

A. Laws Enacted or Amended Over the Previous 12 Months That Modify the Department's Duties or Authority				
Law (Laws of Florida citation)	Is Rulemaking mandatory?	Is Rulemaking Necessary? If no, explain why the law may be implemented without rulemaking.	If Rulemaking is necessary, has a Notice of Rule Development been published?	Expected Date to Publish Notice of Proposed Rule
Ch. 2016-002, (SB 672)				
s. 1 , amending s. 1004.6495, F.S., to: * Establish the Florida Center for students with Unique Abilities.	Yes	Yes Rules will be promulgated by University of Central Florida, Board of Governors and the State Board of Education, in consultation with the Florida Center, to implement this section.	No.	Expected by April 1, 2017
s. 5 , amending s. 1002.385, F.S., to: * Change the name of the Florida Personal Learning Scholarship Account Program to the Gardiner Scholarship Program; * Revise program funding provisions; * Revise the Department's and the Commissioner's duties with respect to the program; and * Revise audit requirements for the program.	Yes	Yes Rule 6A-6.0961, F.A.C. will be revised to reflect the statutory changes.	Published March 25, 2016 in Vol. 42/59	Published June 6, 2016, Vol. 42/109
Ch. 2016-58, (HB0719)				

<p>s. 3, amending 1012.05, F.S., to:</p> <p>* Authorize the Department to coordinate a best practice community to ensure school district personnel responsible for teacher recruitment and other human resources functions are operating with the most up-to-date knowledge.</p>	No	<p>No</p> <p>The statute is sufficiently specific for implementation, and there is no rulemaking authority provided.</p>	n/a	n/a
<p>s. 6, adding s. 1012.562, F.S., to:</p> <p>* Require the Department of Education to approve school leader preparation programs and establish program requirements by rule;</p>	Yes	<p>Yes</p> <p>An amendment is required for Rule 6A-5.081, F.A.C.- Approval of School Leadership Programs.</p> <p>Rules 6A-4.0081, F.A.C., Florida School Leaders Certification, 6A-4.0082, F.A.C., Ed Leadership, 6A-4.0083, F.A.C., School Principal, will be amended to provide certification requirements</p>	<p>Published September 8, 2016 in Vol. 42/175</p> <p>No</p>	<p>Expected by April 1, 2017</p> <p>Expected by April 1, 2017</p>
<p>s. 8, amending 1012.79, F.S., to:</p> <p>* Give authority to the Commissioner, upon request or recommendation from the Education Practices Commission (EPC), to appoint up to five emeritus members.</p>	No	<p>No</p> <p>The statute is sufficiently specific for implementation, and there is no rulemaking authority provided.</p>	n/a	n/a
<p>s.9, amending 1012.796, F.S., to:</p> <p>* Give authority to the Commissioner to issue a letter of guidance to educators who are issued a finding of no probable cause.</p>	No	<p>No</p> <p>The statute is sufficiently specific for implementation, and there is no rulemaking authority provided.</p>	n/a	n/a

Ch. 2016-062, (HB 5003)				
<p>s. 6 creating 1001.66, F.S., to establish:</p> <p>* The Florida College System Performance-Based Incentive. (see 2016-237, s. 9)</p>	Yes	<p>Yes</p> <p>New rule, 6A-14.07621, F.A.C., was adopted.</p>	Published May 5, 2016, Vol. 42/88	Published June 24, 2016 Vol. 42/123
<p>s. 32, affecting s. 1009.605, F.S., Florida Fund for Minority Teachers, Inc., to:</p> <p>* Limit expenditures to 5% of appropriations and up to \$250,000 from funds for administration; and</p> <p>* Authorize provisions for 2016-17 academic year.</p>	No	<p>No</p> <p>This provision is sufficiently specific for implementation, and there is no rulemaking authority provided.</p>	n/a	n/a
<p>s. 33, amending s. 1009.986, F.S., Florida ABLE Program to:</p> <p>* Provide for extended implementation of ABLE program if the board determines a superior alternative to implementation becomes available through contracting with another state; and</p> <p>* Include in the participation agreement if the Florida ABLE program requires a designated beneficiary to be a resident of Florida or the contracting state.</p>	No	<p>No</p> <p>This provision is sufficiently specific for implementation without rulemaking.</p>	n/a	n/a
Ch. 2016-087, (HB 701)				

<p>s. 1, adding a new section to:</p> <p>*Establish the Art in the Capitol Competition and require the Department to administer it along with the Department of Management Services.</p>	No	No The statute is sufficiently specific for implementation without rulemaking, and there is no rulemaking authority provided.	n/a	n/a
Ch. 2016-91 , (HB 0793)				
<p>s. 1, amending s. 1009.531, F.S., Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards to:</p> <p>* Expand the reinstatement timeframe for students with religious service obligations; * Remove obsolete test score requirements; and * Remove higher test requirements for home-educated students.</p>	Yes	Yes Rule 6A-20.028, F.A.C., Florida Bright Futures Scholarship Program, will be amended.	Published April 28, 2016 in Vol. 42/83	Expected by April 1, 2017
<p>s. 2, amending s. 1009.532, F.S., Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards to:</p> <p>* Create renewal eligibility for the Florida Gold Seal Career and Professional Career Education (CAPE).</p>	Yes	Yes Rule 6A-20.028, F.A.C., Florida Bright Futures Scholarship Program, will be amended.	Published April 28, 2016 in Vol. 42/83	Expected by April 1, 2017
<p>s. 3, amending s. 1009.534, F.S., Florida Academic Scholars award to:</p> <p>* Clarify volunteer service for Bright Futures Scholarship Florida Academic Scholars award eligibility.</p>	Yes	Yes Rule 6A-20.028, F.A.C., Florida Bright Futures Scholarship Program, will be amended.	Published April 28, 2016 in Vol. 42/83	Expected by April 1, 2017

<p>s. 4, amending s. 1009.535, F.S., Florida Medallion Scholars award to:</p> <p>* Clarify volunteer service for Bright Futures Scholarship Florida Medallion Scholars award eligibility.</p>	Yes	Yes	Published April 28, 2016 in Vol. 42/83	Expected by April 1, 2017
<p>Rule 6A-20.028, F.A.C., Florida Bright Futures Scholarship Program, will be amended.</p>				
<p>s. 5, amending s. