for student records and fees.
- Specifies which programs St. Petersburg College may offer and establishes student-recruiting guidelines.
- Establishes a board of trustees for St. Petersburg College, and their authority.
- Establishes a coordinating board to assist the board of trustees.
- Establishes employee guidelines, state funding, intent, and cost study requirements.

Section 41 – Provides a disclaimer to protect the accreditation of the University of South Florida.

Section 42 – Creates the Florida Bright Futures Scholarship Testing Program. Beginning with initial award recipients for the 2002-2003 academic year, students

eligible for a Florida Academic or Medallion (Merit) Scholars award who enroll in a community college or state university, must take five College-Level Examination Program (CLEP) examinations from choices of five specified subject areas. This above provision is optional for 2001-2002 academic year. The CLEP exams shall be paid for by the state universities and community colleges from the funds appropriated from the Educational Enhancement Trust Fund. The Department of Education shall negotiate with the College Board for a reduced rate for the examinations. Successful completion of dual enrollment courses, Advanced Placement examinations, and International Baccalaureate examinations taken prior to high school graduation satisfy this requirement. The Articulation Coordinating Committee is required to identify scores, credit, and courses for which credit may be awarded. The student's Bright Futures award must be reduced by the number of hours for which credit is awarded pursuant to this section. Beginning with the 2002-2003 academic year, the Department of Education shall report annually on the effectiveness of the CLEP testing program.

Section 43 – Reenacts the Florida Prepaid College Program, Section 240.551, Florida Statutes.

Section 44 – Provides an effective date upon becoming law, except as otherwise expressly provided in the act.

HB 1935: **Date for Convening 2002 Legislative Session**

Effective Date: Upon Becoming Law

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

Summary:

This bill fixes the date for convening the 2002 Regular Session of the Legislature as January 22, 2002, to enable the Legislature to complete the redistricting process in time for candidates to meet the July qualifying deadline.

Summary by Bill Section (where applicable):

Section 1 - Fixes the date for convening the 2002 Regular Session of the Legislature as January 22, 2002.

Section 2 – Provides an effective date upon becoming law.

Finance

CS/CS/HB 269: Sharpening the Pencil/Charter Schools

Effective Date: July 1, 2001

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

Summary:

NOTE: Also contains Land Acquisition Advisory Council
Creates the “Sharpening the Pencil Act” to assist school districts in realization of cost savings through implementation of best financial management practices. Cost savings from unrestricted program areas are to be spent at school and classroom levels. Savings from restricted program areas are to be spent for enhancements of the restricted area. The new process expands on the existing framework of the best financial management practices program and the school district performance review program. Each school district is required to be reviewed at least once every five years, and districts are specified for each year of the five-year cycle. Additional reviews maybe scheduled to address adverse financial condition in specific districts Reviews are to be funded by state appropriation and the Office of Program Policy Analysis (OPPAGA) is to contract with private firms for performance of reviews.

Provides for the appointment of Land Acquisition and Facilities Advisory Boards in instances in which the OPPAGA or the Auditor General determine that significant deficiencies exist in district land acquisition and facilities programs.

Amends statutes relating to charter schools.

Summary by Bill Section (where applicable):

Section 1 - Provides for citing the act as the “Sharpening the Pencil Act.”

Section 2 – Section 230.23025, Florida Statutes, Best Financial Management Practices, is amended to establish the new process with the following provisions:

- The Office of the Auditor General is to assist OPPAGA in examining district operations.
- Best financial management practices may be periodically updated after consultation with the Legislature, the Governor, the SMART Schools Clearinghouse, DOE, school districts and the Auditor General.
- OPPAGA submits proposed revisions to the Commissioner for review and approval.
- Practices are to be developed for, but not limited to, the following:
 - Management structures
 - Performance accountability
 - Efficient delivery of educational services, including instructional materials
 - Administrative and instructional technology
 - Personnel systems and benefits management
 - Facilities construction

Student transportation

Food service operations

Cost control systems, including asset management, risk management, financial management, purchasing, internal auditing, and financial auditing.

- OPPAGA shall contract for conducting reviews with private firms selected through a formal request for proposal process, to the extent that funds are provided for this purpose in the General Appropriations Act.
- The scope of the review shall focus on the best practices adopted by the Commissioner, however, OPPAGA may include additional items after seeking input from the district and the Department of Education.
- At least one member of the private firm review team shall have expertise in school district finance.
- OPPAGA is to consult with the Commissioner throughout the best practices review process to ensure that the technical expertise of DOE benefits the review process and supports the school districts before, during, and after the review.
- All districts are to be reviewed on a continuing 5-year cycle, as follows, unless specified otherwise in the General Appropriations Act: **Year 1**: Hillsborough, Sarasota, Collier, Okaloosa, Alachua, St. Lucie, Santa Rosa, Hernando, Indian River, Monroe, Osceola, and Bradford. **Year 2**: Miami-Dade, Duval, Volusia, Bay, Columbia, Suwannee, Wakulla, Baker, Union, Hamilton, Jefferson, Gadsden, and Franklin. **Year 3**: Palm Beach, Orange, Seminole, Lee, Escambia, Leon, Levy, Taylor, Madison, Gilchrist, Gulf, Dixie, Liberty, and Lafayette. **Year 4**: Pinellas, Pasco, Marion, Manatee, Clay, Charlotte, Citrus, Highlands, Nassau, Hendry, Okeechobee, Hardee, DeSoto, and Glades. **Year 5**: Broward, Polk, Brevard, Lake, St. Johns, Martin, Putnam, Jackson, Flagler, Walton, Sumter, Holmes, Washington, and Calhoun.
- At the direction of the Joint Legislative Auditing Committee or the President of the Senate and the Speaker of the House of Representatives, and subject to funding by the Legislature, OPPAGA may conduct, or contract with a private firm to conduct, up to two additional best financial practices reviews during that year if such review is necessary to address adverse financial conditions.
- Districts to complete self-assessment instrument on each best practice prior to review.
- OPPAGA and the consultant conducting a review are to hold at least one advertised public forum to explain the review process and obtain input from students, parents, the business community, and other district residents.
- Review must be completed within 6 months of start.
- School district to notify all members of SAC's and district advisory council by mail that the final report has been delivered to the school district and to council chairs. Also inform members of OPPAGA website for access to the report.
- School board to hold advertised public forum to accept input and review findings and recommendations of the report. OPPAGA and consultant are to be represented.
- If district is found not to conform to best financial management practices, the report must contain an action plan detailing how the district could comply within two years.

- School board must decide, by majority plus one vote within 90 days, whether or not to implement the action plan. Superintendent must notify OPPAGA and the Commissioner of the board's action or failure to act. If a district fails to vote on the action plan within 90 days, school board members may be required to appear and present testimony before a legislative committee, pursuant to s. 11.143, Florida Statutes.
- No later than one year after receipt of the final report, the district must submit an initial status report on progress toward implementing the action plan and any changes bearing on compliance with best practices.
- A second status report is to be made no later than one year after the initial report.
- Following receipt of each status report, OPPAGA is to assess the district's implementation of the action plan.
- Districts that successfully implement the best financial management practices within two years, or are determined in the review to be using best practices, are eligible to receive a "Seal of Best Financial Management" awarded by the State Board of Education.
- The Seal is effective for five years or until the next review is completed. The school board must annually report on changes that would not conform to the designation. If there are no such changes, the district may request a waiver from the next scheduled review.
- Unrestricted cost savings resulting from implementation of the best financial management practices must be spent at the school and classroom levels for teacher salaries, teacher training, improved classroom facilities, student supplies, textbooks, classroom technology, and other direct student instruction activities. Cost savings identified for a program that has restrictive expenditure requirements shall be used for the enhancement of the specific program.

Section 3 – Section 11.515, Florida Statutes, which provided for school district performance reviews by OPPAGA and describing the scope of reviews, is repealed.

Section 4 – Section 230.2302, Florida Statutes, relating to the purposes of performance reviews, cost savings, and designation of districts in the General Appropriations Act, is repealed.

Section 5 – Section 230.23026, Florida Statutes, providing for the Florida School District Review Trust Fund and its operation, is repealed.

Section 6 – Section 11.51(1), Florida Statutes, amends the duties of OPPAGA to encompass those assigned by this act and delete reference to the statutes repealed in the preceding sections.

Section 7 – Section 230.23027(4), Florida Statutes, providing for the Small School District Stabilization Program, is amended to reference a best financial management review under this act rather than the authority of Section 11.515, Florida Statutes.

Section 8 – Section 233.43(1), Florida Statutes, is amended to substitute Section 230.23025, Florida Statutes, instead of Section 11.515, Florida Statutes, relative to records and accounts for funds collected from the sale, exchange, loss, or damage of instructional materials.

Section 9 – Section 235.2197(2)(a), Florida Statutes, Florida Frugal Schools Program, is amended to reference a best financial management review under this act rather than the authority of Section 11.515, Florida Statutes.

Section 10 – This section provides for the appointment of Land Acquisition and Facilities Advisory Boards by the President of the Senate, Speaker of the House of Representatives, and the Governor. Such boards are to be formed following determination by the director of OPPAGA or the Auditor General that significant deficiencies exist in a school district's land acquisition and facilities operational processes. Each board shall consist of seven members and shall possess specific expertise needed to assist the school district in improving its deficient processes. Members are to serve without compensation. Within 30 days of formation, the board shall convene in the district and make all reasonable efforts to help the district correct deficiencies noted in the examination or audit of the district. Within 60 days of convening, the board shall assess the district's progress and corrective actions and report to the Commissioner of Education. Any recommendation for release of funds placed in reserve by the Executive Office of the Governor shall include a certification that policies established, procedures followed, and expenditures made by the school board are consistent with the advisory board's recommendations. These actions will accomplish corrective action and address recommendations made by OPPAGA and the Auditor General. If the advisory board does not recommend release of the funds held in reserve, they shall provide additional assistance and submit a subsequent report. Upon certification that corrective action has been taken, the advisory board is disbanded.

Section 11 – This section revises the definition of “ educational facility” for the purposes of the Florida Industrial Development Financing Act, Section 159.27, Florida Statutes. Definition now includes any school owned or operated as part of the state's system of public education, including, but not limited to, a charter school or a developmental research school operated under Section 228, Florida Statutes.

Section 12 – Amends Section 228.056, Florida Statutes, to provide that:

- a public school may not use the term charter in its name unless it has been approved according to statute;
- the purpose of charter schools is expanded to providing rigorous competition with a school district to stimulate improvement of all schools, providing additional academic choices and expanding the capacity of the public school system;
- in order to apply for a public school to apply for conversion to a charter school it must have been in operation for a least two years;
- a district must meet certain requirements in denying an application for a conversion charter school;
- a district may not charge an application fee;

- an application of appeal from a school board denial must be filed within 30 days of receipt of the specific reasons for the denial;
- Department of Education may mediate all issues relating to charter schools except the denial of an application;
- a charter school shall be exempt from the sponsor's policies;
- charter schools may create relationships with other charter schools to deliver services;
- a charter school-in-a-municipality, a charter school focusing on academic, artistic or other eligibility standards, and a charter school with an articulation agreement between charter schools may limit enrollment to target students if certain conditions are met;
- the capacity of a charter school shall be determined annually by the governing board, in conjunction with the sponsor in consideration of certain factors;
- a charter school may, under certain circumstances, follow generally accepted accounting standards in lieu of the "red book" ;
- the governing board shall annually adopt and maintain an operating budget;
- the charter must provide for:
 - the identification and acquisition of technologies,
 - a means for ensuring accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs,
 - responsibilities, policies and practices to ensure effective management, including internal audit procedures and financial controls,
 - plans to ensure safety and security, and
 - strategies to recruit, hire, train and retain qualified staff;
- the district must provide academic student performance data to charter schools for each student coming from the district schools;
- the governing body shall exercise continuing oversight over school operations;
- the governing board may appeal sponsor's decision to terminate the charter;
- upon termination, the charter school, not the governing body, is responsible for all debts;
- the governing board may apply directly to the Commissioner of Education for a waiver of statutes applicable to charter schools;
- all charter schools submitting required student records must use Department of Education's electronic data formats and districts must accept such data;
- the 5% administrative fee charged by districts may not include capital outlay, federal and state grants or any other funds besides FTE;
- maintenance funds for conversion schools remain with the school;
- charter schools in municipalities may target students who reside in the municipality;
- any portion of the land and facility used for a public charter school in municipalities is exempt from ad valorem taxes;

Section 13 – Amends Section 228.0561(1), Florida Statutes, to provide that the Department of Education shall distribute capital outlay monthly rather than biannually.

Section 14 – Amends Section 232.425(3)(d), Florida Statutes, to codify the current practice of allowing charter school students to participate in activities at their “home” school.

Section 15 – Provides an effective date of July 1, 2001.

HB 1545: **Dollars to the Classroom Act of 2001**

Effective Date: Upon Becoming Law

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

Summary:

Districts that do not meet minimum academic performance standards will be required to meet a minimum expenditure requirement for "classroom instruction." (Minimum district academic performance standards and minimum expenditure requirements are specified in the General Appropriations Act for 2001-2002, Line Item 118.) Affected districts must submit two new reports to the Department of Education: (1) at the beginning of the year, a calculation of the percentage of total current operating funds budgeted for classroom instruction must be reported, and (2) at the end of the year, a final report must reflect the actual percentage of total current operating expenditures expended for classroom instruction. Affected districts must also publish a notice as part of the proposed school budget advertisement that informs the public that the district is required by the state to increase expenditures for classroom instruction because the district's academic performance is below the state required minimum standard.

Summary by Bill Section (where applicable):

Section 1 - Establishes title as "Dollars to the Classroom Act of 2001."

Section 2 - Adds Subsection (16) to Section 229.57, Florida Statutes, to require the calculation of a weighted average district grade, by level, for all elementary, middle, and high schools. The average district grade is weighted by using student enrollment at each school.

Section 3 - Subsection (8) is added to Section 236.02, Florida Statutes, to include in the requirements for participation in the Florida Education Finance Program compliance with minimum classroom expenditure requirements and reporting created in Section 4.

Section 4 - Establishes Section 236.08102, Florida Statutes, which provides that minimum academic performance standards and minimum classroom expenditures requirements for districts will be prescribed by the General Appropriations Act; provides minimum classroom expenditure requirements; defines the calculation for adjusted classroom instruction expenditures, adjusted total K-12 operating expenditures, and the resulting percentage; and specifies the related reporting requirements. (Minimum district academic performance standards and minimum expenditure requirements are specified in the General Appropriations Act for 2001-2002, Line Item 118.)

Section 5 - Amends Section 237.041, Florida Statutes, to require compliance with the minimum classroom expenditure requirements in the district summary budgets submitted to the Department.

Section 6 - Inserts an additional subsection to Section 237.081, Florida Statutes, that requires affected districts to publish a notice as part of the proposed school budget advertisement informing the public that the district is required by the state to increase expenditures for classroom instruction because the district's academic performance is below the state required minimum standard.

Section 7 - Provides an effective date upon becoming law.

CS/SB 822: **Government Accountability**

Effective Date: July 1, 2001

Key Contact: Charlie Murphy (850) 921-2982
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Summary:

This far-reaching act is comprised of one hundred and fifty sections relating to government accountability and legal proceedings.

Summary by Bill Section (where applicable):

Section 2 – Amends Section 112.3175, Florida Statutes. Provides that any contract that has been executed in violation of the Code of Ethics for Public Officers and Employees is presumed void with respect to former employees and officials of a state agency, and is voidable with respect to private-sector third parties who employ, or retain in any capacity, such former agency employees or public officials.

Section 3 – Amends Section 287.058(1), Florida Statutes. Requires additional mandatory contract language for procurements in excess of CATEGORY TWO. Clarifies that refusal to allow public access to materials which are exempt from s. 24(a) of Art. I of the State Constitution and Section 119.07(1), Florida Statutes will not subject a contractor to unilateral cancellation by the agency.

Section 4 – Amends Section 287.059, Florida Statutes. Except as otherwise exempted, establishes approval process for public entities hiring private attorneys. To effectuate a contract for such services, it must be reviewed and signed by an agency's general counsel and then signed by the agency head. The agency head must maintain a copy of the contract.

Also Provides that: contingency fees are to be commercially reasonable as defined by the applicable Florida Bar rule; disputes involving the amount of fees are to be resolved by mandatory binding arbitration; payment of attorney's fees are subject to appropriation; attorney fees are to be forfeited if, during the pendency of the case, an attorney retained by the state takes a position that is adverse to the state's litigation or settlement posture; provides additional criteria for the Attorney General's standard addendum for attorney contract services; establishes records retention requirements for private attorneys who contract with the state to provide services.

Section 13 – Adds subsections (3) (4) and (5) to Section 11.40, Florida Statutes. Establishes additional authority of the Legislative Audit Committee to request the Auditor General or the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an audit of any entity subject to Section 11.45(2)

or (3), Florida Statutes. The Legislative Audit Committee may conduct its own investigation of matters that are the subject of audits and may exercise its powers of subpoena to that end.

Following specified notification of the failure of a local governmental entity, district school board, charter school, or charter technical career center to comply with applicable provisions within Sections 11.45(5)-(7), 218.32(1), or 218.38, Florida Statutes (governing respectively: audits by the Legislative Audit Committee and the Auditor General; annual financial reports; bond issues), the Legislative Audit Committee *may* hold a hearing to determine whether the entity should be subject to further state action. If further state action is determined to be needed, the Legislative Audit Committee *shall*:

In the case of a local government entity or district school board, *request* the Department of Revenue and the Department of Banking (Collectively “Departments”) to withhold any funds not pledged for bond debt service satisfaction which are payable to such entity until it complies with the law. The Departments are authorized to implement the provisions of the law.

In the case of a Special District, *notify* the Department of Community Affairs which is then to proceed in accordance with Sections 189.421 and 189.422, Florida Statutes.

In the case of a charter school or charter technical career center, *notify* the appropriate sponsoring entity which may terminate the charter pursuant to Sections 228.056 and 228.505, Florida Statutes.

Section 15 – Amends Section 11.45, Florida Statutes. This is a substantial rewrite of existing law which, among other requirements, does the following:

Provides that, as used in Section 11.40 through Section 11.515, Florida Statutes (governing Legislative and Auditor General audits), the term “Audit” means financial audit, operational audit, or performance audit.

Requires the Auditor General to:

annually conduct a financial audit of state government, all universities and district boards of community colleges, and the accounts and records of all district school boards in counties with populations of less than 125,000;

at least every 2 years conduct operational audits of the accounts and records of state agencies and universities, conduct a performance audit of the local government financial reporting system;

at least every three years conduct financial audits of the Department of Revenue’s administration of the ad valorem tax laws, conduct financial audits of the accounts and records of all district school boards in counties with populations

of more than 12 5,000, review a sample of each state agency's internal audit reports to determine compliance with specified current auditing standards;

conduct other audits of local governmental entities when determined by the Auditor General to be necessary, when required by law, or when directed by the Legislative Auditing Committee.

Provides that the Auditor General *may*, pursuant to his or her own authority or at the direction of the Legislative Audit Committee or other engagements as determined by the Auditor General, conduct audits of:

any governmental entity created or established by law;

information technology programs, activities, systems of any governmental entity created by law;

the accounts and records of any charter school created or established by law;

the public records associated with any appropriation made by the General Appropriations Act to a non-governmental agency, corporation or person;

state financial assistance provided to a non-state entity;

the Florida Partnership for School Readiness;

the Occupational Access and Opportunity Commission;

the Florida On-Line High School.

Specifies that final audit reports are public records, and provides that when a local government entity requests an audit by the Auditor General that such local entity is to pay for the audit as specified in the amendment.

Requires the Auditor General, in consultation with the Board of Accountancy, to review all audit reports submitted pursuant to Section 218.39, Florida Statutes.

Establishes Auditor General reporting requirements in the event that an audit report specifies that a local government entity or district school board is in a state of financial emergency and provides for the Auditor General to request clarification.

Establishes how the Auditor General will respond to varying information discovered in the audit process.

Section 16 – Amends Section 11.47, Florida Statutes. Provides penalty provisions for entities which fail to produce documents or information to OPPAGA.

Section 17 - Amends Section 11.51, Florida Statutes. Provides OPPAGA with authority to examine all entities and records listed in Section 11.45(3)(a), Florida Statutes. Among others, this extends to all units of government established by state law, district school boards, charter schools.

Section 21 – Amends Sections 20.055(5)(f) and (g), Florida Statutes. Deletes some audit responsibilities of agency inspectors general, establishes duties of the inspectors general with respect to OPPAGA audits and refines such duties with respect to Auditor General activities.

Section 33 – Amends Section 119.07(6), Florida Statutes. Adds OPPAGA to entities that have access information for specified purposes.

Section 65 - Creates Sections 218.39 and 218.391, Florida Statutes. Establishes deadlines, requirements, and auditor selection procedures governing required annual audits of local government entities including district school boards, charter schools and charter technical schools. Unless the Auditor General provides timely notice of an audit, each school district, charter school and charter technical school shall have an annual financial audit of its accounts and records completed within twelve months after the end of its fiscal year. The audit is to be performed by a certified public accountant retained by the individual entity and paid for by public funds. Establishes technical requirements for the report. Requires that a management letter be included. Requires communication between the auditor and the head of the reporting entity regarding audit comments. Establishes timing requirement for written statement, explanation, or rebuttal concerning auditor's findings. Requires predecessor auditors of a district school board to provide the Auditor General access to prior year's working papers. Requires audits to comply with the rules of the Auditor General. Each charter school is required to file a copy of its audit report with the sponsor entity, the local district school board, the Auditor General and with the Department of Education. Establishes extensive auditor selection procedure.

Section 67 – Amends Section 228.056(8)(g), Florida Statutes. Specifies that a charter school shall provide for an annual financial audit in accordance with Section 218.39, Florida Statutes (created by Section 65, above).

Section 68 – Amends Section 228.093(3)(d), Florida Statutes. Adds references to OPPAGA in relation to access to student records.

Section 69 – Amends Section 228.505((11)(e), Florida Statutes. Requires centers to provide for financial audits in accordance with Section 218.39, Florida Statutes (created by Section 65, above).

Section 70 - Requires direct support organizations to provide for annual financial audit.

Section 71 - Adds Paragraphs (l) and (m) to Section 230.23(10), Florida Statutes. Authorizes school boards to employ an internal auditor to perform ongoing financial

verification of records of the school district. The auditor is to report directly to the school board or its designee. In addition to the audits required by law, a school board may contract with an independent certified public accountant to conduct a financial or performance audit. The auditor is to be retained by the board and paid from its public funds.

Section 72 – Amends Section 230.23025(4). Changes audit requirement cross reference, from Section 11.45 to newly created Section 218.39, Florida Statutes (created by Section 65, above).

Section 73 – Amends Section 237.40(4), Florida Statutes. Provides that an annual financial audit of Direct Support Organization accounts and records are to be conducted by an independent certified public accountant in accordance with rules adopted by the Auditor General and the Commissioner of Education. The audit report is to be submitted within 9 months after the fiscal year's end to the district school board and the Auditor General. OPPAGA is added to the list of entities that may require and receive records relative to the operation of the organization.

Section 141 – This Section repeals a number of sections of law; two of which may impact education at least indirectly:

Repeals Section 228.053(11), Florida Statutes. Repealed language established requirements of Auditor General with respect to Developmental Research Schools.

Repeals Section 228.082(6), Florida Statutes. Repealed language provided that the Auditor General may audit Florida On-Line High School by the Auditor General's authority or at the request of the Joint Legislative Auditing Committee.

Section 150 – Provides an effective date of July 1, 2001.

CS/SB 1872: **District School Tax**

Effective Date: July 1, 2001

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

Summary:

This act permits school boards to propose additional millage for school operational purposes. Such millage must be authorized by local referendum or in a general election and, when combined with the non-voted millage, must not exceed the 10 mill limit established in the state constitution. This levy is distinguished from the constitutional authority for voted millage for operational purposes in that this levy may be for four years whereas the levy authorized by Article VII, Section 9 (b) is limited to two years.

Summary by Bill Section (where available):

Section 1 – Subsection (6) is added to Section 236.25, Florida Statutes, to provide authority for school boards to propose additional millage for operational purposes. Such millage must be approved by the district’s electors. This millage and non-voted millage must not exceed the 10 mills granted to school boards under Article VII, Section 9(a) of the constitution.

Section 236.25, Florida Statutes, places restrictions on use of the 10 mill ceiling established by Article VII, Section 9(a) by specifying the millage for required local effort and limiting millages the school board may set for discretionary millages.

Funds generated by such additional millage do not become a part of the calculation of the Florida Education Finance Program total potential funds and must not be incorporated in the calculation of any hold-harmless or other component of the formula. If an increase in required local effort would result in a combined millage in excess of the 10 mill limit, any millage levied pursuant to the subsection (6) authority shall be considered to be required local effort to the extent that millage would otherwise exceed the 10 mill limit.

Section 2 – Section 236.31, Florida Statutes, providing for school board millage elections is revised to direct county commissioners to call an election pursuant to school board resolution adopted under authority of Section 236.25(6), Florida Statutes.

Section 3 – Section 236.32, Florida Statutes, regarding the procedures for holding and conducting school district millage elections was substantially reworded. Detailed instructions on the form of the ballot and determining results were removed in favor of more concise direction.

Section 4 – Provides an effective date of July 1, 2001.

CS/SB 1366: **Tax Exemption**

Effective Date: January 1, 2002

Key Contact: Larry Taylor (850) 921-5910 ext.210
Taylorla@vr.fdles.state.fl.us

Summary:

The bill deals with a property tax exemption for widows, widowers, blind persons, and persons totally and permanently disabled, and defines totally and permanently disabled. The value of the property, subject to the tax exemption is \$500.00.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 196.202, Florida Statutes. This section adds a definition of what constitutes totally and permanently disabled by requiring certification of this fact by a physician licensed in the state, by the US Department of Veterans Affairs, or by the Social Security Administration.

Section 2 – Provides an effective date of January 1, 2002.

SB 532: **Outcome-Based Total Accountability Act**

Effective Date: July 1, 2001

Key Contact: Link Jarrett (850) 488-6303
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Summary:

The bill requires agencies to submit additional information in legislative budget requests.

Summary by Bill Section (where applicable):

Section 1 - Provides short title, "Outcome-Based Total Accountability Act."

Section 2 – Requires legislative budget requests to contain unit cost data for major activities within budget entities as defined in the General Appropriations Act. A one-page summary must be submitted for each budget entity that includes the budget for the entity, total revenue received or passed through each entity, the total amounts and unit costs for each major activity, and the total amounts of reversions or actual pass-throughs without unit-cost data.

Section 3 – Provides an effective date of July 1, 2001.

Safety/ Health

CS/CS/HB 267: **Juvenile Justice/Violent Offenders/School Safety**

Effective Date: October 1, 2001, and other effective dates

Key Contact: Lorraine Allen (850) 414-1830 (Safe Schools)
Allenl@mail.doe.state.fl.us

Shan Goff 850/488-1570 (DJJ Education)
Goffs@mail.doe.state.fl.us

Summary:

Amends several sections related to educational services for students in juvenile justice facilities and school safety and security and zero tolerance issues.

The bill amends several sections related to the provision of educational services to students in juvenile justice facilities, including flexibility regarding the number of days of instruction for non-residential programs, assurances of schools that contract before and aftercare services, faith-based organizations as contract providers of services to juveniles, and a cost-effectiveness study.

Additionally, it amends sections related to zero tolerance policy for crime and reports of school safety and discipline, creates a new section related to school attendance and transportation of violent offenders and the right of victims to attend schools separate from their offenders, and requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) and the Partnership for School Safety and Security to annually review OPPAGA's safety and security best practices.

Further, it requires school districts to use such practices to conduct self-assessments of the school districts' current safety and security practices; requires school district superintendents to make recommendations to school boards which identify strategies and activities that the school districts should implement in order to improve school safety and security; requires school boards, by July 1, 2002, and annually thereafter, to receive the self-assessment results at a publicly-noticed school board meeting to provide the public an opportunity to hear the school board members discuss and take action on the report findings; and requires each superintendent to report the self-assessment results and school board action to the Commissioner of Education within 30 days following the school board meeting.

Summary of Bill Section (where applicable):

Section 1 – Amends Section, 20.316(1) and (4), Florida Statutes, to correct technical wording and to delete references to outcome evaluation activities conducted by the Juvenile Justice Advisory Board.

Section 2 - Amends Section 228.041(43), Florida Statutes, to allow the district school board, at the request of the provider, to decrease the minimum number of days of instruction by up to 10 days for teacher planning for residential programs and up to 20

days for teacher planning for nonresidential programs, subject to approval of the Department of Juvenile Justice (DJJ) and Department of Education.

Section 3 - Amends Section 230.23161, Florida Statutes, and provides legislative goals with respect to education within department programs.

Section 4 - Amends Section 230.235, Florida Statutes, by adding “and victimization;” requires schools to adopt a policy of zero tolerance for victimization of students; requires each school district to enter into an agreement with DJJ for the purpose of protecting victims.

Section 5 - Amends Section 231.0851, Florida Statutes, to require principals to make full and effective use of the provisions of Sections 232.26(2) (authority of principal and suspension proceedings) and 232.265, Florida Statutes (new section--School attendance and transportation of certain offenders), when a student has been a victim of a violent crime perpetrated by another student; provides ineligibility for certain performance pay policy incentives under certain circumstances should a principal fail to comply with this subsection.

Section 6 - Creates Section 232.265, Florida Statutes, and requires DJJ to notify the school district of a student attending any of its schools who has been adjudicated or pled to a felony violation of: homicide; assault, battery, and culpable negligence; kidnapping, false imprisonment, luring or enticing a child, and custody offenses; sexual battery; lewdness and indecent exposure; abuse of children; robbery; robbery by sudden snatching; car-jacking; or home-invasion robbery.

Requires DJJ to notify the school district of whether the offender is to be prohibited from attending the school or riding on a school bus whenever the victim or a sibling of the victim is attending the same school or riding on the same bus. Upon receipt of such notice, requires the school district to take appropriate action to effectuate the provisions.

States that the offender shall not attend the school or ride the bus of his/her victim or victim’s sibling(s); however, the offender shall be permitted by the school district to attend another school in the district, or he/she may be permitted by another school district to attend a school in that district, if unable to attend a school in his/her own district due to provisions of this section. If an offender is unable to attend any other school in his/her district or another district, then the school district shall take every reasonable precaution to keep the offender separated from his/her victim while on school grounds or school transportation. Precautionary steps shall include, but not be limited to: in-school suspension of the offender and the scheduling of classes, lunch, or other schools activities of the victim and the offender so as not to coincide.

The offender, or his/her parent or legal guardian, shall be responsible for arranging and paying for transportation to the other school. However, they shall not be charged for existing modes of transportation that can be used by the offender at no additional cost to the district.

Section 7 - Amends Section 435.04, Florida Statutes, and revises requirements for Level-2 Screening Standards for persons in positions of trust or responsibility; provides requirements for background investigations for employees of DJJ; limits the department's authority to provide an exemption.

Section 8 - Creates Section 943.0582, Florida Statutes, and provides for prearrest, postarrest, or teen court diversion program expunction in certain circumstances; provides for retroactive effect of July 1, 2000; amends Section 960.001, Florida Statutes; provides an additional guideline for attendance of a victim at the same school as a juvenile defendant; amends Section 985.228, Florida Statutes; requires certain court orders to include certain findings; amends Section 985.23, Florida Statutes; requires a court to determine the appropriateness of a “no contact” order under certain circumstances.

Section 9 - Amends Section 943.325, Florida Statutes and requires DNA analysis of persons who have committed certain offenses and who are transferred to the state under the Interstate Compact on Juveniles.

Section 10 – Adds Paragraph (s) to subsection (1) of Section 960.001, Florida Statutes to develop and implement guidelines regarding offender attending the same school as the victim or victim’s sibling.

Section 11 - Amends Sections 984.01(2)(a), Florida Statutes, and requires schools that contract with the Department of Juvenile Justice or the Department of Children and Families for before or aftercare services to ensure that owners, operators, and all personnel who have contact with children are of good moral character.

Section 12 - Amends section 985.01 (20)(a), Florida Statutes, to require schools that contract with the Department of Juvenile Justice or the Department of Children and Families for before or aftercare services to ensure that owners, operators, and all personnel who have contact with children are of good moral character.

Section 13 - Amends Section 985.02(7), Florida Statutes, and clarifies legislative intent concerning the responsibilities of parents, custodians, and guardians of children in the juvenile justice system.

Section 14 - Amends Section 985.03(46), Florida Statutes, to define “Respite” as a placement that is available for the care, custody, and placement of a youth charged with domestic violence as an alternative to secure detention or for placement of a youth when a shelter bed for a child in need of services or a family in need of services is unavailable.

Section 15 - Amends subsection (2), Paragraph (a) of subsection (3), Paragraph (a) of subsection (4), and subsection (5) of Section 985.04, Florida Statutes, to provide that certain records maintained by DJJ need only be retained for 25 years; expanding the

circumstances under which certain juvenile records are not considered confidential and exempt solely because of age.

Sections 16 – Amends Paragraph (d) of subsection (1) and subsection (2) of Section 985.207, Florida Statutes, and clarifies circumstances under which a juvenile is taken into custody and assessed for placement; requires the parent or guardian to provide certain information; requires the parent or guardian of a juvenile to provide certain information to the juvenile probation officer.

Section 17 – Amends Section 985.21(5), Florida Statutes, and clarifies circumstances under which a juvenile is taken into custody and assessed for placement; requires the parent or guardian to provide certain information; requires the parent or guardian of a juvenile to provide certain information to the juvenile probation officer.

Section 18 - Amends Section 985.213(2)(b) Florida Statutes, and deletes “community control” and replaces with “probation,” and deletes “aftercare” and replaces with “conditional release.”

Section 19 – Amends Section 985.215(2)(a), Florida Statutes, and authorizes placing a juvenile into secure detention under certain circumstances for a specified period.

Section 20 – Amends Section 985.215(6)(a), Florida Statutes, and amends Section 985.215, Florida Statutes; revises parentage verbiage; authorizes placing a juvenile into secure detention under certain circumstances for a specified period; authorizes the clerk of the circuit court to act as depository for fees; requires the parent or guardian to provide certain information; provide for retroactive effective date of July 1, 2000.

Section 21 - Amends Section 985.227, Florida Statutes, Direct-File; revises requirements for state attorneys with respect to reporting direct-file guidelines; deletes reference to the Juvenile Justice Advisory Board.

Section 22 – Amends subsection (4) of Section 985.228, Florida Statutes, to require the court order to include a finding pursuant to the proceedings described in Section 985.23(1)(d) if the offender is attending or is eligible to attend the same school as his/her victim or sibling’s victim.

Section 23 – Amends Paragraph (d) of subsection (1) of Section 985.23, Florida Statutes, to require the court, if the offender is attending or eligible to attend school with his/her victim or victim’s sibling, to determine, on its own motion or upon the request of any party or any parent or legal guardian of the victim, whether it is appropriate to enter a “no contact” order in favor of the victim or his/her sibling. If acceptable to the victim and his/her parents or legal guardian, the court may reflect in the written disposition order that the victim or the victim’s parent stated in writing or in open court that he/she did not object to the offender being permitted to attend the same school or ride on the same school bus as the victim or his/her sibling.

Section 24 – Amends Paragraph (a) of subsection (1) and subsection (2) of Section 985.231, Florida Statutes, to require the court placement order to include a finding pursuant to the proceedings described in Section 985.23(1)(d) if the offender is attending or is eligible to attend the same school as his/her victim or sibling’s victim.

Section 25 – Amends Paragraph (b) of subsection (1) of Section 985.231, Florida Statutes, and deletes certain language regarding type of parentage; revises provisions related to the collection of certain fees; authorizes the clerk of the circuit court to act as depository for fees; requires the parent or guardian to provide certain information; provides for retroactive effective date of July 1, 2000.

Section 26 – Amends Section 985.233, Florida Statutes, and requires a court placement order or a commitment order to include certain findings; revises certain requirements for testing a juvenile for the use of alcohol or controlled substances; revises provisions related to the collection of certain fees; authorizes the clerk of the circuit court to act as depository for fees; requires the parent or guardian to provide certain information; provides for retroactive effective date of July 1, 2000.

Section 27 – Adds Paragraph (f) to subsection (4) of Section 985.233, Florida Statutes, pertaining to school attendance, if the child is attending or is eligible to attend public school and the court finds that the victim or his/her sibling is attending or may attend the same school as the child, the court placement order shall include a finding pursuant to the proceeding described in Section 985.23(1)(d).

Section 28 - Amends Section 985.305, Florida Statutes, and revises services provided under the early delinquency intervention program.

Section 29 - Amends Section 985.3065, Florida Statutes, to provide for postarrest diversion programs; provides for expunction of records.

Section 30 - Amends Section 985.31, Florida Statutes, to conform provisions to changes made by the act.

Section 31 - Amends Section 985.3155, Florida Statutes, to revise requirements for the multi-agency plan for vocational education.

Section 32 - Amends Section 985.316, Florida Statutes, to revise conditions under which a juvenile may be released on conditional release.

Section 33 – Amends section 985.404(3), Florida Statutes, and states that the Legislature intends that, whenever possible and reasonable, DJJ make every effort to consider qualified faith-based organizations when selecting contract providers of services to juveniles; provides guidelines for DJJ contracting with such organizations.

Section 34 – Amends section 985.412, Florida Statutes, to require DJJ to annually collect and report cost data for every program operated or contracted by the

department. The cost data shall conform to a format approved by DJJ and the Legislature. Requires that the uniform cost data be reported and collected for state-operated and contracted programs so that comparisons can be made among programs. The cost of the educational program provided to a residential facility shall be reported and included in the cost of a program. Requires DJJ to submit an annual cost report to the Legislature no later than December 1 of each year. Cost-benefit analysis for educational programs will be developed and implemented in collaboration with and in cooperation with DOE, local providers, and local school districts. Cost data for this report shall include the data collected by DOE for the purposes of preparing the annual report required by Section 230.23161(21), Florida Statutes.

Requires DJJ to develop a cost-effectiveness model, in consultation with the Office of Economic and Demographic Research, and contract services providers and apply the model to each commitment program. The model shall compare program costs to client outcomes and program outputs.

Requires DJJ to rank commitment programs based on the cost-effectiveness model and submit a report to the appropriate substantive and fiscal committees of each house of the Legislature by December 31 of each year. Provides that DJJ may terminate a program operated by the Department or a provider if the program fails to achieve a minimum threshold of program effectiveness.

Requires DJJ, in collaboration with the Office of Economic and Demographic Research,, and contract service providers, to develop a work plan to refine the cost-effectiveness model so that the model is consistent with the performance-based program budgeting measures approved by the Legislature. Requires DJJ to notify the Office of Program Policy Analysis and Government Accountability of any meetings to refine the model. Contingent upon specific appropriation, requires DJJ, in consultation with the Office of Economic and Demographic Research, and contract service providers to:

- construct a profile of each commitment program that uses the results of the quality assurance report, the cost-effectiveness report required in this subsection, and other reports available to DJJ
- target, for a more comprehensive evaluation, any commitment program that has achieved consistently high, low, or disparate ratings in the required reports
- identify the essential factors that contribute to the high, low, or disparate program ratings
- use the results of these evaluations in developing or refining juvenile justice programs or program models, client outcomes and program outputs, provider contracts, quality assurance standards, and the cost-effectiveness model.

Requires DJJ, by November 1, 2001, to submit a proposal to the Legislature concerning funding incentives and disincentives for the department and for providers under contract with the department. The recommendations shall be based upon both quality assurance performance and cost-effectiveness performance.

Section 35 - Amends Section 985.417, Florida Statutes, and revises conditions for transferring a juvenile from the Department of Corrections to the supervision of DJJ.

Section 36 - Amends Section 14, of Chapter 2000-134, Laws of Florida, and revises requirements for monitoring and supervising juvenile offenders under a pilot program.

Section 37 - Creates Section 985.42, Florida Statutes, and authorizes the secretary to designate certain employees as law enforcement officers.

Section 38 – Creates section 985.422, Florida Statutes, to state that if the terms of a provider contract require or allow the department to withhold a portion of the provider's payment to establish a fund for significant maintenance, repairs, or upgrades to state-owned or leased facilities, the department shall deposit such withheld payments into a trust fund for such purposes.

Section 39 - Amends Section 985.401(4)(b), Florida Statutes, to delete references to the cost-effectiveness model.

Section 40 - Requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) and the Partnership for School Safety and Security to annually review OPPAGA's safety and security best practices; requires school districts to use such practices to conduct self-assessments of the school districts' current safety and security practices; requires school district superintendents to make recommendations to school boards which identify strategies and activities that the school districts should implement in order to improve school safety and security; requires school boards, by July 1, 2002, and annually thereafter, to receive the self-assessment results at a publicly –noticed school board meeting to provide the public an opportunity to hear the school board members discuss and take action on the report findings; requires each superintendent to report the self-assessment results and school board action to the Commissioner of Education within 30 days following the school board meeting.

Section 41 - Repeals Section 985.404(10) and (11), Florida Statutes, relating to an annual cost data collection and reporting program of DJJ and cost-effectiveness model development and application to commitment programs of the department.

Section 42 - Amends Section 121.021, Florida Statutes and amends the definition of the term "special risk member," effective July 1, 2001.

Section 43 - Amends Section 121.0515, Florida Statutes to provide an additional criterion for designation as a special risk member.

Section 44 – Provides an effective date of October 1, 2001.

CS/HB 475: **Public Health**

Effective Date: July 1, 2001

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

Summary:

The bill revises provisions relating to public health. It removes licensed practical nurses from providing the child-specific training for non-medical assistive personnel to perform health-related services and authorizes advanced registered nurse practitioners to provide such training. It revises background screening requirements for school health services personnel and repeals a requirement for soil testing for environmental radiation prior to certain school construction.

Summary by Bill Section (where applicable):

Section 4 – Amends Section 232.465(2), Florida Statutes, to authorize an advanced registered nurse practitioner and remove a licensed practical nurse from the list of individuals authorized to provide child-specific training for non-medical assistive personnel to perform health-related services to provide such training. The bill authorizes advanced registered nurse practitioners, physician assistants, or physicians to periodically monitor child-specific health procedures. Amends Section 232.465(2)(a), Florida Statutes, to correct the term “ intermittent clean catheterization.”

Amends Section 232.465(3), Florida Statutes, to add an advanced registered nurse practitioner to the list of persons authorized to determine if non-medical school district personnel shall be allowed to perform other invasive medical services and removes a licensed practical nurse from determining whether non-medical personnel shall be allowed to perform such services.

Section 5 – Creates Section 381.0056(11), Florida Statutes, to require that school health programs funded by health care districts or entities described in statute as the Health Care District of Palm Beach must be supplementary to and consistent with the requirements of this section.

Section 6 – Amends section 381.0059, Florida Statutes, to provide technical revision for clarification of background screening of health service personnel.

Section 13 – Amends Section 383.402(3), Florida Statutes, to change the due date for the State Child Abuse Death Review Report from September 30 to December 31.

Section 19 – Amends Section 404.056, Florida Statutes, to delete testing and reporting of fill soil for construction of public and private school buildings or school sites housing students in kindergarten through grade 12.

Section 26 – Provides an effective date of July 1, 2001.

CS/CS/SB 1258: Mental Health and Substance Abuse

Effective Date: Upon Becoming Law

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

Summary:

The bill establishes children’s behavioral crisis unit demonstration sites; permits the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA) to contract for the establishment of two behavioral health service delivery strategies to research coordinated, integrated services; and creates a Behavioral Health Services Integration Workgroup

Summary by Bill Section (where applicable):

Section 1 – Creates Section 394.499, Florida Statutes, establishing demonstration models in Collier, Lee, and Sarasota Counties beginning July 1, 2001.

Section 9 – Creates Behavioral Health Service Delivery Strategies that address a transition period for the evolution of a single well-integrated behavioral health system by establishing demonstration sites for testing out new ideas and technologies. A goal of the service delivery strategies is to demonstrate improved service integration between behavioral health programs and other programs, including education. The target population must include children and adolescents that fall into the following categories: those with serious emotional disturbances, substance abuse problems, in Department of Juvenile Justice residential commitment programs, and in state custody. A local group must serve in an advisory capacity to the service delivery strategy and include representatives of the local school system. Performance standards developed by the AHCA and DCF must be related to satisfaction of key community constituents such as the schools. The DCF shall prepare an amendment by October 31, 2001, to the 2001 master state plan describing each service delivery strategy.

Section 10 – Requires the Secretary of DCF to establish the Behavioral Health Services Integration Workgroup that shall include representatives from the Department of Education. The workgroup shall assess barriers to integration of mental health and substance abuse treatment services across various systems and propose solutions.

Section 11 - Provides an effective date upon becoming law.

CS/CS/HB 1053: Safe Paths to Schools

Effective Date: July 1, 2001, except as provided

Key Contact: Charlie Hood (850) 488-4405
hoodc@mail.doe.state.fl.us

Summary:

The bill revises numerous sections of law pertaining to the duties, authority, and programs of the Florida Department of Transportation (FDOT) and the Florida Department of Highway Safety and Motor Vehicles (FDHSMV). The bill includes revisions pertaining to turnpikes and expressways; airports and aviation; highway construction, rights-of-way, eminent domain, signs, and billboards; commercial motor vehicles; seaports; motorized scooters; anti-discrimination; mandatory profiling policies for law enforcement agencies; traffic crash investigation; vehicle and vessel registrations and license plates; and, commercial vehicle requirements.

The bill creates Section 335.066, Florida Statutes, the Safe Paths to Schools Program, within FDOT.

Summary by Bill Section (where applicable)

Sections 1 - 27 and 29 - 190 - Contain numerous provisions relating to the duties, authority, and programs of the Florida Department of Transportation and the Florida Department of Highway Safety and Motor Vehicles.

Section 28 - Creates Section 335.066, Florida Statutes, the Safe Paths to Schools Program, within FDOT. The program is established "to consider the planning and construction of bicycle and pedestrian ways to provide safe transportation for children from neighborhoods to schools, parks, and the state's greenways and trails system." The bill grants FDOT permissive authority to establish a grant program to fund local, regional, and state bicycle and pedestrian projects that support the program and to adopt appropriate rules for administration of the program.

Section 191 - Provides an effective date of July 1, 2001, except as noted within individual sections of the bill.

CS/HB 1425: Violent Crime and Drug Control Council

Effective Date: July 1, 2001

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

Summary:

The bill revises provisions relating to violent crime and the drug control council. It also provides that a law enforcement agency or school district, in cooperation with the state attorney, may establish a pre-arrest or post-arrest diversion program.

Summary by Bill Section (where applicable):

Section 11– Amends Section 985.3065(1), Florida Statutes, to provide that a law enforcement agency or school district, in cooperation with the state attorney, may establish pre-arrest or post-arrest diversion programs.

Creates Section 985.3065(3), Florida Statutes, to provide that the pre-arrest or post-arrest diversion program may, upon the agreement of the agencies that establish the program, provide for the expunction of the non-judicial arrest record of a minor who successfully completes such a program pursuant to Section 943.0582, Florida Statutes.

Section 12 – Provides an effective date of July 1, 2001.

HB 1743: **Juvenile Justice Advisory Board**

Effective Date: July 1, 2001

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

Summary:

This bill repeals the Juvenile Justice Advisory Board and removes all references to the Juvenile Justice Advisory Board.

Summary by Bill Section (where applicable):

Sections 1 - 7 - Repeals Section 985.041, Florida Statutes, to eliminate the Juvenile Justice Advisory Board and removes all references to the Juvenile Justice Advisory Board in related statutes.

Section 8 – Provides an effective date of July 1, 2001.

Student Performance

CS/HB 1633: Student Assessment

Effective Date: Upon Becoming Law

Key Contact: Gerry Richardson (850) 487-1893
richarg@mail.doe.state.fl.us

Summary:

This bill clarifies that school grades in 2001-2002 and beyond will be based on a combination of current performance (status) and annual learning gains. It modifies the requirement for improvement of the lowest performing students to include reading, math and writing. It also removes specific language as to how learning gains are to be calculated.

Summary by Bill Section (where applicable):

Section 1 – Amends Subsections (8) and (11) of 229.57, Florida Statutes, to change the school grading criteria as follows:

1. Requires that school grades shall be based on the school's current year performance and the school's annual learning gains.
2. Sets forth that school grades in 2001-2002 and beyond shall be based on a combination of student achievement scores, student learning gains, and improvement of the lowest 25th percentile of students in the school in reading, math, or writing on the FCAT, unless these students are performing above satisfactory level. The latter criterion applies to school grades "C" and above.
3. Clarifies that the statistical system for determining learning gains must yield the best estimate possible based on available data.
4. Requires the Commissioner to establish a schedule with the latest possible administration of the FCAT and the earliest possible scoring and reporting.
5. Removes outdated/redundant language.

Section 2 - Reenacts specified sections of statutes.

Section 3 - Requires the Department of Education to consult with the Office of Program Policy Analysis in the implementation of the methodology used to identify student learning gains.

Section 4 - Provides an effective date upon becoming law.

CS/HB 277: **Schools/Attendance/Learnfare Program**

Effective Date: Upon Becoming Law

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

Summary:

This bill reestablishes the Learnfare Program. It requires the Department of Children and Families (DCF) to develop an electronic data system, to compile specified information concerning the effectiveness of the Learnfare program, and to transmit that information in an annual report to the Legislature. The bill also revises powers and duties of school boards to include duties relating to student attendance.

Summary by Bill Section (where applicable):

Section 1 – Creates Section 414.1251, Florida Statutes, to require the Department of Children and Families to reduce the temporary cash assistance for an eligible parent's dependent child or for an eligible teenage participant who is not exempt from school attendance requirements and who has been identified either as a habitual truant, as defined in Section 228.041(28), Florida Statutes, or as a dropout, as defined in Section 228.041(29), Florida Statutes.

Identifies process by which the habitual truant or the dropout student can be reinstated after the student's attendance has substantially improved or the student enrolls in public school, receives high school diploma or its equivalency, enrolls in preparation for the General Educational Development Test, or enrolls in other educational activities approved by the district school board.

Specifies good cause exemptions for DCF rule of unexcused absences.

Requires each Learnfare Program eligible parent to conference with an appropriate school official during each semester to assure involvement in the student's educational progress and awareness of attendance or academic difficulties. The conference must address acceptable student attendance, grades, and behavior and must be documented by the school and reported to DCF. Requires DCF to notify a school of any student in attendance at that school who is a participant in the Learnfare Program so the required conferences are held.

Permits sanction against a Learnfare Program eligible participant who, without good cause, fails to attend a required school conference.

Requires DCF to develop an electronic data transfer system to enable the department to collect, report, and share information.

Requires DCF to compile information regarding Learnfare Program eligible students and families in order to ensure accountability and assess the Learnfare Program's effectiveness.

Requires that the compiled information be submitted by DCF in an annual report to the presiding officers of the Legislature by March 1.

Section 2 – Amends Section 228.041(28), Florida Statutes, to correct a cross-reference in the definition of “habitual truant” to properly identify Section 232.19(3), Florida Statutes.

Section 3 – Amends Section 230.23(15), Florida Statutes, to add that school boards shall, in addition to encouraging teachers and administrators to keep parents and guardians informed of student progress, programs, and available resources, also inform parents and guardians about student attendance requirements pursuant to Sections 232.17, 232.19, 414.1251, and 984.151, Florida Statutes.

Section 4 – Repeals Section 414.125, Florida Statutes, which is the current section of statute relating to the Learnfare Program, to be replaced by the newly created Section 414.1251, Florida Statutes.

Section 5 – Provides an appropriation in Temporary Assistance for Needy Families (TANF) funds from the Federal Grants Trust Fund to DCF for the development of an electronic data transfer system.

Section 6 – Provides an effective date upon becoming law.

CS/SB 1018: **Learning Gateway**

Effective Date: Upon Becoming Law

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

Summary:

This act authorizes “ Learning Gateway,” a 3-year demonstration program to design and test an integrated, community-based system for the prevention and amelioration of learning problems and disabilities in children from birth through age 9. It provides for the membership, appointment, and duties of a steering committee. It authorizes demonstration projects in Broward, Manatee, and St. Lucie Counties, and provides for funding. It also authorizes designated agencies to share confidential information with Learning Gateway programs, and provides access to student records by these programs and the steering committee.

Summary by Bill Section (where applicable):

Section 1 – Authorizes the Learning Gateway as a 3-year demonstration program to design and test an integrated community-based system to lessen the effects of early learning problems and learning disabilities through prevention, early identification, early education, and intervention.

Identifies the target population to include children from birth through age 9 who may have learning problems and learning disabilities including disorders or delayed development in language, attention, behavior, and social-emotional functioning, including dyslexia and attention deficit hyperactivity disorder.

Specifies the goals of the Learning Gateway to:

- improve community awareness and education of parents and practitioners about the warning signs or precursors of learning problems and learning disabilities
- improve access for children who are experiencing early learning problems and their families to appropriate programs, services, and supports through improved outreach and referral processes among providers
- improve developmental monitoring and the availability of appropriate screening resources, with emphasis on children who are at high risk of having learning problems
- improve the availability of appropriate education and intervention programs, services, and supports to address learning problems and disabilities
- address gaps in the array of services and supports so that an appropriate child-centered and family-centered continuum of education and support is readily available in each community
- improve accountability of the system through improved planning, integration, and collaboration among providers and through outcome measurement.

Creates the Learning Gateway Steering Committee assigned to the Department of Education (DOE) for administrative purposes, to ensure that children with potential learning problems and learning disabilities have access to the appropriate necessary services and supports; prescribes duties.

Members (23) are appointed by the Governor, the Senate President, and the House Speaker to include representatives with expertise in education, speech and language pathology, audiology, psychiatry, pediatrics, psychology, genetics, occupational and physical therapy, and social work; parents of children eligible for services; and providers of related diagnostic and intervention services. Designated state agencies, including DOE, are also represented.

Requires that steering committee appointments be made and the committee must hold its first meeting within 45 days after the bill becomes law. The Governor shall designate the chairman of the committee from non-agency representatives.

Requires that within 90 days after its initial meeting, the steering committee shall accept proposals from Broward, Manatee, and St. Lucie Counties to serve as demonstration sites for design and development of a system that addresses prescribed requirements. Multi-county collaboration is encouraged where appropriate.

Requires that the demonstration projects/proposals must represent interagency consortia; provide a comprehensive and detailed description of the system of care; ensure that the system of care appropriately includes existing services to the fullest extent possible; determine additional needed programs, services, and supports; in conjunction with the steering committee, determine system funding options; improve coordination and reduce unnecessary duplication of effort by recommending to the steering committee the linking or combining of some or all of the local planning bodies to the extent allowed by federal regulations; use public and private partnerships, partnerships with faith-based organizations, and volunteers, as appropriate, to enhance accomplishment of system goals; and address designated system components.

Authorizes the demonstration projects to hire staff, establish office space, and contract with private providers as needed to implement the project within the budget designated by the Legislature.

Specifies that the Steering Committee must approve, deny, or conditionally approve a proposal within 60 days of its receipt. If a proposal is conditionally approved, the committee must assist the applicant to correct deficiencies in the proposal by December 1, 2001. Funds must be available to a pilot program 15 days after final approval of its proposal. Funds must be available to all pilot programs by January 1, 2002.

Section 2 – The Learning Gateway system consists of the following components, each of which has extensive prescribed requirements:

- community education and family-oriented access strategies, including a single system access point, a central information and referral access phone number, services to parents of newborns, and public and parent awareness
- screening and developmental monitoring, including screening guidelines, child healthcare checkups checklist/training package, and expansion of newborn screening
- early education, services, and supports, which address existing services, intervention practices, incentives for educators and parents, preservice and inservice training, certification/recertification of teachers, early care and education program curriculum, promising/research-based practices, and resource allocation/flexible funding.

Section 3 – Specifies accountability provisions to include cross-agency standards for data collection and sharing, a multilevel evaluation system, formative project evaluation, recommendations for system expansion, and state-level and community-based strategic plans, with extensive requirements of the steering committee.

If statewide expansion of the comprehensive system is recommended after the second year of the program, the steering committee, in conjunction with the demonstration projects, shall develop state-level and community-based strategic plans and a statewide strategic plan for implementing a model system statewide.

Section 4 – Amends Section 228.093(3)(d), Florida Statutes (Pupil and student records and reports; rights of parents, guardians, pupils, and students; notification; penalty.--), to add Learning Gateway programs and the steering committee, in order to carry out their assigned duties, to those entities to whom personally identifiable records or reports of a pupil or student may be released without the consent of the pupil or the pupil's parent.

Section 5 – Provides for the appropriation of a sum of money to fund the demonstration programs and authorizes selected communities to blend funding from existing programs to the extent that this is advantageous to the community and is consistent with federal requirements. (Note: SB 2000: General Appropriation Item 131B provides \$6 million to the Department of Education to implement Learning Gateway programs in Orange, Manatee, and St. Lucie Counties.)

Section 6 – Provides an effective date upon becoming law.

HB 499: **Bill of Rights Day**

Effective Date: Upon Becoming Law

Key Contact: Mike Tremor (850) 488-1701
tremorm@mail.doe.state.fl.us

Summary:

Establishes December 15 as “Bill of Rights Day” and authorizes the Governor to annually issue a proclamation calling upon all citizens of the state to observe the occasion.

Summary by Bill Section (where applicable):

Section 1 - Establishes December 15 as “Bill of Rights Day” and authorizes the Governor to annually issue a proclamation calling upon all citizens of the state to observe the occasion. This special day would encourage our schools to instruct children about this aspect of our American heritage. December 15 is so designated because the Bill of Rights of the United States Constitution was ratified on December 15, 1791.

Section 2 – Provides an effective date upon becoming law.

Teacher and Staff

CS/HB 279: **Barry Grunow Act**

Effective Date: Upon Becoming Law

Key Contact: David Ashburn (850) 487-3663
Ashburd@mail.doe.state.fl.us

Summary:

The bill provides for benefits to be paid to the survivors of teachers and school administrators killed as the result of unlawful acts committed against them while engaged in teaching or administrative duties or as a consequence of their teaching or administrative positions. Benefits include lump-sum cash, health benefits, and educational benefits.

Summary by Bill Section (where applicable):

Section 1 - Section 112.1915, Florida Statutes. Creates the "Barry Grunow Act."

Section 2 - Creates Section 112.1915, Florida Statutes, providing special death benefits if a teacher or school administrator, while engaged in the performance of teaching duties or duties as a school administrator, is killed in the line of duty. The section defines "teachers" as all instructional personnel included under Section 228.041(9), (a)-(d), Florida Statutes. This includes classroom teachers, staff members responsible for pupil personnel services, librarians, media specialists, and other instructional staff. The section defines "school administrator" as any school administrator as described in Section 228.041(10)(c). This includes principals or school directors (including vocational center directors) and assistant principals. This section also defines insurance, teaching duties, school administrator duties, and beneficiary. It also sets forth the circumstances under which benefits shall be paid.

- \$75,000 is paid to the beneficiary or heirs of the deceased teacher or deceased school administrator. This payment is to be in addition to any workers' compensation or pension benefits and shall be exempt from the claims and demands of creditors of such teacher or school administrator.
- \$1,000 is paid toward the funeral and burial expenses of the deceased teacher or deceased administrator. This payment is to be in addition to any workers' compensation or pension benefits and shall be exempt from the claims and demands of creditors of such teacher or school administrator.
- Payments of health insurance premiums for the surviving spouse and dependent children of the deceased teacher or school administrator are made by the district school board that employed the teacher or school administrator who is killed and the district school board and will be reimbursed by the Department of Education for such premiums. The spouse's premiums are paid until remarriage, and the dependent children's premiums are paid until the child reaches the age of 25 if:

1. At the time of the teacher's or school administrator's death, the child is dependent upon the teacher or school administrator for support; and

2. The surviving child continues to be dependent for support, or the surviving child is a full-time or part-time student and is dependent for support.

- Certain educational expenses shall be waived for the teacher's or school administrator's dependent children (or up until the age of 25) admitted into a state vocational-technical school, community college, or university. It provides that the recipient of the waiver must maintain satisfactory discipline and scholarship standards, or the waiver benefit will be withdrawn.

Section 3 - Section 110.123, Florida Statutes. This section addresses payment of insurance premiums for law enforcement, correctional, or probation officers who are killed or injured in the line of duty. The Department of Education shall pay the entire premium of the state group health insurance for surviving spouses and dependent children of teachers or school administrators who are also killed pursuant to Section 112.1915 above.

Section 4 - The Florida Education Foundation will be reimbursed for previously paid benefits equivalent to those in this act.

Section 5 - Requires that funding be provided annually in the General Appropriations Act.

Section 6 – Provides an effective date upon becoming a law and applies to incidents occurring on May 26, 2000 or thereafter.

CS/CS/HB 1193: **Teacher Quality Act**

Effective Date: July 1, 2001

Key Contact: David Ashburn, (850) 487-3663
Ashburd@mail.doe.state.fl.us

Summary:

Revises numerous provisions regarding teachers and staff.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 236.081(1)(k), Florida Statutes. This section requires district school boards to distribute bonuses to each classroom teacher who provides international baccalaureate instruction under the following conditions:

1. A bonus in the amount of \$50 for each student taught by the International Baccalaureate teacher in each international baccalaureate course who receives a score of 4 or higher on the international baccalaureate examination.

2. An additional bonus of \$500 to each International Baccalaureate teacher in a school designated performance grade category “D” or “F” who has at least one student scoring 4 or higher on the international baccalaureate examination, regardless of the number of classes taught or of the number of students scoring a 4 or higher on the international baccalaureate examination.

Bonuses awarded to a teacher under the above conditions shall not exceed \$2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

Section 2 - Amends Section 121.091, Florida Statutes. This section provides a special-case scenario treating instructional personnel (teachers) differently than other members of the Florida Retirement System (FRS), with regard to the Deferred Retirement Option Program (DROP). It provides that instructional personnel may elect to participate in DROP at any time after the person reaches his/her normal retirement date. In other words, a teacher could reach his or her normal retirement date, work for several more years, and still be able to elect to enter DROP and have five years for his or her retirement to accrue and be drawn in a lump sum upon retirement. The provision has the effect of extending the period instructional personnel may work and still be able to utilize the DROP program from a maximum of five years from the date the teacher becomes eligible to retire, to (instead) five years from the date the teachers enters DROP.

Section 3 – Amends paragraph (d) of subsection (9) of Section 228.041, Florida Statutes. This section adds "adjunct educators certified pursuant to Section 231.1726, Florida Statutes" to the list of "other instructional staff" who are considered part of the instruction staff of a school district but not classified in paragraphs (a) - (c) of this statute. See Section 7 of this analysis for additional information related to district certification of adjunct educators.

Section 4 – Amends paragraph (a) of subsection (5) of Section 230.23, Florida Statutes. This section requires the superintendent to consult with the principal of the receiving school when transferring a teacher. If, in the judgment of the principal, students would not benefit from the placement, an alternative placement may be sought.

Amends paragraph (c) of subsection (16) of Section 230.23, Florida Statutes. All language about 2000-2001 bonuses for teachers in low performing schools is removed-- from (c) 3.b. through e.

Section 5 - Amends Section 231.095, Florida Statutes. This section provides that what constitutes "sufficient subject area expertise," for purposes of identifying a teacher as "in-field," shall be determined by each district school board.

Section 6 - Amends Section 231.096, Florida Statutes. Language is added that further clarifies that the local school board shall determine by policy the criteria for demonstration of subject area expertise.

Section 7 - Amends Section 231.15, Florida Statutes. This section provides that the coaching certificate will no longer be a part-time certificate. This is not intended to eliminate the ability of a school or district to hire a coach on a part-time basis. The intent is to replace the part-time athletic coaching certificate with an athletic coaching certificate that may be used for either part-time or full-time coaching positions. The new certificate will have the same eligibility criteria as the existing part-time coaching certificate. Individuals holding a part-time certificate may continue to be employed on a part-time basis with that certificate.

Section 8 - Amends Section 231.17, Florida Statutes. This section allows a school district to employ a teacher holding a temporary certificate (but who has not demonstrated mastery of general knowledge basic skills area) until the end of the school year in which they have been contracted. It also allows a school to use an alternative certification program which has been developed by another school district, provided they notify the Department of Education (DOE) of their action, and provided DOE approves any modifications made to that other school district alternative certification plan.

Section 9 - Creates Section 231.1726, Florida Statutes. This section provides for certification of adjunct (part-time) educators by district school boards. Adjunct teachers will be persons whose educational experience, life experience, or years of work, qualifies them to teach, yet who may not have academic qualifications or meet other requirements of the full-time teacher certification process. Adjunct teachers shall be part-time.

This section also provides that an adjunct teacher may be certified by the district without having complied with certain paragraphs of Section 231.17(2), F.S., for certification by the Department of Education, but requires that the adjunct teacher shall demonstrate

"expertise" in a subject area. An applicant shall be considered to have expertise in the subject area to be taught if the applicant has a minor in the subject area or demonstrates sufficient subject area mastery as determined by district school board policy.

The section also provides that the district must assign a "peer teacher" to assist these adjunct teachers in their first year of teaching, and shall also provide the adjunct teacher with an orientation in classroom management, prior to assignment. The adjunct teaching certificate shall be valid for five years and may be renewed under specified circumstances relating to completion of 60 inservice points or 3 semester hours of college credit which include instruction in classroom management, district school board procedures, school culture, and other activities that enhance the professional teaching skills of the certificate holder; and if the adjunct teach has a satisfactory evaluation during each year of teaching as an adjunct teacher. The section also provides that the adjunct teacher shall have all the rights and protections as other teachers.

Section 10 - Amends Section 231.262, Florida Statutes. This section adds language that states that each district school board shall develop policies and procedures to comply with the reporting requirement for complaints against certificate educators and to ensure that the superintendent is promptly informed of each legally sufficient complaint. The policies shall include appropriate penalties for non-reporting by any school board personnel. The superintendent is charged with knowledge of these policies and procedures and is presumed to have knowledge of each legally sufficient complaint. If the superintendent has knowledge of a legally sufficient complaint, and does not report the complaint, or if the superintendent fails to enforce the policies and procedures of the school board, the superintendent is subject to withholding of salary or forfeiture of a year's salary, as set forth in Section 230.33(13), Florida Statutes.

Amends Section 231.262 (5), Florida Statutes, to provide that if it is deemed necessary to protect the health, safety, and welfare of a minor student, the school district superintendent (in consultation with the principal) may--and, if requested by the Commissioner of Education, the superintendent shall--temporarily suspend a certificateholder from his or her regularly assigned duties, with pay, pending the completion of the proceedings and determination of sanctions, if any. The teacher is moved to a position that does not require direct student contact.

Section 11 – Amends paragraph (a) of subsection (1) of Section 231.36, Florida Statutes. Paragraph (a) of subsection (1) requires each person of the instructional staff in any district school system to be properly certified. The adjunct teaching certificate, newly created in Section 231.1726 of this bill, is added to the list of statutes that identify persons who are properly certified.

A new paragraph (g) is added to subsection (3) of Section 231.36, Florida Statutes. In paragraph (3) (g), beginning July 1, 2001, each employee who enters into a professional service contract in a school district in which the employee was not employed as of June 30, 2001, for purposes of pay a school board must, subject to any

applicable collective bargaining requirements, recognize and accept each year of full-time teaching service for which an employee received a satisfactory performance evaluation.

Section 12 - Amends Section 231.6135, Florida Statutes. This section provides that regional educational consortia, as defined in Section 228.0857, Florida Statutes, satisfy the requirements set forth in Section 231.6135(5), Florida Statutes. It also provides that the regional educational consortia are exempt from the funding match required by Section 231.6135(6), Florida Statutes. The effect of this is that regional educational consortia will not have to provide matching funds from only private sources to be eligible for DOE grants to establish professional development academies.

Section 13 – Amends subsection (2) of Section 231.625, Florida Statutes. The Department of Education shall develop and implement a system for posting teaching vacancies and establish a database of teacher applicants which is accessible within and outside the State. The department shall also develop a long-range plan for educator recruitment and retention and identify best practices for retaining high quality teachers, and develop a plan for accessing and identifying available resources in the State’s workforce system for the purposes of enhancing teacher recruitment and retention.

Section 14 – Amends paragraphs (b) through (e) of subsection (3) of Section 231.700, Florida Statutes. This section makes changes to requirements for the associate teacher and teacher of the five teacher career development positions in the Florida Mentor Teacher School Pilot Program. Whereas the associate teacher and teacher were required, because of a drafting error to hold a valid Florida professional certificate, this amendment allows an associate teacher and teacher to hold a temporary Florida certificate. Other changes to this section are technical.

Section 15 - Amends Section 236.08106, Florida Statutes. For purposes of granting bonuses for mentoring as provided in the Excellent Teaching Program, mentoring may be allowed during the school day but not during student contact time.

Sections 16, 17, 18, 19, 20, and 21 - Amends Sections 231.261, 230.2305, 231.045, 231.1725, 231.471, and 232.435, Florida Statutes. This section provides for technical changes regarding adjunct educators in the above sections of law, adding reference to Section 231.1726. These technical changes relate to pre-k early intervention programs, background screening checks, minimum employment qualifications, teacher contracts, part-time teachers, and teacher apprentice trainer I.

Section 22 - Creates Section 240.529, Florida Statutes. This section establishes a pilot program, at three universities (University of Central Florida, University of North Florida, and University of South Florida) for high-achieving students to become teachers. It provides that:

- Students chosen to participate in the program shall teach at least one year after they receive their degrees;

- The program shall consist of three years in the university teacher prep program, and one year of paid teaching at a specified school site, in the 4th year of the teacher prep program;
- The program shall include a "support team," trained in clinical education;
- A mentor teacher will be assigned to assist the student;
- The institutions participating in the program shall be given a waiver, allowing them to provide educational credits to these students during their 4th year, who are "learning by doing," rather than learning through classroom attendance; and
- Each student shall receive an individualized professional development plan which shall establish the methods and activities through which the student shall earn these credits.

Each institution shall develop its own criteria for identifying "high-achieving" students, but the minimum requirements include a 3.3 grade point average and demonstrating mastery of general knowledge, pursuant to Section 231.17(2)(g). Florida Statutes.

Beginning in July, 2002, institutions participating in the pilot program shall submit an annual report to the Commissioner of Education, evaluating the effectiveness of the program.

These programs shall be implemented to the extent specifically funded in the General Appropriations Act.

Section 23 – Provides an effective date of July 1, 2001.

CS/HB 409: Educator Professional Liability Insurance

Effective Date: July 1, 2001

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

Summary:

The intent of this act is to protect all teachers in this state from liability for monetary damages and the cost of defense of actions resulting from claims made against them arising out of occurrences in the course of activities in their professional capacity. A statewide pool purchasing process is established to realize this protection at nominal cost to the state for full-time instructional personnel and at low cost to other instructional and administrative personnel.

Summary by Bill Section (where applicable):

Section 1 – Creates Section 231.800, Florida Statutes, to provide educator professional liability coverage to three groups of educators beginning July 1, 2001: (1) All instructional personnel, as defined by Section 228.041(9), who are full-time personnel, as defined by school board policy, shall be provided coverage financed by specific appropriation in the General Appropriations Act. (2) Such instructional personnel who are part-time personnel, as defined by school board policy, may choose to participate in the state-provided program at cost. (3) Administrative personnel, as defined by Section 228.041(10) may also choose to participate in the state-provided program at cost.

The Department of Education is directed to administer the program. The insurance carrier providing any portion of coverage which is procured with state funds must be selected by a competitive process.

Section 2 – Provides an effective date of July 1, 2001.

CS/SB 1684: **Transition to Teaching**

Effective Date: July 1, 2001

Key Contact: David Ashburn (850) 487-3663
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Summary:

This bill creates the Transition to Teaching Program to encourage and assist mid-career professionals who want to become teachers. It provides for grant proposals and applications and requires the Commissioner of Education to design the process for receiving and evaluating grant proposals in accordance with state and federal appropriations guidelines. Grant may be awarded only to the extent that funding is provided. The effective date shall be July 1, 2001.

Summary by Bill Section (where applicable):

Section 1 - This section creates the Transition to Teaching Program to encourage and assist mid-career professionals who want to become teachers.

Section 2 – Grants; eligible applicants.

- (1) The Commissioner of Education shall design the process for receiving and evaluating grant proposals in accordance with state and federal appropriations guidelines. These grants may be awarded only to the extent that funding is provided.
- (2) The Commissioner of Education shall request proposals from eligible applicants to participate in the program. Each applicant must:
 - (a) Describe the target group of career changing professionals upon which the applicant will focus in carrying out its program, including a description of the characteristics of the target group that reflects how the knowledge and experience of its members are likely to improve their ability to become effective teachers.
 - (b) Describe how the applicant will identify and recruit program participants.
 - (c) Describe how the applicant will ensure that program participants are placed and teach in eligible school districts in this state.
 - (d) Describe the teacher support services that program participants will receive throughout at least their first year of teaching.
 - (e) Describe how the applicant will collaborate with other institutions, agencies, or organizations to recruit, train, place, and support program participants, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program.
- (3) The Commissioner must require an evaluation process to measure the progress and effectiveness of the program. The evaluation must include goals, objectives and performance indicators that the applicant will use to measure the program's progress. Outcome measures will also be used to determine the effectiveness. The evaluation must include an assurance that the applicant will provide the

commissioner with information necessary to determine the overall effectiveness of the programs.

Section 3 - Program implementation; authorized expenditures.

- (1) An applicant shall estimate the funds required for the program. All funds provided must be used to provide training stipends and other financial incentives for program participants, in an amount not to exceed \$5,000 per participant.
- (2) Eligible applicants are encouraged to implement the program using the following components:
 - (a) Recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that will train, place, and support them in the teaching profession.
 - (b) Assisting providers of teacher training to tailor their training to meet the needs of professionals who are changing careers to teaching.
 - (c) Placement activities, including identifying eligible local education agencies with a need for the skills and characteristics of newly trained program participants and assisting those participants to obtain employment in those school districts.
 - (d) Post-placement support activities for program participants.

Section 4 - Eligible participants; requirements for grant repayment.

- (1) Each participant who receives this grant from the program to pursue a teacher-preparation program must agree to teach in an eligible school district in this state for at least 3 years after certification. To be eligible, a school district must meet the requirements established in regulations that implement the Omnibus Appropriations Bill of 2000.
- (2) The Commissioner shall establish conditions under which a participant must repay all or a portion of the training stipend if the participant fails to complete his or her service obligation.

Section 5 – Provides an effective date of July 1, 2001.

SB 708: District School Employees/Sick Leave

Effective Date: July 1, 2001

Key Contact: David Ashburn (850) 487-3663
Ashburd@mail.doe.state.fl.us

Summary:

The bill limits the number of days of sick leave and accumulated vacation leave for which certain school board employees may receive terminal pay. The provisions for use of sick leave are also established, and limits for pay for unused sick leave are established for certain community college employees.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 231.40, Florida Statutes. Provisions for payment of terminal pay for accumulated sick leave for full-time employees of a school district other than instructional staff or educational support employees are revised. Terminal pay may not exceed one-fourth of all unused sick leave accumulated on or after July 1, 2001, and may not exceed a maximum of sixty days. This limit does not impair any contractual agreement established before July 1, 2001; however, a previously established contract renewed on or after July 1, 2001, constitutes a new contract. For unused sick leave accumulated before July 1, 2001, terminal pay shall be made pursuant to the policies, rules, or contracts that are in effect on June 30, 2001.

Additionally, if such employee has accumulated sick leave in excess of sixty days prior to July 1, 2001, sick leave earned after that date may not be accumulated for terminal-pay purposes until the accumulated leave balance for leave earned before July 1, 2001, is less than sixty days.

Minor technical changes are made in the language in this sick leave section of the statute.

Section 2 – Amends Section 231.481, Florida Statutes. Provisions for payment of terminal pay for accrued vacation leave are revised. Effective July 1, 2001, terminal pay for accrued vacation leave may not exceed sixty days of actual payment. This limit does not impair any contractual agreement established before July 1, 2001. For unused vacation leave accumulated before July 1, 2001, terminal payment shall be made pursuant to the district school board's policies, rules, or contracts that in effect on June 30, 2001.

Section 3 – Amends paragraph (e) or subsection (2) of Section 240.343, Florida Statutes. Provisions for payment of terminal pay for accumulated unused sick leave for community college employees other than instructional staff or educational support employees are revised. The board of trustees shall establish by rule, rather than policy or rule, provisions for payment as follows:

1. For unused sick leave accumulated before July 1, 2001, terminal pay shall be made pursuant to the rules or policies of the board which are in effect on June 30, 2001.

2. For unused sick leave accumulated on or after July 1, 2001, terminal payment may not exceed an amount equal to one-fourth of the employee's unused sick leave or sixty days of the employee's pay, whichever amount is less.

3. If the employee has an accumulated sick leave balance of sixty days or more on June 30, 2001, sick leave earned after that date may not be accumulated for terminal-pay purposes until the accumulated leave balance as of June 30, 2001, is less than sixty days.

Section 4 – Provides an effective date of July 1, 2001.

SB 638: School District Employees/Sick Leave

Effective Date: July 1, 2001

Key Contact: David Ashburn (850) 487-3663
Ashburd@mail.doe.state.fl.us

Summary:

Allows a school district to limit the amount of unused sick leave that could be accumulated for terminal pay to any full-time employee other than instructional staff or educational support employees. Requires each school district to provide a policy under which a district employee may allow his or her family members (spouse, child, parent, or sibling) to use the sick leave that has accrued to the employee.

Summary by Bill Section (where applicable):

Section 1 - 231.40, Florida Statutes. This section provides an appropriation of \$200,000 in General Revenue for the University of Miami-RSMAS Integrated Marine Research and Educational Program for the 2001-2002 fiscal year.

Section 2 - Paragraph (a) of Subsection (3) or Section 231.40, Florida Statutes, is amended, and paragraph (e) is added to said subsection. This section allows a school district to limit the amount of unused sick leave that could be accumulated for terminal pay purposes after July 1, 2001, to no more than 60 days for full-time district school board personnel other than instructional and educational support employees. The 60-day limit would not affect employee contracts entered into prior to July 1, 2001; however, if the contract were renewed on or after July 1, 2001, it would be considered a new contract for accumulated leave purposes. Leave accumulated prior to July 1, 2001, would be governed by board policies, contracts, or rules in effect on June 30, 2001. Also, full-time non-instructional employees of school boards employed prior to July 1, 2001, would not be able to accumulate sick leave for terminal pay purposes after that date, until the employee's pre-July 1, 2001, accumulated sick leave total dips below 60 days. Each school district must provide a policy under which district employee may allow his or her family members (spouse, child, parent, or sibling) to use the sick leave that has accrued to the employee if the family members are also district employees. The family member can only use the donated sick leave when all of his or her sick leave has been depleted.

Section 3 – Provide for an effective date of July 1, 2001.

Financial Aid/ Scholarships

CS/CS/SB 1180: **John M. McKay Scholarships for Students with Disabilities Program**

Effective Date: Upon Becoming Law

Key Contact: Diane McCain (850) 488-5011
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Summary:

The bill amends Section 229.05371, Florida Statutes, to revise and clarify requirements for the Scholarship Program for Students with Disabilities. The bill provides a definition for students with disabilities, establishes criteria for program participants and for private schools, establishes school district responsibilities, and requires administrative actions by the Department of Education (DOE).

Summary by Bill Section (where applicable):

Section 1 – Amends Section 229.05371, Florida Statutes, to create the John M. McKay Scholarships for Students with Disabilities Program as follows:

- Establishes this program as separate and distinct from the Opportunity Scholarship Program.
- Provides parents of students with disabilities the option to attend a public school other than the one to which assigned, or to provide a scholarship to a private school of choice.
- Defines eligible students with disabilities K-12 as mentally handicapped, speech and language impaired, deaf or hard of hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, hospitalized or homebound or autistic.
- A school district is to notify parents of students with disabilities of all options available pursuant to this section and offer parents an opportunity to enroll their child in another public school within the district.
- A school district must notify the Department of Education within 10 days after it receives notification of a parent’s intent to apply for a scholarship for a student with a disability.
- Parents of eligible students may choose to enroll the student in and transport the student to a public school in an adjacent school district, which has available space and has a program with the services agreed to in the student’s individual education plan already in place. That school district shall accept the student and report the student for purposes of the district’s funding pursuant to the Florida Education Finance Program.

- Students enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs are not eligible for the program.
- Parents are not required to document a student's lack of progress towards meeting individual education plan (IEP) goals or below grade level performance on state or local assessments.
- For a student to be eligible, the student by assigned school attendance area or by special assignment, must have spent the prior school year in attendance at a Florida public school.
- Prior school year in attendance means the student was enrolled and reported by a school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12.
- Parents must notify the school district, in writing, of their intent to participate in the program. There are now four deadlines for parents to notify the district of their intent to participate in the program. Each deadline is 60 days prior to the first quarterly payment to be made to a private school by the state.
- The scholarship shall remain in force until the student returns to a public school or graduates from high school.
- Parents may choose to remove the student from the private school and place the student in another private school that is eligible for the program or in a public school.
- Parents are not required to accept the public school offer in lieu of a scholarship to a private school.
- If a parent chooses the public school option, the student may continue attending a public school chosen by the parent until the student graduates from high school.
- The school district shall provide locations and times to take all statewide assessments for a participate student in the district whose parent requests that the student take the statewide assessments under s. 229.57.
- If the parent chooses a public school consistent with the school board's choice plan under s. 288.057, the school district will provide transportation to the public school. The parent is responsible for providing transportation to a public school chosen that is not consistent with the school board's choice plan.

- For a student with disabilities who does not have a matrix of services under s. 236.025, the school district must complete a matrix of services as existed prior to the 2000-2001 school year.
- For any student participating in the program the school district must complete a matrix of services and notify the Department of Education of the student's matrix level within 30 days after receiving notification by the student's parent of intent to participate in the program.
- The Department of Education shall notify the private school of the amount of the scholarship within 10 days after receiving the school district's notification of the student's matrix level.
- Provides for funding and payment.
- Limits the liability of the state.

Section 2 - Provides an effective date upon becoming law.

CS/SB 1558: **Health Care Practitioner Regulation/Financial Aid**

Effective Date: July 1, 2001

Key Contact: Theresa Antworth (850) 410-5185
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 Mary Jo Butler (850) 488-6726
butterm@mail.doe.state.fl.us

Summary:

Requires the Florida High School Activities Association to adopt bylaws for students participating in interscholastic athletic competition or who are candidates for an interscholastic athletic team to pass a medical evaluation. Includes public schools as eligible facilities under the Nursing Student Loan Forgiveness Program and exempts public schools from the fund matching requirements of the program. Provides requirements for students seeking to qualify for a nursing faculty position and receive credit for work in such a position; includes public schools, colleges of nursing, and community college nursing programs as eligible facilities under the Nursing Student Loan Forgiveness Program. Transfers the Nursing Student Loan Forgiveness Program and the Nursing Scholarship Program from the Department of Education to the Department of Health. Prohibits the Board of Nursing from developing any rule relating to faculty/student clinical ratios and requires the Board of Nursing and the Department of Education to submit to the Legislature an implementation plan detailing the impact and cost of any proposed rule change. Revises requirements pertaining to specific titles, licensure and certification. Prohibits the use of certain titles. Provides automatic admission to any medical school in the State University System for United States Military Academy students or graduates

Summary by Bill Section (where applicable):

Section 90 - Amends Section 232.60, Florida Statutes to require all students participating in interscholastic athletic competition or who are candidates for an interscholastic team to pass a medical evaluation each year prior to engaging in any practice, tryout, or physical activity associated with the student's candidacy for an interscholastic athletic team.

Section 91 - The Nursing Student Loan Forgiveness Program, Section 240.4075, Florida Statutes, is amended. Public schools are included among the facilities used to increase employment and retention of registered nurses and licensed practical nurses. All references to the Department of Education are changed to the Department of Health. Public schools, family practice teaching hospitals, and specialty children's hospitals are added as eligible, exempt from matching employment sites. Sections 395.805 and 409.9119, Florida Statutes, are referenced for definitions of family practice teaching hospitals and specialty children's hospitals, respectively. A priority award procedure is added based on ranking of eligible employment sites.

Section 92 – The Nursing Scholarship Program, Section 240.4076, Florida Statutes, is amended. All references to the Department of Education are changed to the Department of Health. Eligibility requirements are expanded to include students pursuing a baccalaureate degree or graduate degree that qualifies the recipient for a nursing faculty position. The nursing diploma is deleted as an eligible program of study. Credit for repayment may be fulfilled by working in a faculty position at a college of nursing at a state university or community college. In addition, nursing homes and public schools have been added as eligible scholarship repayment facilities.

Section 93 - The Nursing Student Loan Forgiveness Program and the Nursing Scholarship program and all of their appropriations and property are transferred by a type two transfer from the Department of Education to the Department of Health.

Section 98 - Creates Section 464.0196, Florida Statutes, to specify that membership on the Florida Center for Nursing board of directors include four nurse educators recommended by the State Board of Education.

Section 125 - Amends Section 490.012, Florida Statutes, to protect the title "school psychologist" to be consistent with the Department of Education certification rule.

Section 127 - Effective January 1, 2002, Section 491.012, Florida Statutes, is amended to specify clinical social work and mental health counseling practice requirements.

Section 128 - Effective January 1, 2002, Section 491.014, Florida Statutes, is amended to stipulate exemptions pertaining to clinical social workers and mental health counselors.

Section 146 - Creates Section 458.3147, Florida Statutes, to designate that any Florida resident who is a student at or a graduate of any of the United States military academies to obtain approval to apply to medical school in the State University System, and that each medical school in the State University System shall admit two such applicants each academic year

Section 154 – Provides an effective date of July 1, 2001.

CS/SB 1256: **Nursing Education**

Effective Date: July 1, 2001

Key Contact: Theresa Antworth (850) 410-5185
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Nancy Cordill (850) 487-4433
cordiln@mail.doe.state.fl.us

Summary:

The Act prohibits the Board of Nursing from developing any rule relating to faculty/student clinical ratios until a specified time. It requires the Board of Nursing and the Department of Education to submit an implementation plan detailing the impact and cost of any such rule change. In addition, it transfers the Student Nursing Loan Forgiveness program from the Department of Education to the Department of Health.

Summary by Bill Section (where available):

Section 1 – Holds in abeyance until July 1, 2002, the development of any rule, which relates to the establishment of faculty/student clinical ratios. An Implementation plan that details both the impact and cost of such a proposed rule change must be submitted by the Board of Nursing and Department of Education to the President of the Senate and the Speaker of the House of Representatives by December 31, 2001.

Section 2 - The Nursing Student Loan Forgiveness Program, Section 240.4075, Florida Statutes, is amended. Family practice teaching hospitals and specialty children's hospitals are included among the facilities used to increase employment and retention of registered nurses and licensed practical nurses, and are added as eligible, exempt from matching employment sites. Sections 395.805 and 409.9119, Florida Statutes, are referenced for definitions of family practice teaching hospitals and specialty children's hospitals, respectively. A priority award procedure is added based on ranking of eligible employment sites.

Section 3 – The Nursing Scholarship Program, Section 240.4076, Florida Statutes, is amended. Eligible health care facilities for scholarship repayment have been expanded to include nursing homes, family practice teaching hospitals and specialty children's hospitals.

Section 4 – A type two transfer all of the statutory powers, duties, functions and records personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Nursing Student Loan Forgiveness Program from the Department of Education to the Department of Health.

Section 5 – Provides for an effective date of July 1, 2001.

CS/CS/SB 792: **Agency for Health Care Administration**

Effective Date: July 1, 2001

Key Contact: Theresa Antworth (850) 410-5180
antwort@mail.doe.state.fl.us

Summary:

Revises provisions relating to the Nursing Student Loan Forgiveness Program.

Summary by Bill Section (where applicable):

Section 19 - The Nursing Student Loan Forgiveness Program, Section 240.4075, Florida Statutes, is amended. Family practice teaching hospitals and specialty children's hospitals are included among the facilities used to increase employment and retention of registered nurses and licensed practical nurses, and are added as eligible, exempt from maximum employment sites. Sections 395.805 and 409.9119, Florida Statutes, are referenced for definitions of family practice teaching hospitals and specialty children's hospitals, respectively. A priority award procedure is added based on ranking of eligible employment sites.

Section 20 - The Nursing Scholarship Program, Section 240.4076, Florida Statutes, is amended. Eligible health care facilities for scholarship repayment have been expanded to include nursing homes, family practice teaching hospitals and specialty children's hospitals.

Section 21 - All of the statutory powers, duties, functions and records personnel, property, and unexpended balances of appropriations, allocations, or other funds of the Nursing Student Loan Forgiveness Program are transferred from the Department of Education to the Department of Health.

Section 22 – Provides an effective date of July 1, 2001.

Workforce Development

CS/CS/SB 1672: Passport to Economic Progress

Effective Date: Upon Becoming Law

Key Contact: Glenn Mayne (850) 487-8656 (Digital Divide)
mayneg@mail.doe.state.fl.us

 Loretta Costin (850) 488-7591 (Demonstration Project)
costinl@mail.doe.state.fl.us

Summary:

Establishes 9-month demonstration projects in Hillsborough and Manatee counties to increase the net income of low-income or at-risk working current or former public assistance recipients through wage supplements, income disregards, and extension of transitional supports. Projects are to be implemented by November 1, 2001. Act also creates a Digital Divide Council in the State Technology Office.

Summary by Bill Section (where applicable):

Section 1 - Purpose is to provide incentives and services designed to assist individuals who are recipients or former recipients of Florida's welfare system to help foster the achievement and maintenance of economic self-sufficiency. This bill creates a demonstration program with the goal of developing a model for the continued evolution and enhancement of the workforce-reform efforts in Florida.

Section 2 - Workforce Florida, Inc.; Department of Children and Family Services; and the Agency for Workforce Innovation shall implement a Passport to Economic Progress demonstration program by November 1, 2001.

Section 3 - Federal appropriations of \$310,000 from the Federal Grants Trust Fund to the Department of Children and Family Services to provide funds for nine months to implement the additional income disregard for fiscal year 2001-2001. Appropriations of \$3,222,500 from the Employment Security Administration Trust Fund to the Agency for Workforce Innovation to provide funds for nine months to extend the transitional benefits and services to implement the wage supplementation program for fiscal year 2001-2001.

Section 4 - Amends Section 445.004, Florida Statutes, by requiring the membership of Workforce Florida, Inc., to include at least one member who is a current or former recipient of welfare transition services. It also designates 15% of all Workforce Investment Act youth services funds to be expended for after-school programs through community-and faith-based organizations for children 14-18, with TANF funds used for eligible children 6-13.

Section 5 – Amends Section 445.007, Florida Statutes, with regard to regional workforce boards, to include membership of current or former recipients of welfare

transition assistance or that such persons be included as ex-officio members of the board or committees.

Section 6 - Creation of the Digital Divide Council in the State Technology Office. The council shall consist of the: chief information officer in the State Technology Office; director of the Office of Tourism, Trade and Economic Development in the Executive Office of the Governor; president of Workforce Florida, Inc.; director of the Agency for Workforce Innovation; chair of itflorida.com, Inc.; Commissioner of Education; executive director of the State Board of Community Colleges; executive director of the State Board for Career Education; chair of the Network Access Point of the Americas; two representatives of Florida's information technology industry (one appointed by the Speaker of the House of Representatives and one appointed by the President of the Senate); two members of the House of Representatives (appointed by Speaker of the House of Representatives); two members of the Senate (appointed by the President of the Senate).

Appointed members shall serve an initial term of one year (July 1, 2001-June 30, 2002). Successor appointees shall serve a term of two years. Members serve without compensation but are entitled to receive per diem and reimbursement for travel expenses.

The initial meeting shall be conducted by August 1, 2001 and members shall meet at least once every 60 days thereafter.

State Technology Office shall provide administrative and technical support to the council.

The council is authorized to facilitate the design and implementation of programs that are aimed to bridge the gap between the individuals who do not have access to frequent use of information technology and education and training necessary to competitively qualify them for high-skill, high-wage employment and those who do have access.

This bill declares an intent to develop a competitive workforce that will meet the employment needs of Florida-based IT industry and to establish Florida as having the most technologically ready workforce in the Western Hemisphere.

Section 7 - Provides an effective date upon becoming law.

HB 1225: Enterprise Zone Jobs Credits/Jobs for Florida's Graduates

Effective Date: July 1, 2001

Key Contact: Loretta Costin (850) 488-7591
costinl@mail.doe.state.fl.us

Summary:

Provides tax exemption for enterprise zone building materials and business property; provides for certain rural enterprise zones; deletes time-period limitation for "Jobs for Florida's Graduates".

Summary by Bill Section (where applicable):

Section 4 (e)(3) - Amends Section 212.098, Florida Statutes. An existing business in a rural area with fewer than 50 employees may apply for sales tax credit if they have 20% more qualified employees than it had one year prior to the date of application. They can receive a \$1000.00 tax credit for each additional employee.

Section 5 - Each agency or organization shall develop a plan to waive or reduce the match requirements for rural areas. The county or community must request waivers and reductions.

Section 10 - Amends Section 288.019, Florida Statutes. This section is new language that requires the Rural Economic Initiative (REDI) to review all grant applications to ensure the fullest access for rural counties. Each agency must review all evaluation and scoring procedures, and develop modifications as needed to assist the rural areas. This section also provides additional guidelines for equitable access for rural counties.

Section 14 - Amends subsection (2) of Section 288.9015, Florida Statutes. It is the responsibility of Enterprise Florida, Inc., to promote enterprise zones as a potential for new investment and it provides a definition for a "rural enterprise zone".

Section 36 - Amends Section 446.609, Florida Statutes. This section deletes language requiring a specific number of "**Jobs for Florida's Graduates**" programs to be operational by the end of 2001-2002, and adds charter schools as an eligible provider. It also provides special provisions for the Endowment fund, and revises certain outcome measures and reporting procedures. It removes the foundation as a direct support organization to the Department of Education.

Section 45 – Provides an effective date of July 1, 2001.

CS/SB 350: **Individual Development Accounts**

Effective Date: October 1, 2001

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

Summary:

Establishes the requirements for Individual Development Accounts. An Individual Development Account provides matching funds for low-income families for the purpose of education, first-time home purchase, or microenterprise development. Funds do not make the families ineligible for need-based assistance programs.

Summary by Bill Section (where applicable):

Section 1 – Provides that the purpose of the Act is to provide low-income families with the opportunity to accumulate assets to promote education, homeownership, and micro-enterprise development. Requires the Department of Children and Families to modify the state plan for Temporary Assistance for Needy Families (TANF) to provide for the use of funds for this purpose.

Contributions to the Individual Development Account must come from earned income. Funds will then be matched using federal TANF funds. School district technical centers and community colleges are included in the criteria for educational institutions.

Workforce Florida, Inc., shall establish procedures for regional workforce boards for the implementation of these accounts.

Section 2 – Provides an effective date of October 1, 2001.

CS/CS/SB 784: Consumer Protection Revisions

Effective Date: October 1, 2001

Key Contact: Tom Zutell (850) 487-8555 (Section 6)
Zutellt@mail.doe.state.fl.us

Lynda Hartnig (850) 921-4430 (Section 16)
Hartnil@mail.doe.state.fl.us

Summary:

The act amends a variety of measures related to consumer protection.

Summary by Bill Section (where applicable):

Section 6 – Amends Section 496.411, Florida Statutes, requiring charitable organizations or sponsors to display certain information on certain solicitation materials. Each charitable organization or sponsor that is required to register under Section 496.405, Florida Statutes shall conspicuously display the following information on every printed solicitation, written confirmation, receipt, or reminder of a contribution:

(a) The organization or sponsor's registration number issued by the Department of Agriculture;

(b) The percentage, if any, of each contribution that is retained by any professional solicitor that has contracted with the organization or sponsor;

and

(c) The percentage of each contribution that is received by the organization or sponsor.

If the solicitation consists of more than a single item, the statement shall be displayed prominently in the solicitation materials.

Section 16 – Adds Subsection (5) to Section 496.411, Florida Statutes, relating to motor vehicle repair shops in Florida. The Act exempts motor vehicle repair shops in Florida's technical centers and charter technical centers from the requirements of Florida's consumer protection laws related to motor vehicle repair.

Section 29 – Provides an effective date of October 1, 2001.

CS/SB 962: **Orthotics, Prosthetics, and Pedorthics**

Effective Date: Upon Becoming Law

Key Contact: Larry Taylor (850) 921-5910 ext. 210
Taylor@vr.fdles.state.fl.us

Summary:

This bill establishes that persons with certification as an orthotist, prosthetist, a prosthetist-orthotist, or a pedorthist who have been certified prior to March 1, 1998 are not required to take an examination.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 468.805, Florida Statutes. Acknowledges that persons certified as above prior to the March 1, 1998 date do not need to retake certification examinations. Those wishing this certification after that date must take an examination and can take the examination as many times as possible up to July 1, 2003.

Repeals this section on July 1, 2003.

Section 2 – Provides an effective date upon becoming law.

Facilities

CS/CS/SB 336: **Statewide Unified Building Code**

Effective Date: January 1, 2002

Key Contact: Hedvika Krone (850) 488-3558
Kroneh@mail.doe.state.fl.us

Summary:

This bill implements the recommendations of the Florida Building Commission providing for a state product approval system, the applicability of the Florida Building Code to storage sheds, plan review of prototype buildings, license fees to fund research and education relating to the construction industry, construction permits, Code Commentary on the Florida Building Code, exemptions from fire safety provisions, the effective date of the code, and other issues relating to the Florida Building Code.

Contains provisions relating to water well contractors, inspection of factory-built school buildings, construction of swimming pools, technical amendments to the Florida Building Code, the Building Code Training Program, development of a rehabilitation code, a study of the necessity for universal elevator keys for emergency personnel, and appointments to the Education Technical Advisory Committee of the Florida Building Commission.

Summary by Bill Section (where applicable):

Section 1 - Amends 235.061(1), Florida Statutes. Deadline for relocatables that do not meet standards to be used as classrooms delayed to July 1, 2002.

Section 2 - Amends 235.212(1)(a), Florida Statutes. Operable glazing and the area of exterior doors can be used to achieve 5% of floor area for required natural ventilation in relocatables.

Section 4 - Adds to 373.323 Subsection (10), Florida Statutes. Licensing requirements for water well contractors.

Section 5 - 18 - Creates 399.001, Florida Statutes. Extensive procedures and requirements. Department of Business and Professional Regulation has jurisdiction over “conveyance mechanical” devices such as elevator, dumbwaiter, escalator, moving sidewalk, platform lift, and stairway chairlift.

Section 19 - Amends 489.509(3), Florida Statutes. Four dollars of each building permit fee shall be transferred to the Department of Community Affairs instead of Department of Education. Fees to fund research and education relating to construction industry in Florida.

Section 20 - Adds to 489.537(3) paragraph (f), Florida Statutes. Requires that electrical journeyman, properly licensed be present on construction of more than 50,000 gross square feet or work in excess of 77 volts to supervise electrical work.

Section 21 - Adds to 553.36 Subsection (7), Florida Statutes. Factory-built school shelters that meet provisions for enhanced hurricane protection defined and accepted.

Section 22 - Amends 553.415 (1), Florida Statutes. Deadline for incorporating UBC for Public Educational Facilities into Florida Building Code extended to January 1, 2002. Amends 553.415 (9), Florida Statutes, after July 1, 2001, school districts or community colleges shall provide for periodic inspection during each phase of construction or alteration. School district or community college may purchase factory built school buildings that have been approved in other school district or community college. School district or community college may employ approved inspection agency in other school district or community college to inspect their factory-built school buildings for a reasonable rate. Amends 553.415 (13), Florida Statutes. By July 1, 2002 existing factory built school buildings and manufactured buildings used as a classroom not bearing required identification label shall not be used as a classroom.

Section 25 - Amends 553.73 (3), Florida Statutes. Procedures established of how Florida Building Commission may approve amendment to the code. Amends 553.73 (5), Florida Statutes. Plans in permit review or approved before the new code goes into effect will be allowed to comply with previous codes for the life of the permit and any extension granted to the permit. Adds to 553.73 (8) Paragraph (h), Florida Statutes. Storage sheds (720 square feet or less) exempted from wind-impact standards of the code.

Section 27 - Amends 553.79 (6), Florida Statutes. Code shall set standards and criteria to authorize preliminary construction before completion of plan review.

Section 29 - Creates 553.8412 (1)-(4), Florida Statutes. Establishes procedures for training of over 100,000 licensees.

Section 30 - Amends 553.842 (1)-(16), Florida Statutes. The commission shall adopt rules and implement a product evaluation and approval system that applies statewide. Amends 553.8412 (4), Florida Statutes. By October 1, 2003 products or methods or systems of construction requiring approval must be approved by established methods before their use in construction in this state. Extensive criteria for process of product evaluation and approval.

Section 33 - The commission shall research if all primary elevators in buildings more than 5 stories should operate with universal keys.

Section 41 - Task Force is created to recommend a procedure by which the public could elect to engage an engineer or architect to perform plans review and inspection for the construction or improvement of real property and appropriate role of local building official. The role of the Task Force is described. Report to the Governor, the President of the Senate, and the Speaker of the House by January 1, 2002.

Section 43 - Amends 633.0215 (3)(c), Florida Statutes. Deadline to adopt local variations delayed to January 1, 2002.

Section 44 - The Florida Building Commission shall adopt no amendments to the code until after July 1, 2002 except emergencies.

Section 45 - Sum of \$250,000 appropriated to Florida Community College at Jacksonville for operation of the Institute of applied Technology in Construction Excellence.

Section 46 - Sum of \$250,000 appropriated to Miami-Dade Community College for implementing the building code training program for inspectors, contractors, Architects, and engineers.

Section 47 – Provides an effective date of January 1, 2002.

CS/HB 1: **Special Facilities Construction Account**

Effective Date: Upon Becoming Law

Key Contact: John Watson (850) 488-1750
Watsonj@mail.doe.state.fl.us

Summary:

This bill enables a district that qualifies for funding from the Special Facilities Construction Account to substitute the value of 1.5 mills of discretionary tax pursuant to Section 236.25(2) with funds of equal value from the collection of local ½ cent sales tax pursuant to 212.055(6).

Summary by Bill Section (where applicable):

Section 1 - Amends 235.435(2)(a)(8) to substitute the value of 1.5 mills of discretionary tax pursuant to 236.25(2), Florida Statutes with funds of equal value from the collection of local ½ cent sales tax pursuant to Section 212.055(6) Florida Statutes. The district will pay back these funds to the Special Facilities Construction Account in a period of three years as set forth in Section 235.435(2)(a)(11) Florida Statutes.

Section 2 - Allows projects that have been approved prior to August 1, 2000 to qualify under the changes for funding in Section 235.435(2) Florida Statutes.

Section 3 - Provides an effective date upon becoming law.

SB 130: **Eminent Domain/Public School Purpose**

Effective Date: Upon Becoming Law

Key Contact: Charlie Murphy (850) 921-2982
Murphyc@mail.doe.state.fl.us

Summary:

Provides that, when a school board requests in writing and promises to use the land to establish a public school thereon, municipalities are authorized to exercise the power of eminent domain to obtain lands to be conveyed by the municipality to the school board of the school district for the county in which the municipality is located. The eminent domain authority granted by the bill is repealed on January 1, 2004.

Summary by Bill Section (where applicable):

Section 1 - Creates Subsection (11), of Section 166.411, Florida Statutes. Provides that, when a school board requests in writing and promises to use the land to establish a public school thereon, municipalities are authorized to exercise the power of eminent domain to obtain lands to be conveyed by the municipality to the school board of the school district for the county in which the municipality is located.

Section 2 - Repeals newly created Subsection (11) on January 1, 2004, and provides that any eminent domain action filed before that date shall not be affected by such repeal.

Section 3 – Provides for an effective date upon becoming law.

CS/SB 2118: Schools/Adult Entertainment Location

Effective Date: July 1, 2001

Key Contact: Spessard Boatright (850) 921-8699
boatris@mail.doe.state.fl.us

Summary:

This bill prohibits the location of adult entertainment establishments within 2,500 feet of the real property of public or private elementary, middle, or high schools unless the county or municipality approves the location under specific statutory proceedings.

Summary by Bill Section (where applicable):

Section 1 - Amends 847.001, Florida Statutes, to include adult, adult entertainment establishment, adult bookstore, adult theater, unlicensed massage establishment, special cabaret, masochism, sadism, sexually oriented material, and specific sexual activities.

Section 2 - Creates 847.0134, Florida Statutes, which prohibits the location of adult entertainment establishments within 2,500 feet of public or private elementary, middle, or high schools, except those already legally operating or permitted to operate by July 1, 2001, or later approved by the county or municipality as provided in statute. Violation of this section constitutes a third degree felony.

Section 3 – Provides an effective date of July 1, 2001.

SB 1516: **Surety Bonds/Public Facilities Contractors**

Effective Date: Upon Becoming Law

Key Contact: Spessard Boatright (850) 488-6741
boatris@mail.state.fl.us

Summary:

This bill prohibits school boards and other public entities from directing that contractors building public facilities obtain surety bonds from a specific agent or bonding company.

Summary by Bill Section (where applicable):

Section 1 - Amends Section 235.32, Florida Statutes, to prohibit district school boards, a community college board, and the Board of Trustees for the Florida School for the Deaf and Blind, or other public entity from requiring that contractors building public facilities obtain surety bonds from a specific agent or bonding company.

Section 2 - Amends Section 255.05, Florida Statutes, to prohibit a public entity from requiring that contractors building public facilities obtain surety bonds from a specific agent or bonding company.

Section 3 - Provides an effective date upon becoming law.

Administration

CS/HB 215: **Parental Rights**

Effective Date: July 1, 2001

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

Summary:

The bill clarifies that rights of access to records and information pertaining to a minor child, including the right to in-person communication with medical, dental, and education providers, apply to either parent in the absence of a court order specifically revoking these rights.

Summary of Bill Section (where applicable):

Section 1 – Amends Section 61.13(2)(b)3, Florida Statutes, to provide that full rights of access to records and information pertaining to a minor child including, but not limited to, medical, dental, and school records, apply to either parent, unless a court order specifically revokes these rights, including any restrictions on these rights as provided in a domestic violence injunction. Further, a parent who is not the child’s primary residential parent has the same rights upon request as to form, substance, and manner of access as are available to the other parent, including the right to in-person communication with medical, dental, and education providers.

Section 2 – Provides an effective date of July 1, 2001.

CS/CS/SB 870: Florida Prompt Payment Act

Effective Date: July 1, 2001

Key Contact: John Watson (850) 488-1750
Watsonj@mail.doe.state.fl.us

Summary:

This bills amends statutes regarding payment for services and redefines terms and definitions as used in the Florida Prompt Payment Act.

Summary by Bill Section (where applicable):

Section 1 - Section 218.72, Florida Statutes. The term “proper invoice” is redefined to mean an invoice which conforms with all statutory requirements and with all requirements that have been specified by the local government entity to which the invoice is submitted. Redefines “local governmental entity” to include school board, school district, authority, special taxing district, and other political subdivision. Redefines “purchase” to include construction services. Redefines “construction services” to include labor and materials provided. Defines “payment request” as a request for payment for construction services which conforms with all statutory requirements and with all requirements specified by the local governmental entity to which the payment request is submitted. Defines “agent” as a project architect, project engineer, or any other agency or person acting on behalf of the local governmental entity.

Section 2 - Section 218.73, Florida Statutes. Timely payment for non-construction services is clarified as the time at which the payment is due for a purchase other than construction services by a local governmental entity.

Section 3 - Section 218.735, Florida Statutes. Clarifies dues dates for payment as follows: If an agent must approve the payment request or invoice prior to the payment request or invoice being submitted to the local governmental entity, payment is due 25 business days after the date on which the payment request invoice is stamped as received as provided in Section 218.74(1), Florida Statutes.

If an agent need not approve the payment request or invoice which is submitted by the contractor, payment is due 20 business days after the date on which the payment request or invoice is stamped as received as provided in Section 218.74(1), Florida Statutes.

Rejection procedures are outlined as follows:

The local governmental entity may reject the payment request or invoice within 20 business days after the date on which the payment request or invoice is stamped as received as provided in Section 218.74(1), Florida Statutes. The rejection must be

written and must specify the deficiency in the payment request or invoice and the action necessary to make the payment request or invoice proper.

If a payment request or an invoice is rejected under subsection (2) and the contractor submits a corrected payment request or invoice which corrects the deficiency specified in writing by the local governmental entity, the corrected payment request or invoice must be paid or rejected on the later of:

Ten business days after the date the corrected payment request or invoice is stamped as received as provided in Section 218.74(1), Florida Statutes; or

If the governing body is required by ordinance, charter, or other law to approve or reject the corrected payment request or invoice, the first business day after the next regularly scheduled meeting of the governing body held after the corrected payment request or invoice is stamped as received as provided in Section 218.74(1), Florida Statutes.

If a local governmental entity disputes a portion of a payment request or an invoice, the undisputed portion shall be paid timely, in accordance with subsection (1).

Contractor responsibilities for payment are as follows:

When a contractor receives payment from a local governmental entity for labor, services, or materials furnished by subcontractors and suppliers hired by the contractor, the contractor shall remit payment due to those subcontractors and suppliers within 15 days after the contractor's receipt of payment. When a subcontractor receives payment from a contractor for labor, services, or materials furnished by subcontractors and suppliers hired by the subcontractor, the subcontractor shall remit payment due to those subcontractors and suppliers within 15 days after the subcontractor's receipt of payment. Nothing herein shall prohibit a contractor or subcontractor from disputing, pursuant to the terms of the relevant contract, all or any portion of a payment alleged to be due to another party. In the event of such a dispute, the contractor or subcontractor may withhold the disputed portion of any such payment if the contractor or subcontractor notifies the party whose payment is disputed, in writing, of the amount in dispute and the actions required to cure the dispute. The contractor or subcontractor must pay all undisputed amounts due within the time limits imposed by this section.

Time penalty and interest calculation is as follows:

All payments due under this section and not made within the time periods specified by this section shall bear interest at the rate of 1 percent per month, or the rate specified by 9 contract, whichever is greater.

Section 4 - Section 218.74, Florida Statutes.

Procedures for calculation of payment due dates are:

All payments, other than payments for construction services, due from a local governmental entity and not made within the time specified by this section bear interest from 30 days after the due date at the rate of 1 percent per month on the unpaid balance. The vendor must invoice the local governmental entity for any interest accrued in order to receive the interest payment. Any overdue period of less than 1 month is considered as 1 month in computing interest. Unpaid interest is compounded monthly. For the purposes of this section, the term "1 month" means a period beginning on any day of one month and ending on the same day of the following month.

Section 5 - Section 218.75, Florida Statutes. No contract between a local governmental entity and a vendor or a provider of construction services shall prohibit the collection of late payment interest charges allowable under this part.

Section 6 - Section 218.76, Florida Statutes. In any case in which an improper payment request or invoice is submitted by a vendor, the local governmental entity shall, within 10 days after the improper payment request or invoice is received by it, notify the vendor that the payment request or invoice is improper and indicate what corrective action on the part of the vendor is needed to make the payment request or invoice proper. In an action to recover amounts due under Sections 218.70 - 218.80 the court shall award court costs and reasonable attorney's fees, including fees incurred through any appeal, to the prevailing party, if the court finds that the non-prevailing party withheld any portion of the payment that is the subject of the action without any reasonable basis in law or fact to dispute the prevailing party's claim to those amounts.

Section 7 – Provides an effective date of July 1, 2001.

CS/SB 1172: **State Health Insurance/Municipalities**

Effective Date: Upon Becoming Law

Key Contact: David Ashburn (850) 487-3663
Ashburd@mail.doe.state.fl.us

Summary:

This act provides for conditions under which small counties, small municipalities, and district school boards located in small counties may participate in the state's group insurance program and prescription drug program.

Summary by Bill Section (where applicable):

Section 1 - Section 110.1228, Florida Statutes. This section defines small counties, small municipalities, and district school boards located in small counties or district school boards that receive funding pursuant to Section 236.081(6). The respective entities may apply for participation in the state group insurance benefit program with the submission of a \$500 nonrefundable application fee to the department. Any costs or savings to the group health insurance program or the prescription drug coverage program resulting from such participation shall be passed on to the local government participants and their employees. Prior to application the units of local government must solicit competitive proposals for health insurance and prescription drug plan coverage from all interested parties without restriction. Such request for proposals shall seek coverages equivalent to those offered currently by the small counties, small municipality, or district school board and coverages equivalent to the state group health insurance program and prescription drug coverage program. All proposals will be reviewed and considered prior to the adoption of any ordinance or resolution for participation in the state group health insurance program and prescription drug coverage program. If the department determines that the small county, small municipality or district school board is eligible to enroll, the respective entities must agree to the following terms and conditions:

- (a) The minimum enrollment or contractual period will be 3 years.
- (b) The small county, small municipality or district school board must pay to the department an initial administrative fee of not less than \$2.61 per enrollee per month, or such other amount established annually to fully reimburse the department for its costs.
- (c) Termination of participation of a small county, small municipality or district school board requires written notice 1 year before the termination date.
- (d) If participation is terminated, the entity may not reapply for participation for 2 years.
- (e) Small counties, small municipalities, and district school boards shall reimburse the state for 100 percent of its costs, including administrative costs.
- (f) If the small county, small municipality, or district school board employer fails to make the payments required by this section, the amount owed shall be deducted from any funds not pledged to bond dept service satisfaction that are to be distributed by it to the small county, small municipality, or district school boards.

The deducted amounts shall be transferred to the Department of Management Services for further distribution to the trust funds in accordance with this chapter.

- (g) The entities addressed here shall furnish the department any information requested by the department which is considered necessary to administer the state group health insurance program and prescription drug coverage program.
- (h) The small county, small municipality, or district school board shall adopt the state's eligibility rules.
- (i) The small county, small municipality, or district school board may not participate in the state's cafeteria plan that allows for pretax treatment of premium contributions. If pretax treatment is desirable for employees of these participating employers, each employee of a participating employer shall execute a salary reduction agreement with that employer, and each participating employer shall establish its own cafeteria plan.
- (j) The respective entities shall pay monthly premiums in amounts sufficient to cover claims costs, department administrative costs, and third-party administrative costs and provide for adequate reserves and cash flow by contributing three months premiums and costs in advance of the coverage effective date.

The provisions of Sections 624.436-624.446 do not apply to the State Group Insurance Program or to this section. The Department of Management Services may adopt rules necessary to administer this section.

Section 2 - The Legislature finds that a proper and legitimate state purpose is served when public employers, and their employees and dependents, in small counties, small municipalities, and district school board are given additional choices for the basic protections afforded by group health and prescription drug coverage programs that also permit continued operation of a competitive marketplace.

Section 3 – Provides an effective date upon becoming law and applies to eligible local government plan participants effective with the January 1, 2003, plan year.

SB 1986: **Health Insurance/Local Government**

Effective Date: Upon Becoming Law

Key Contact: David Ashburn (850) 487-3663
Ashburd@mail.doe.state.fl.us

Summary:

This bill prescribes procedures for a local governmental unit to replace health insurance when the contracting provider becomes financially impaired or fails or refuses to provide coverage.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 112.08, Florida Statutes, to provide procedures for a local governmental unit to replace health insurance when the contracting provider becomes financially impaired or fails to refuses to provide coverage.

If a contracting health insurance provider becomes financially impaired as determined by the Department of Insurance or otherwise fails or refuses to provide the contracted-for coverage, the local government may purchase insurance, enter into risk-management programs, or contract with third-party administrators and may make such acquisitions by advertising for competitive bids or by direct negotiations and contract.

Section 2 – Provides an effective date upon becoming law.

CS/CS/CS/SB 446: Homelessness

Effective Date: July 1, 2001

Key Contact: Charles Ervin, Jr. (850) 599-8483
Ehcy_fla@hotmail.com

Mary Jo Butler (850) 488-6726
Butlerm@mail.doe.state.fl.us

Summary:

The bill redefines the term “homeless child” and revises the deadline for submitting required documents to enroll a homeless child in pre-kindergarten or kindergarten. It also provides temporary exemptions relating to evidence of date of birth, school-entry health examination, and immunization requirements for homeless children.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 228.041, Florida Statutes, to revise the definition of a homeless child as one who lacks a fixed, regular nighttime residence or one who has a primary residence that is a supervised public or private shelter for temporary living accommodations; an institution providing temporary residence; a public or private place not ordinarily used as regular sleeping accommodation for human beings, or one who temporarily resides with an adult other than the parent or guardian because the parent or guardian is suffering financial hardship.

Section 2 - Amends Section 232.03, Florida Statutes, to provide a 30-day temporary exemption from the evidence of date of birth requirements for a homeless child being admitted to pre-kindergarten or kindergarten.

Section 3 - Amends Section 232.0315, Florida Statutes, to provide a 30-day temporary exemption to allow a homeless child to attend class without documentation of the required school-entry health exam.

Section 4 - Amends Section 232.032, Florida Statutes, to authorize an exemption of 30 school days to allow a homeless child to attend class without documentation of required immunizations. The public school health nurse or authorized nonpublic school official is responsible for the follow-up until proper documentation or immunizations are obtained.

Section 19 – Provides an effective date of July 1, 2001.

SB 1344: **Preference in Appointment and Retention**

Effective Date: July 1, 2001

Key Contact: Larry Taylor (850) 921-5910 ext. 210
Taylor@vr.fd.es.state.fl.us

Sherrye A. Earst (850) 488-8652
Earsts@mail.doe.state.fl.us

Summary:

The bill changes the statute that identifies who is eligible for, and who is not eligible for employment preferences in appointment and retention in the state, and political subdivisions in the state. The statute identifies various categories of persons who qualify for this employment option, to include disabled persons with honorable military service, disabled veterans or their spouses in other circumstances, a veteran of a war, or an unremarried widow or widower of a veteran who died of a service-connected disability.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 295.07, Florida Statutes. Removes city managers, county managers, management positions and policy-making positions from those positions exempt from the preferred appointment or retention option.

Section 2 – Provides an effective date of July 1, 2001.

CS/SB 2220: Governmental Data Processing and Public Records

Effective Date: Upon Becoming Law

Key Contact: Charles Murphy (850) 921-2982
Murphyc@mail.doe.state.fl.us

Summary:

Authorizes agencies to acquire and hold copyrights for data processing software, establishes limitations on both the fees for the use of such copyrighted software, and on the contracts for the creation or maintenance of a public records database.

Summary of Bill Section (where applicable):

Section 1 - The act applies to public entities subject to Chapter 119, Florida Statutes. It authorizes an agency to acquire and to hold copyrights for data processing software created by the agency and to enforce rights pertaining to such copyrights. The agency may sell or license copyrighted software that it has created. Proceeds from the sale or licensing of copyrighted data processing software are to be deposited into a trust fund for the agency’s appropriate use for authorized purposes (counties, municipalities and other political subdivisions of the state may designate how such proceeds are to be used). The price for sale, or fee for licensing, of copyrighted software is to be based on market considerations; however, prices and fees are governed by Section 119.07(1), Florida Statutes, for software used solely for applications related to information maintained or generated by the agency that created the copyrighted software.

Subject to restrictions of copyright and trade secret law and to public records exemptions, the agency use of proprietary software must not diminish the right of the public to inspect and copy a public record. The agency must consider when designing or acquiring a system whether the system is capable of providing data in some common format such as the American Standard Code for Information Interchange. An Agency that maintains an electronic public record must provide a copy of any public record in that system which is not exempt from public disclosure. The agency must provide the public record in the medium requested if the agency maintains the record in that medium and may charge fees in accordance with Chapter 119, Florida Statutes. In responding to a public records request, if the agency elects to 1) provide a copy of a public record in a medium not routinely used by the agency, or 2) compile information not routinely developed or maintained by the agency, or 3) provide information that requires a substantial amount of manipulation or programming, the fee to be charged must be in accordance with Section 119.07(1), Florida Statutes. The agency must not enter into a contract for the creation or maintenance of a public records database if that contract impairs the ability of the public to inspect or copy the public records of that agency (including on-line or electronic record keeping information). The fees and costs for the production of such records may not be more than the fees or costs charged by the agency.

Section 3 – Provides an effective date upon becoming law.

Miscellaneous

HB 1519: Clearinghouse on Disability Information Office

Effective Date: Upon Becoming Law

Key Contact: Larry Taylor (850) 921-5910 ext. 210
[Taylola@vr.fdles.state.fl.us](mailto:Taylor@vr.fdles.state.fl.us)

Summary:

This bill creates a central Clearinghouse on Disability Information Office under the Department of Management Services to administer a statewide information and referral system that allows people with disabilities, their family members, professionals, and the public to easily obtain information about disability-related services and resources in Florida. It outlines the functions, activities, and responsibilities of the Clearinghouse; establishes an advisory council; outlines the Clearinghouse's basic staffing plan; and directs state agencies to share with the Clearinghouse information necessary to establish and maintain the statewide information and referral system. The main purpose of this legislation is to have a single source of contact, on a statewide basis, for citizens of Florida who have questions regarding anything related to disability issues.

Summary by Bill Section (where applicable):

Section 1 – Creates Section 402.74, Florida Statutes, to establish the Clearinghouse on Disability Information Office. This office creates a one-stop for all referral and information regarding the state's resources and programs as they relate to Floridians with disabilities.

Establishes the Clearinghouse on Disability Information Office under the Department of Management Services (DMS) to administer a statewide information and referral system that allows individuals with disabilities, their family members, professionals, and the public to easily obtain information concerning disability-related services and resources in Florida. While the Clearinghouse is placed in DMS for administrative purposes, it is not accountable to DMS.

Requires the Clearinghouse to develop and maintain a statewide toll-free system that provides information and referral for all disability-related services and resources. Specifically, it requires the toll-free telephone and web-site modalities system operated by the Clearinghouse to:

- provide information pertaining to all disabilities and ages, all types of disability-related services, as well as generic services
- information concerning available services, eligibility, processes, and expectations to help users to navigate the system
- direct individuals to existing information systems
- not duplicate existing disability-related or generic information systems
- develop information resources to address gaps in services
- provide Information in alternative formats, in multiple languages, and through Telecommunication Devices for the Deaf.

Establishes an advisory council to provide advice and technical assistance in planning, developing, establishing, and operating the Clearinghouse. The functions of the council include collaborating with the disability-related programs, services, and organizations; using existing information and referral systems; and creating a system that provides a forum for exchanging information and which is accepted and used by the disability community.

Requires the advisory council to serve without compensation, meet at least four times each year, and not exceed 19 members. Members shall include representatives of state agency disability services and programs, and of statewide organizations providing disability-related information and referral systems, disability populations or disability services, and generic information and referral systems. Of this membership at least one-third must be individuals with disabilities or their family members. Representatives of state agencies may not comprise more than one-third. Members must reflect the diversity of the population and disabilities found in the state.

Requires appointments to the advisory council to be made from the Departments of Children and Family Services, Education, Elder Affairs, Health, Management Services, Transportation, and the Agency for Health Care Administration.

Requires that staff to the Clearinghouse be experienced in the disability field and consist of a director (recommended by a selection committee), an information specialist, and support staff dedicated to performing the functions of this office.

Requires state agencies providing services for individuals having disabilities or their families to collaborate with the Clearinghouse in the sharing of information necessary to establish and maintain the statewide information and referral system. Requires the Clearinghouse to adopt professional standards of information and referral, collaborate with the Florida Alliance of Information and Referral Services to assist with the goal of forming a statewide information and 211 network, and comply with the Americans with Disabilities Act.

Requires that once a base of state-level resources and services has been established, the office will examine and determine how to capture and provide linkages to local community-based services, both disability-specific and generic, without duplicating existing information and referral systems. When gaps in disability information are identified at the local level, local information and referral and service systems should be used to secure the information.

Requires the Clearinghouse to annually submit a report by December 31 to the Governor, to the President of the Senate, to the Speaker of the House of Representatives, and to each state agency offering services for individuals having disabilities.

Requires that the provisions of this section be implemented to the extent of available appropriations contained in the General Appropriations Act for such purpose. (Note: SB

2000: General Appropriation Item 2660A allocates \$250,000. to the Department of Management Services for the Clearinghouse on Disability Information Office.)

Section 2 – Provides an effective date upon becoming law.

CS/CS/SB 710: **Florida Customer Service Standards Act**

Effective Date: October 1, 2001

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

Summary:

The bill requires state departments to implement procedures for resolving customer complaints and measuring customer satisfaction.

Summary by Bill Section (where applicable):

Section 1 - Provides short title, "Florida Customer Service Standards Act" and defines "customer," and "department." Specifies the measures to be implemented, including the designation of responsibility for facilitating the resolution of customer complaints, the creation of a centralized complaint-intake call center, the initiation of an upper-level management review of unresolved complaints, the compiling of statistical data on complaint resolution, and the establishment of customer satisfaction measures to be used for planning and budgeting purposes.

Section 2 - Provides an effective date of October 1, 2001.

CS/SB 1922: **Agriculture and Consumer Services**

Effective Date: July 1, 2001 unless otherwise specified

Key Contact: Craig Kiser (850) 488-1330 (Sections 10 and 11)
Craig_Kiser@fdles.state.fl.us

Belinda Chason (850) 488-0406 (Section 54)
Chasonb@mail.doe.state.fl.us

Summary:

The bill amends, revises, repeals and otherwise alters various agriculture and consumer services, including the authorization of fees for certain re-inspections of food service establishments, and an increase in the existing fee allowance for a food permit.

Summary by Bill Section (where applicable):

Section 10 – Amends Subsection (7) of Section 500.09, Florida Statutes, authorizing fees for certain re-inspections of food service establishments.

Section 11 – Amends paragraph (b) of subsection (1) of Section 500.12, Florida Statutes, increasing the allowable fee for a food permit to no more than \$500.00.

Section 54 – Amends Section 232.246, Florida Statutes, to include Agriscience Foundations I, the core course in secondary Agriscience and Natural Resources programs, to count as one of the science credits for graduation.

Section 65 – Provides an effective date of July 1, 2001.

HB 1471: Public Food Service Establishments and Alcoholic Beverage Licenses

Effective Date: Upon Becoming Law

Key Contact: Craig Kiser (850) 488-1330
Craig_Kiser@fdles.state.fl.us

Summary:

Amends Section 509.049, Florida Statutes by revising provisions related to food service employee training programs, providing for audits and revocation of training program approval and providing rulemaking authority. The bill repeals Section 561.32(6), Florida Statutes, relating to special transfer restrictions and transfer fees pertaining to alcoholic beverage licenses issued after a specified date.

Summary by Bill Section (where applicable):

Section 1 – Amends Section 509.049, Florida Statutes. Provides that an approved food service training program be subject to continued compliance with minimum program standards. Calls for random audits to determine compliance and allows audits of any program when there is reason to believe non-compliance exists. Authorizes the necessary rulemaking to administer this section.

Section 2 – Repeals subsection (6) of Section 561.32, Florida Statutes

Section 3 – Provides an effective date upon becoming law.

Budget

SB 2002: **2001 General Appropriations Act Implementing Bill**

Effective Date: July 1, 2001

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

Summary:

The bill clarifies legislative intent regarding implementation and administration of the General Appropriations Act for FY 2001-2002.

Summary by Bill Section (where applicable):

Section 2 – Applies to Specific Appropriation 171, workforce development education, and provides that initial allocations to school districts and community colleges should be transferred from one to the other if a program is moved either in whole or in part. The amount of the transfer shall be as near as practicable to the actual amount appropriated for the FTE funded for that program. This section expires July 1, 2002.

Section 3 – Applies to Specific Appropriation 118, Florida Education Finance Program, and amends Section 236.081, Florida Statutes. The minimum guarantee to each school district shall be calculated from prior year base funding per unweighted FTE rather than per weighted FTE.

Section 4 - States that amendments in previous section will expire on July 1, 2002, when previous language is to be restored.

Section 5 - Deletes from Section 240.116(6), Florida Statutes, reference to a three-year study comparing the Advanced International Certificate of Education Program with the International Baccalaureate Program that ended with the 1999-2000 school year.

Section 6 - States that amendments in previous section will expire on July 1, 2002, when previous language is to be restored.

Section 13 - Applies to Specific Appropriation 118, Florida Education Finance Program, and amends Section 236.081(1)(a), Florida Statutes. Beginning with the 2002-03 school year, a district's full-time equivalent membership shall be adjusted by multiplying by the average daily attendance factor.

Section 48 - Eliminates reimbursement to state travelers for meals for Class C travel during the 2001-2002 fiscal year only. Class C travel does not involve an overnight stay.

Section 51 - Eliminates fundable tuition waivers for state employees to attend work-related courses at public universities on a space-available basis. This provision expires on July 1, 2002.

Section 55 - Incorporates by reference the agency performance measures and standards in the document entitled "Florida's Budget 2001 Agency Performance Measures and Standards Approved by the Legislature for fiscal Year 2001-02." Directs agencies to revise their Long-Range Program Plans to be consistent with these performance measures and standards.

Section 57 - Provides an effective date of July 1, 2001.

SB 2000: 2001 General Appropriations Act

Effective Date: July 1, 2001

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

Jeanine Blomberg (850) 488-6023
blombej@mail.doe.state.fl.us

Norman Holley (850) 488-5051
holleyn@mail.doe.state.fl.us

Summary:

Provides funds for the fiscal year beginning July 1, 2001, and ending June 30, 2002, to pay salaries and other expenses, capital outlay, and other specified purposes of the various agencies of state government. While appropriations may be contained in substantive law, 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.

This review is in three parts: (1) a narrative by budget entity (program) highlighting selected appropriations; (2) a chart displaying the appropriation items funded from State revenue for operations; and (3) a chart with the estimated revenue for school district operations from the Florida Education Finance Program (FEFP).

The terms “item”, “line item” and “specific appropriation” are synonymous terms commonly used to identify the numbers of specific appropriations in the General Appropriations Act. However, the term “item” has been used extensively in this document.

Summary by Bill Section and Budget Entity (where applicable):

Section 1: Line Items 1-13A - Line items in this section are funded exclusively from the Educational Enhancement Trust Fund, which is funded from the net proceeds from ticket sales from the Florida Lottery. Selected appropriations included are: Item 1, \$180,000,000 for the 1997 School Capital Outlay Bond Program for the construction of Public School facilities; Item 2, \$202,000,000 for Florida’s Bright Futures Scholarship Program to provide postsecondary education to Florida’s academic high performing high school students; Item 2A, \$19,415,980 for need-based Florida Public Student Assistance Grants; and Item 4A, \$283,750,000 for the District Lottery and School Recognition Program. The School Recognition Program was previously funded and managed as a separate line item.

Item 5, \$28,075,000 Public School Technology; Item 7A, \$1,731,428 Grants to Public Schools for Reading Programs; Item 7B, \$8,000,000 Assistance to Low Performing Schools; Item 7E, \$1,250,000 Teacher Professional Development; Item 7F, \$7,793,572

School and Instructional Enhancements; and Item 7G, \$600,000 Exceptional Education are also funded with general revenue funds in Section 2 of the budget. The totals for these items are listed on the chart summarizing state funding.

The total lottery appropriation of \$946.0 million consists of \$527.2 million for Public Schools, \$221.4 million for Postsecondary Scholarships, \$98.7 million for Community Colleges, and \$98.7 million for State Universities.

Section 2: Line Items 14-218B - This section includes nearly all other appropriation line items for education programs in Florida.

Fixed Capital Outlay

Line Items 14 through 24B provide appropriations for the maintenance, renovation, repair, and new construction of education facilities for grades K-20. Projects included are primarily funded from the Public Education Capital Outlay and Debt Service Trust Fund (PECO), the School District and Community College Capital Outlay and Debt Service Trust Fund, and from general revenue funds.

For maintenance, repair, renovation, and remodeling of facilities, \$219,600,000, Item 15, is appropriated, including \$27,700,000 for Charter Schools facilities and equipment. In addition to the lottery bond funds for public school facilities, funding for new construction is \$203,501,382, Item 16, for Public Schools; \$227,022,026, Item 17, for Community Colleges, and \$228, 242,612, Item 18, for State University System projects. Five small rural school districts are allocated a total of \$57,036,968, Item 19, from the Special Facility Construction Account to enable them to construct needed schools in a timely manner. The total Fixed Capital Outlay appropriation in this section from all funds, including debt service, is \$1,694,455,988.

Vocational Rehabilitation

Programs and services managed by Vocational Rehabilitation services staff are funded \$130,791,615, of which \$25,102,751 is from state general revenue. The funds provide education, training, and related services to empower individuals with disabilities to maximize their employment, economic self-sufficiency, and independence. Funded positions are reduced from 933 to 928.

Performance measures and standards are as follows:

Rate and number of customers gainfully employed (rehabilitated) at least 90 days..... 65%/11,500

Division of Blind Services

The purpose of the program is to assist Floridians who are blind or visually impaired to obtain employment and to maximize independence and integration into the community. The total appropriation is \$34,796,474, of which \$11,046,643 is from general revenue, and includes 306 positions.

Performance measures and standards are as follows:

Rate/number of rehabilitation customers gainfully employed at least 90 days.....68.3%/847

Private Colleges and Universities

Line Items 51 through 78A provide funding for Private Colleges and Universities in the amount of \$109,059,976. This is a decrease of 2.64 percent from the 2000-01 fiscal year. The appropriation for Florida Resident Access Grants (FRAG) remains constant at \$70,830,388 to provide annual grants of \$2,686 for an estimated 26,370 students. The grant amount may be prorated if the number of qualified applicants exceeds the estimate. The release of appropriations to Historically Black Colleges and Universities, Item 51A, and Academic Program Contracts, Item 59A, is contingent upon the submission to the Department of Education proposed expenditure plans that include quantified fiscal and programmatic performance data to support the Legislature's performance-based budgeting initiatives.

Office of Student Financial Assistance, Executive Direction and Support Services

Line Items 79 through 86 provide a total appropriation of \$1,596,910 from general revenue and a combined amount of \$102,314,927 from the State Student Financial Aid Trust Fund, the Student Loan Operating Trust Fund, the Nursing Student Loan Forgiveness Trust Fund, and the Student Loan Guaranty Reserve Trust Fund. These funds are for 102 positions, the expense budget, and continued support of contractual services for both the State and Federal Student Financial Aid Programs. A total of \$2,000,000 from Item 85 is specified for the development of a student loan processing system and \$80,000 from Item 85A is specified to be transferred to the Technology Review Workgroup within the Legislature for a project monitoring contract of the State Student Financial Aid Database.

Student Financial Aid Program - State

Line Items 87 through 95 provide funding of \$89,152,254 for the 25 state programs administered by the Bureau of Student Financial Assistance.

Performance measures and standards are as follows:

Percent of high school graduates attending Florida postsecondary institutions.....52%

The Legislature's intent to continue the phase out of the African and Afro-Caribbean Scholarship Program and the Latin American/Caribbean Basin Program is indicated in Items 88 and 90. Prepaid Tuition Scholarships are increased in Item 89 to \$3,100,000 from \$1,700,000 in FY 2000-01. The Minority Teacher Scholarship Program, Item 91, is funded at \$2,250,000, and \$500,000 for Ethics in Business Scholarships in Item 91A. A new need-based program in the amount of \$3,828,086 for part-time students is established under the Florida Public Student Assistance Grant (FSAG) in Item 91B. Line Item 93 allocates \$76,761,094 from the State Student Financial Assistance Trust Fund to 12 programs including the Florida Student Assistance Grants (a full-time award is set at \$1,300), \$3,479,133 for the Critical Teacher Shortage Program, and \$1,392,750 for the Florida Scholarship/Forgivable Loan Program. Also in Item 93, \$200,000 is

allocated for a Florida Work Experience Project pilot project at Florida Community College at Jacksonville (with a final report of pilot activity due on August 1, 2002) and \$112,500 is provided for scholarships for instructional aides who enroll in programs leading to certification in a critical teacher shortage area. Item 94 provides \$296,000 for the Jose Marti Scholarship Challenge Grant, and Item 95 transfers \$1,000,000 in general revenue to the Florida Education Fund.

Student Financial Aid Program - Federal

Line Items 96 through 97 provide spending authority of \$3,301,400 for two federal programs administered by the Bureau of Student Financial Assistance, which includes the Robert C. Byrd Honors Scholarship (\$1,987,000).

Executive Direction and Support Services, Public Schools

This program includes the Office of the Commissioner of Education and the activities managed by the Deputy Commissioner for Administration and Technology. Highlights of projects funded are Item 101A, \$3,700,000 and 12 new positions for a data warehouse project to facilitate measurement of student and school improvement as initiated through the "A+" reform plan, and Item 102, \$10,000,000, for technology initiatives that affect the performance of students and teachers. The total appropriation is \$27,961,271, which includes 137 positions (reduced from the 151 positions funded in 2000-01) and the 12 new positions for the data warehouse, for a total of 149 positions.

State Oversight and Assistance, Public Schools

Activities in this program are managed by the Deputy Commissioner for Planning, Budgeting, and Management, and the Deputy Commissioner for Education Programs. Registration fees for the Great Florida Teach-In, a statewide initiative to recruit teachers for Florida schools, are authorized in proviso. In order to better explain trends in student migration, proviso for Item 110 calls for modifications to be made to the state's student database that will enable analysis of Florida school district student migration. Line Item 112 provides \$49,880,254 for continued funding for student assessment, testing, and evaluation programs, as well as \$1,600,000 for the statewide administration to all tenth grade students of the preliminary S.A.T. or A.C.T., and \$1,639,764 for the administration of a School Readiness Uniform Screening instrument. The total appropriation of \$76,367,811 includes funding for 313 positions (reduced from 329 in FY 2000-01).

State Grants/K-12 Programs - FEFP

This program includes the funds and policy for the distribution of the appropriated dollars for the Florida Education Finance Program (FEFP). The FEFP is the primary source of revenue for the operation of Florida schools. 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 to funding and budgeting and should be read in conjunction with this review:

SB 2002, 2001-2002 Appropriations Implementing Bill
CS/CS/SB 1180, John M. McKay Scholarships for Students with Disabilities Program.
HB 1545, Dollars to the Classroom

Performance measures and standards are as follows:
Number/percent of "A" schools reported by each district
.....600; 25.0%

Florida Education Finance Program (FEFP)
An amount of \$6,460,319,534, Item 118, is appropriated to fund the state’s share of the Florida Education Finance Program (FEFP). Full-Time Equivalent Students (FTE) funded through the FEFP include all student enrollment associated with the 180-day regular school year and students in Juvenile Justice Education Programs during the summer.

Base Student Allocation
The 2001-02 Base Student Allocation (BSA) for the FEFP is \$3,413.18.

Juvenile Justice Education Programs
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, unless otherwise requested of the district school board by the provider of a nonresidential DJJ program. The minimum number of days shall not be less than 180. 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. FTE student membership shall be reported and funded only for the number of days authorized. Juvenile Justice Educational Programs shall receive no less than the funds per student in 1998-99.

Charter Schools
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
The Minimum Guarantee for 2001-02 is based on unweighted FTE, not weighted FTE as it was in 2000-01. This adjustment guarantees each district a minimum 1.0 percent increase in potential funding per unweighted FTE K-12 student over the actual funding per unweighted FTE K-12 student in the 2000-01 school year. The calculation includes state FEFP, major categorical funds, required local effort tax proceeds, and discretionary tax proceeds. The base year, 2000-01, includes an adjustment for the 2001-02 reduction in the Florida Retirement System contribution rate from 9.15 to 7.30, a reduction of 1.85 percentage points. The dollar amount of the FRS reduction is \$164,728,000.

District Cost Differentials

The District Cost Differential (DCD) for each district is to be calculated as provided in Section 236.081(2), Florida Statutes (same provision as 2000-01).

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 2000-01).

Required Local Effort

Provides for an unadjusted Required Local Effort of \$4,435,730,644 in ad valorem taxes, an amount that will require an estimated 5.940 mills on a statewide basis. The local effort calculation from property 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-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 2000-2001).

Program Cost Factors (Weights)

The distribution of FEFP funds for 2001-02 is based on program cost factors as follows:

	<u>Program Number</u>	<u>Cost Factor</u>
<u>Factors</u>		
1. Basic Programs		
K-3 Basic*	101	1.007
4-8 Basic	102	1.000
9-12 Basic	103	1.113
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	1.265
4. Vocational Education, Grades 6-12	300	1.206

* Includes children of teenage parents.

Enrollment Ceilings (Caps)

For 2001-2002, the Group 2 maximum Enrollment Ceilings (caps) were established by the Legislature and include the estimated weighted FTE students in the following

programs: Exceptional Student Education, Support Level 4 (254), and Support Level 5 (255); English for speakers of other languages (ESOL); and Grades 7-12 Vocational Education. The provision of Section 236.081(1)(d)4, Florida Statutes, which provides a supplemental capping calculation for districts that have projected FTE transferred from Group 2 to Group 1 by the Enrollment Estimating Conference was NOT applied. As in previous years, no Enrollment Ceiling (cap) was established for the basic programs (101, 102, 103, 111, 112, and 113) in Group 1.

Exceptional Student Education (ESE) Funding

The Legislature provided an Exceptional Student Education (ESE) Guaranteed Allocation of \$955,836,750 within the FEFP for school districts to provide educational programs and services for exceptional students who are not in Support Level 4 (254) or Support Level 5 (255). These exceptional students will also receive basic weighted FTE funding in the FEFP consistent with 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 2001-2002 FEFP appropriation and will not be recalculated. School districts providing educational services in 2000-2001 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. The state supplement is limited to the value of 43.35 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 2000-01).

Declining Enrollment Supplement

The Declining Enrollment Supplement is determined by comparing each district's unweighted FTE in 2001-02 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 2000-01.

On-the-Job Training

A student in cooperative education or other types of programs incorporating On-the-Job Training shall not be counted for more than 25 hours per week of membership in FEFP programs when calculating full-time student membership, as provided in Section 236.013, Florida Statutes, for funding under Section 236.081, Florida Statutes.

Developmental Research School Overhead Cost

None of the funds provided in the 2001-2002 General Appropriations Act for developmental research schools shall be used to pay overhead or indirect costs described in Section 216.346, Florida Statutes.

Academic Performance Standards

From the funds appropriated in Specific Appropriation 118, district school boards and developmental research schools that fail to meet the following minimum student academic performance standards must satisfy the following minimum expenditure requirement for "classroom instruction."

The minimum district Academic Performance Standard is defined as the district weighted performance grade that is at or above the state median district performance grade for elementary schools, middle schools, and high schools; and a student non-promotion rate that is at or below the state average non-promotion rate.

District weighted performance grades are based on a district's student and school performance grades required by Section 229.57(6), Florida Statutes. The three district performance grades will be calculated for (1) all elementary schools, (2) all middle schools, and (3) all high schools. Each of the three district performance grades will be a grade calculated by weighting individual school grades by the school's enrollment.

Expenditures for classroom instruction shall be calculated as a specified percentage of the district's K-12 operating expenditures as reported in the most recent annual financial statement filed with the Commissioner of Education. Classroom instruction expenditures and district total operating expenditures are defined in HB 1545.

Each school district that fails to meet the minimum district academic performance standards indicated above must increase expenditures for classroom instruction over the percentage expended by 1 percent for each academic performance standard not met.

Safe Schools

An amount of \$75,350,000 is appropriated for Safe Schools 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 unweighted (weighted in 2000-01) student enrollment. Safe Schools 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 Schools activity.

Supplemental Academic Instruction (SAI)

An amount of \$676,658,381 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 to not be left behind. Districts may use these funds to implement remedial instruction required by Section 232.245, Florida Statutes, and 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 SAI allocation will be the amount shown in the legislative work papers for the 2001-02 appropriation for the FEFP and will not be recalculated during the school year.

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 school board policy (same provision as 2000-01).

FEFP Earmarks

From the funds appropriated in Specific Appropriation 118 for Miami-Dade County Public Schools, \$310,000 shall be provided by the Miami-Dade County School Board to the Office of the Auditor General to pay the cost for three auditors who will be located on-site in the school board administrative offices. The Auditor General shall provide the Governor and Legislature a periodic report of findings and recommendations.

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.

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 2000-01).

District Lottery and School Recognition Program

An amount of \$283,750,000 is appropriated from the Educational Enhancement Trust Fund, Item 4A, to be used as enhancement funds for school districts and shall be allocated as follows:

a) Sixty percent of the funds in Specific Appropriation 4A (\$170,250,000) shall be allocated by prorating the amount of the appropriation on each district's K-12 base funding entitlement. Prior to the expenditure of these funds, each district shall establish policies and procedures that define enhancement and the types of expenditures that will be consistent with that definition. From the portion of funds allocated pursuant to this paragraph, school boards must allocate, not later than October 1, 2001, at least \$10 per unweighted FTE student to be used at the discretion of the school advisory council or, in the absence of such, at the discretion of the staff and parents of the school. A portion of these funds shall be used for implementing the school improvement plan. The improvement plan shall include performance indicators that are measurable. Funding for use by the school advisory councils shall be allocated directly to the school advisory councils and shall be earmarked for the councils' use. Council funds are not subject to override by the principal or interim approvals by school district staff. Council funds must be accounted for and are subject to being audited on a yearly basis.

b) Forty percent of the funds provided in Specific Appropriation 4A (\$113,500,000) shall be used to fund financial awards pursuant to provisions of Section 231.2905, Florida Statutes, relating to the Florida School Recognition Program. Funds for the School Recognition Program shall be awarded by the Commissioner in the amount of \$100 per student in each qualifying school.

c) Any funds remaining after the obligations in paragraph (b) have been fully met shall be allocated to all school districts as provided in paragraph (a), and shall be subject to the expenditure requirements of that paragraph.

The Commissioner of Education shall withhold the distribution of discretionary lottery funds from any school district which fails to comply with the provisions of Section 106.15, Florida Statutes, related to prohibited political activities.

Categorical Programs

Public School Technology

An amount of \$28,075,000, Item 5, from lottery funds is provided for Public School Technology. District allocations are based on each district's share of the state total K-12 FTE. Public School Technology funds from general revenue are appropriated in Item 120A.

Teacher Recruitment and Retention

An amount of \$152,000,000, Item 119, from general revenue funds is appropriated to make the recruitment and retention of the best-qualified teacher for every classroom a

priority for the state and for each school district. Funds shall be allocated based on each district's share of total unweighted FTE.

Funds shall be used to provide a retention bonus of \$850 to each classroom teacher, including all instructional personnel defined in Section 228.041(9)(a)-(d), Florida Statutes, who:

1. Are employed by a school district in a full-time capacity for the 2001-2002 school year and were employed by a Florida school district in a full-time capacity during the 2000-2001 school year,
2. Hold a valid Florida Educator's Certificate, and
3. Received a performance evaluation of satisfactory or higher in 2000-01.

Funds are provided to pay the employer's share of Social Security and Medicare taxes (7.65 %), which are in addition to the amount provided for the \$850 retention bonuses. Funds that are not required to provide the \$850 retention bonuses as specified above shall be used to implement recommendations of the Task Force on Florida's Education Workforce, including scholarships for teachers, and may be used in a variety of ways, depending on the specific needs of each school district. Funds may be used to provide a signing bonus of \$850 for classroom teachers hired for the first time in Florida. These signing bonuses are provided for out-of-state teachers entering Florida and for individuals from Florida entering the teaching profession. Teachers eligible for signing bonuses include all personnel defined in Section 228.041(9)(a), Florida Statutes. Funds may be used to provide other bonuses to classroom teachers, such as teachers in schools with a performance grade of "D" or "F."

The \$850 retention bonus as specified above shall be delivered to eligible classroom teachers and other instructional personnel no later than October 15, 2001. This bonus is mandatory, is not subject to school board discretion, including charter districts, and is not subject to the provisions of Chapter 447, Florida Statutes.

Instructional Materials

An amount of \$213,538,584, Item 120, from general revenue funds 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 \$310.72. 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 percent on or about October 10, 10 percent on or about January 10, and the balance on or about June 10.

Public School Technology

An amount of \$34,325,000, Item 120A, from general revenue funds is provided for Public School Technology. District allocations are based on each district's share of the state total K-12 FTE. Public School Technology funds from lottery dollars are appropriated in Item 5.

School Transportation

An amount of \$411,269,216, Item 121, from general revenue funds is appropriated to fund transportation of students as authorized in Section 236.083, Florida Statutes.

Teacher Training

The amount of \$36,000,000, Item 122, from general revenue funds is appropriated for Teacher Training and includes the funds required for inservice personnel training as prescribed in Section 236.081(3), Florida Statutes. District Teacher Training allocations are based on each district's proportion of the state total K-12 FTE.

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. These plans shall make provision for active participation in the Sunshine State Teacher Professional Development Network for persons seeking alternative or add-on certification, for teachers who wish to participate in the Florida Mentor Teacher Pilot Program, and for teachers preparing for performance assessment based on student achievement. Payment of a license fee for participation in the Sunshine State Teacher Professional Development Network is a permissible use of funds.

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 \$15,386,500, Item 122A, from general revenue funds shall be provided to teachers pursuant to Section 231.67, Florida Statutes. Funds shall be allocated by prorating among all districts based on each district's proportion of the state total K-12 FTE.

State Grants/K-12 Program-Non-FEFP

The program funds activities that supplement or enhance education opportunities through targeted resources for particular clients, or education or learning strategies. Line Items 124A through 147A provide total funding of \$281,792,256 for public school programs (a reduction of 15.44 percent from FY 2000-01).

Programs receiving increased funding include: Item 127, \$31,447,504 for Excellent Teaching, which provides incentives for Florida teachers to attain National Board for Teaching Standards (NBTS) certification; and Item 143, \$7,640,472 Teacher Professional Development. New or enhanced programs funded in the budget include: Item 130A, \$9,261,863 Reading Initiatives; Item 131B, \$6,000,000 pilot Learning Gateways in Orange, Manatee, and St. Lucie Counties to prevent learning disabilities in children ages birth to 9; Item 131A, \$5,449,931 Education Partnerships; Item 147A, \$3,200,000 the Commissioner's Sharpen the Pencil initiative; and Item 127A, \$1,000,000 the Small School District Stabilization Fund, to assist school districts in rural areas of economic concern.

Item 130, \$11,000,000 for Extended School Year; and Item 136A, \$103,765,000 for Pre-School Projects remain unchanged from FY 2000-01. Item 131, \$5,000,000 Assistance to Low Performing Schools was funded. School Choice grants were not funded.

Federal Grants/K-12 Program

The Department of Education manages several federally funded programs that supplement specific education activities throughout the state. The Legislature authorized \$1,215,186,913 in the budget for this program. The largest single dollar item is the school lunch and breakfast program funded at \$504,895,690, including \$16,886,046 in required state matching funds. Estimated funds for class size reduction is \$56,190,521. Other federally funded programs include, but are not limited to, supplemental education services for exceptional students and education for economically and educationally disadvantaged students.

Educational Media and Technology Services

Total funding in Items 154 through 161, \$18,013,222 is increased by 3.32 percent over the 2000-01 fiscal year. Two important items funded in this budget are Item 157, \$6,591,281 for the Florida Information Resource Network (FIRN); and Item 159, \$9,138,361 for Public Broadcasting.

Workforce Development, Executive Direction and Support Services

This program includes the Division of Workforce Development. The Division oversees career and technical education in K-12 as well as Postsecondary Vocational Education and adult general education. The total appropriation is \$7,800,076, which includes 91 positions (reduced from 98 positions funded in 2000-2001).

Workforce Education Grant Programs

This program provides \$122,342,618 for a variety of grant programs that support Workforce Development Education programs in grades 6-12 and for adults. Line Item 167 provides \$23,457,545 in federal funding for Adult Education and Family Literacy. Line Item 168 provides \$19,740,221 to serve Adults with Disabilities who do not have competitive work as a goal. Line Item 169 provides \$77,144,852 in Carl D. Perkins funds for career and technical education. Line Item 169A provides \$2,000,000 to support the enhancement of secondary career and technical education.

Workforce Education Administered Funds

This program provides funding for both school districts and community colleges. The Postsecondary Education Planning Commission is responsible for the review and approval of the distribution of \$5,918,293 for the Critical Jobs Initiative in Line Item 170, which is a \$12,900,000 decrease from 2000-2001. The \$722,507,004 in Line Item 171 is a slight increase over 2000-2001 and is distributed to school districts and community colleges for the operation of adult vocational and adult general education programs based upon the performance-based funding formula in Section 239.115, Florida Statutes. The total of these two line items represents a \$10,000,000 decrease from 2000-2001.

Performance measures and standards are as follows:

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.....10,487; 33.4%

Community Colleges

Line Items 172 through 176A provide \$4,851,015 for Executive Direction and Support Services, including 52 full-time positions (down from 55 in 2000-01). Performance-Based Incentive Funds, Item 177, remain at \$8,318,834, while the Community Colleges Program Fund, Item 178, is increased by 8.9 percent to \$456,452,882.

Performance measures and standards are as follows:

Percent of students graduating with accumulated credit hours that are less than or equal to 120% of the degree requirement.....36%

Of the AA students completing 18 credit hours, the percent which graduate within 4 years.....36%

Line Item 179A contains an appropriation of \$10,000,000 to be distributed by formula for one-time costs associated with the development and expansion of degree programs

targeting high-demand occupations. Funding is continued for Program Challenge Grants, Item 180, the Facilities Matching Program, Item 180A, Library Automation, Item 181, and Distance Learning, including further development of the Florida Academic Counseling and Tracking System, Item 183. Item 182 provides funding for the Commission on Community Service in the amount of \$450,000.

Postsecondary Education Planning Commission

Line Items 187 through 192 fund 16 positions (up from 11 in 2000-01) and support the following studies: (1) Continuation of a longitudinal cohort study of public high school graduates through their entry into the workforce (report due May 31, 2002); (2) a cost study of Workforce Development Education Programs (results due by December 1, 2001); (3) an evaluation of the productivity of selected university positions (results due by December 1, 2001); (4) a review of the quality of and student performance in registered Apprenticeship Programs offered by school districts and Community Colleges (results due by February 15, 2002); (5) a cost-benefit study of programs at community colleges and universities in which private donations are matched by state funds (due by December 1, 2001); and (6) an evaluation of program offerings at university branch campuses (due by December 1, 2001).

State University System

The Division of Universities, Educational and General Activities Program (Line Items 193-212) is funded at \$2,349,856,491. Funded positions are increased to 29,521 from 29,352. Line Item 193 provides \$5,800,000 for I-4 Corridor/High Technology Research.

Performance measures and standards for Line Items 194 through 209 is as follows:
Graduation Rate for First Time in College (FTIC) students, using a six-year rate...61%

Funds include a 7.5% tuition increase for in-state and out-of-state students. An increase of \$10,500,000 is provided in Item 198 as start-up funding for additional full degree programs at branch campuses and centers, as well as for the establishment of New College as an independent institution. Line Item 199 provides funding for the Florida State University Medical School, and Line Item 199A provides \$6,000,000 to establish targeted baccalaureate degree programs at St. Petersburg and other colleges. Challenge Grants for matching private donations are funded in Line Item 202. Line Item 204 provides continued funding for the development of the Florida Academic Counseling and Tracking System (FACTS). An appropriation of \$500,000 for the State Employee Education Voucher Program is contained in Line Item 208A. A minimum of 71% of the \$20,695,215 provided in Line Item 207 for student financial aid shall be awarded on the basis of need.

Executive Direction and Support Services for the Board of Regents General Office, Line items 214 through 218B, totals \$102,294,429 and reflects a reduction in positions from 164 in FY 2000-01 to 101 in FY 2001-02.

Section 8 - This section provides instructions for implementing the Fiscal Year 2001-2002 salary and benefit increases for state employees.

FLORIDA PUBLIC EDUCATION BUDGET SUMMARY

General Revenue Fund, State School Trust Fund, Educational Enhancement TF, and General Revenue in State Student Financial Assistance Trust Fund. Does not include Fixed Capital Outlay, District Property Taxes, Fees, Federal Revenue, or General Revenue Transfers to the State Student Financial Assistance Trust Fund.

	2000-2001 Estimated Expenditures	2001-2002 Conference Final	Difference	Percent Difference
SUMMARY				
I. PUBLIC SCHOOL SYSTEM	7,880,609,702	8,038,860,288	158,250,586	2.01%
II. COMMUNITY COLLEGE SYSTEM	575,081,845	604,229,510	29,147,665	5.07%
III. STATE UNIVERSITY SYSTEM	1,878,216,494	1,834,483,668	(43,732,826)	-2.33%
IV. WORKFORCE DEVELOPMENT	764,101,490	752,979,713	(11,121,777)	-1.46%
V. OTHER EDUCATION PROGRAMS AND SERVICES	368,629,272	440,107,994	71,478,722	19.39%
TOTAL	11,466,638,803	11,670,661,173	204,022,370	1.78%

I. PUBLIC SCHOOL SYSTEM

STATE GRANTS/K12-FEFP				
Florida Education Finance Program	6,458,458,139	6,460,319,534	1,861,395	0.03%
District/Lottery Funds	190,125,000	0	(190,125,000)	NA
District Lottery/School Recognition	0	283,750,000	283,750,000	NA
Teacher Recruitment/Retention	60,000,000	152,000,000	92,000,000	153.33%
Instructional Materials	192,091,807	213,538,584	21,446,777	11.16%
Public School Technology	62,400,000	62,400,000	-	0.00%
Student Transportation	402,435,183	411,269,216	8,834,033	2.20%
Teacher Training	36,000,000	36,000,000	-	0.00%
Florida Teachers Lead Program	15,044,000	15,386,500	342,500	2.28%
Sub Total - State Grants/K12-FEFP	7,416,554,129	7,634,663,834	218,109,705	2.94%

STATE GRANTS/K12-NON-FEFP				
Sharpen The Pencil	0	3,200,000	3,200,000	NA
Public School Technology Supplement	1,500,000	0	(1,500,000)	NA
Alt. Schools Public/Private Partnerships	1,800,000	0	(1,800,000)	NA
Transfer/EOG School Readiness	1,075,000	1,075,000	0	0.00%
Florida Virtual High School	6,170,000	6,170,000	0	0.00%
School Choice	12,000,000	0	(12,000,000)	NA
Instructional Materials Management	1,600,000	1,150,000	(450,000)	-28.13%
Small School District Stabilization	0	1,000,000	1,000,000	NA
Professional Practices-Substitutes	3,740	3,740	0	0.00%
Public School Technology	1,000,000	1,500,000	500,000	50.00%
Extended School Year	11,000,000	11,000,000	0	0.00%
School Recognition/Merit Schools	60,000,000	0	(60,000,000)	NA
Reading Initiatives	0	10,993,291	10,993,291	NA
Asst/Low Perf. Schools	38,300,000	13,000,000	(25,300,000)	-66.06%
Mentoring/Student Initiative	0	14,525,000	14,525,000	NA
Education Partnerships	0	5,449,931	5,449,931	NA
Florida Humanities Council	275,000	(a)	(275,000)	NA
Learning Gateways	0	6,000,000	6,000,000	NA
College Reach Out Program	4,000,000	3,999,988	(12)	0.00%
Communities in Schools	3,000,000	1,000,000	(2,000,000)	-66.67%
Charter Schools Facilities & Equipment	20,000,000	(b)	(20,000,000)	NA
Diagnostic/Learning Research Centers	2,989,494	3,039,494	50,000	1.67%
Education/Business Cooperation	1,914,244	0	(1,914,244)	NA
Pre-School Projects	103,765,000	103,765,000	0	0.00%
Coalition Incentive Funds	2,085,000	0	(2,085,000)	NA
Excellent Teaching	10,220,618	27,967,009	17,746,391	173.63%
New World School-Arts	964,618	964,618	0	0.00%
School District Matching Grant Program	3,400,000	1,300,000	(2,100,000)	-61.76%
Jobs for Florida Graduates	3,000,000	0	(3,000,000)	NA
Educator/Liability Insurance	0	1,200,000	1,200,000	NA
Teacher Death Benefits	0	165,000	165,000	NA
Minority Teacher Incentive	180,000	(c)	(180,000)	NA
Safe Schools	176,676	0	(176,676)	NA
Teacher Bonuses/D & F Schools	12,250,000	0	(12,250,000)	NA
School District Opr. Per Audit	300,000	0	(300,000)	NA
Autism Centers	4,925,000	4,975,000	50,000	1.02%
Regional Education Consortium	1,100,000	750,000	(350,000)	-31.82%
Teacher Professional Development	1,399,523	8,890,472	7,490,949	535.25%
Teacher of the Year	45,772	45,742	(30)	-0.07%
School Related Persons of the Year	15,100	15,100	0	0.00%
Work Keys	250,000	0	(250,000)	NA
School/Instruction Enhancement	8,574,718	13,825,614	5,250,896	61.24%
Exceptional Education	3,029,773	3,491,336	461,563	15.23%
School/Deaf & Blind	29,258,658	30,755,562	1,496,904	5.12%

FLORIDA PUBLIC EDUCATION BUDGET SUMMARY

General Revenue Fund, State School Trust Fund, Educational Enhancement TF, and General Revenue in State Student Financial Assistance Trust Fund. Does not include Fixed Capital Outlay, District Property Taxes, Fees, Federal Revenue, or General Revenue Transfers to the State Student Financial Assistance Trust Fund.

	2000-2001 Estimated Expenditures	2001-2002 Conference Final	Difference	Percent Difference
Urban Teacher/Res/Prog.	500,000	0	(500,000)	NA
Lottery/EOG/TCH Campaign	0	500,000	500,000	NA
School Lunch Program/State Match (d)	17,886,046	16,886,046	(1,000,000)	-5.59%
Sub Total - State Grants/K12-Non-FEFF	369,953,980	298,602,943	(71,351,037)	-19.29%

- (a) Funded at \$275,000 in Teacher Professional Development
- (b) Funded from PECO at \$27,700,000
- (c) Funded at \$50,000 in Teacher Professional Development
- (d) Funded in Federal Grants/K-12 Program

EDUCATIONAL MEDIA & TECHNOLOGY SERVICES				
Capitol Technical Center	124,823	106,100	(18,723)	-15.00%
Instructional Technology	250,000	250,000	-	0.00%
Federal Equipment Match Grant	429,566	1,329,566	900,000	209.51%
Florida Info Resource Network	6,591,473	6,591,281	(192)	0.00%
Latin American Public Television	78,339	-	(78,339)	NA
Public Broadcasting	9,362,876	9,138,361	(224,515)	-2.40%
FETPIP/Workforce Development MIS	190,000	190,000	-	0.00%
Radio Read SVCS Blind	407,914	407,914	-	0.00%
Sub Total - Educational Media & Technology Serv	17,434,991	18,013,222	578,231	3.32%

EXECUTIVE DIRECTION AND SUPPORT SERVICES				
Contracted Services	-	10,536,792	10,536,792	NA
Litigation Expenses	28,897	24,562	(4,335)	-15.00%
Provision/Contracted Services	500,000	500,000	-	0.00%
Other State Services	13,236,838	16,094,239	2,857,401	21.59%
Sub Total - Executive Direction And Support Serv	13,765,735	27,155,593	13,389,858	97.27%

STATE OVERSIGHT & ASSISTANCE				
Assessment, Testing, and Evaluation	37,913,428	45,492,371	7,578,943	19.99%
Trans. To Div. Adm. Hearings	125,495	203,155	77,660	61.88%
Contracted Services	7,118,935	-	(7,118,935)	NA
Cost-of-Living Price Survey	87,500	74,375	(13,125)	-15.00%
Ed. Fac. Res. & Dev. Project	100,000	-	(100,000)	NA
Land Aquis/Facil. Adv. Board	-	250,000	250,000	NA
Other State Services	17,555,509	14,404,795	(3,150,714)	-17.95%
Sub Total - State Oversight & Assistance	62,900,867	60,424,696	(2,476,171)	-3.94%

Total Public Schools	7,880,609,702	8,038,860,288	158,250,586	2.01%
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II. COMMUNITY COLLEGE SYSTEM

Program Review/Special Studies	1,000,000	425,000	(575,000)	-57.50%
Performance Based Incentives	8,318,834	8,318,834	-	0.00%
Community College Lottery Funds	102,200,000	94,687,500	(7,512,500)	-7.35%
Community College Program Funds	419,120,252	456,452,882	37,332,630	8.91%
Increased Bandwidth Capacity	1,428,000	-	(1,428,000)	NA
High Demand - ROI	-	10,000,000	10,000,000	NA
Information Technology Enhancement Grant	-	1,992,010	1,992,010	NA
Program Challenge Grants	18,040,886	7,046,772	(10,994,114)	-60.94%
Child Care Projects	1,179,074	-	(1,179,074)	NA
Facilities Matching Program	7,182,396	8,803,228	1,620,832	22.57%
Displaced Homemakers	23,676	-	(23,676)	NA
Library Automation	7,724,162	8,442,582	718,420	9.30%
Comm. On Community Service	-	450,000	450,000	NA
Distance Learning	4,002,000	2,677,000	(1,325,000)	-33.11%
MLK Ctr. Non-Violence	200,000	100,000	(100,000)	-50.00%
Miami Book Fair	-	200,000	200,000	NA
Lake-Sumter Technology	-	250,000	250,000	NA
Other State Services	4,662,565	4,383,702	(278,863)	-5.98%

Total Community Colleges	575,081,845	604,229,510	29,147,665	5.07%
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FLORIDA PUBLIC EDUCATION BUDGET SUMMARY

General Revenue Fund, State School Trust Fund, Educational Enhancement TF, and General Revenue in State Student Financial Assistance Trust Fund. Does not include Fixed Capital Outlay, District Property Taxes, Fees, Federal Revenue, or General Revenue Transfers to the State Student Financial Assistance Trust Fund.

	2000-2001 Estimated Expenditures	2001-2002 Conference Final	Difference	Percent Difference
III. STATE UNIVERSITY SYSTEM				
Education and General Activities	1,867,706,771	1,826,623,681	(41,083,090)	-2.20%
Board of Regents General Office	10,509,723	7,859,987	(2,649,736)	-25.21%
Total State University System	1,878,216,494	1,834,483,668	(43,732,826)	-2.33%

IV. WORKFORCE DEVELOPMENT

Workforce Development	719,731,433	722,507,004	2,775,571	0.39%
Aid to Local Government/Critical Jobs	18,829,184	5,918,293	(12,910,891)	-68.57%
Adult Handicapped Funds	20,556,859	19,740,221	(816,638)	-3.97%
Preferred Tech Curriculum Pathway	2,000,000	2,000,000	-	0.00%
Other State Services	2,984,014	2,814,195	(169,819)	-5.69%
Total Workforce Development	764,101,490	752,979,713	(11,121,777)	-1.46%

V. OTHER PROGRAMS AND SERVICES

Financial Aid				
Bright Future Scholarships	143,100,000	202,000,000	58,900,000	41.16%
African & African-Caribbean SHP Program	45,600	36,150	(9,450)	-20.72%
Prepaid Tuition Scholarship	1,700,000	3,100,000	1,400,000	82.35%
Latin American/Caribbean Basin	28,440	14,940	(13,500)	-47.47%
Minority Teacher Scholarship	3,000,000	2,250,000	(750,000)	-25.00%
Ethics/Business Scholarship	500,000	500,000	-	0.00%
M. McCleod Bethune Scholar	679,328	679,328	-	0.00%
Public Student Financial Assistance TF (FSAG)	51,314,561	51,941,504	626,943	1.22%
Private Student Assistance Grant (FSAG)	8,503,833	10,737,529	2,233,696	26.27%
Postsecondary Student Assistance Grant (FSAG)	6,118,990	7,368,317	1,249,327	20.42%
Part-Time Students (FSAG)	-	3,828,086	3,828,086	NA
Children of Deceased/Disabled Veterans	333,250	333,250	-	0.00%
Florida Work Experience Program	1,069,922	1,069,922	-	0.00%
Critical Teacher Shortage Program	5,206,128	3,479,133	(1,726,995)	-33.17%
Florida Scholarship/Forgivable Loan Program	1,857,000	1,392,750	(464,250)	-25.00%
Exceptional Child Scholarship	109,212	82,159	(27,053)	-24.77%
Student Regent Scholarship	4,589	-	(4,589)	NA
State Board of CC Student Member Scholarship	4,589	-	(4,589)	NA
PEPC Student Member Scholarship	4,589	-	(4,589)	NA
Nicaraguan/Haitian Scholarship	8,681	-	(8,681)	NA
Seminole/Miccosukee Indian Scholarships	61,040	45,780	(15,260)	-25.00%
Occupational/Physical Therapy Shortage Program	131,000	98,250	(32,750)	-25.00%
Rosewood Family Scholarships	100,000	100,000	-	0.00%
Instructional Aid/Critical Teacher Shortage Program	150,000	112,500	(37,500)	-25.00%
Jose Marti School Challenge Grant	296,000	296,000	-	0.00%
Transfer/FL Education Fund	1,000,000	1,000,000	-	0.00%
Contractual Services	38,924	38,924	-	0.00%
Other State Services	5,190,776	3,357,263	(1,833,513)	-35.32%
Sub Total - Financial aid	230,556,452	293,861,785	63,305,333	27.46%

Private Colleges and Universities				
Barry University-BS/Nursing	189,989	-	(189,989)	NA
UM-BIMINI Bio Field St	200,000	-	(200,000)	NA
Medical TRG/Simulation Lab	2,500,000	2,000,000	(500,000)	-20.00%
Historical Black Private Colleges	-	7,974,038	7,974,038	NA
Limited Access Grants	180,000	-	(180,000)	NA
FIT-Science Education	86,787	-	(86,787)	NA
UM-Industrial Engineering	246,446	-	(246,446)	NA
UM-Music Engineering	335,047	-	(335,047)	NA
UM-BS/Architectural Engineering	223,365	-	(223,365)	NA
1st Accredited Medical School	18,645,202	18,145,202	(500,000)	-2.68%
FIT-Engineering Contract	401,346	-	(401,346)	NA
Library Resources	168,041	-	(168,041)	NA
Academic Program Contracts	-	2,327,177	2,327,177	NA
Southeastern University-Osteopat.	3,133,900	-	(3,133,900)	NA

FLORIDA PUBLIC EDUCATION BUDGET SUMMARY

General Revenue Fund, State School Trust Fund, Educational Enhancement TF, and General Revenue in State Student Financial Assistance Trust Fund. Does not include Fixed Capital Outlay, District Property Taxes, Fees, Federal Revenue, or General Revenue Transfers to the State Student Financial Assistance Trust Fund.

	2000-2001 Estimated Expenditures	2001-2002 Conference Final	Difference	Percent Difference
Southeastern University-Pharmacy	838,244	-	(838,244)	NA
Southeastern University-Optometry	969,400	-	(969,400)	NA
Nursing Contract-UM	595,640	-	(595,640)	NA
UM/Minority Affairs	100,000	-	(100,000)	NA
Public Sector Urban/Rural Unmet. NDS	125,000	-	(125,000)	NA
Social Workers Contract-Barry University	193,734	-	(193,734)	NA
Bethune Cookman	2,851,999	-	(2,851,999)	NA
Edward Waters College	2,601,999	-	(2,601,999)	NA
Florida Memorial College	2,351,999	-	(2,351,999)	NA
Spinal Cord Research/UM	250,000	1,000,000	750,000	300.00%
Regional Diabetes Center-UM	677,609	677,609	-	0.00%
Motion Picture Contract	349,897	-	(349,897)	NA
UM-Biomed Engineering Contract	168,735	-	(168,735)	NA
UM-Biomed PHD Contract	1,076,000	-	(1,076,000)	NA
UM-Rosenstiel PHD Mar.	531,900	-	(531,900)	NA
UM-MS in Nursing	401,589	-	(401,589)	NA
Nova U/MS/Speech Path	215,280	-	(215,280)	NA
Florida Resident Access Grant (FRAG)	70,830,388	70,830,388	-	0.00%
Nova SE University-Health Programs	-	5,605,562	5,605,562	NA
Sub Total - Private Colleges and Universities:	111,439,536	108,559,976	(2,879,560)	-2.58%
Other				
Postsecondary Education Planning Commission (PEPC)	1,066,581	1,536,839	470,258	44.09%
Blind Services	-	11,046,643	11,046,643	NA
Vocational Rehabilitation	25,566,703	25,102,751	(463,952)	-1.81%
Sub Total - Other:	26,633,284	37,686,233	11,052,949	NA
Total Other Programs and Services	368,629,272	440,107,994	71,478,722	19.39%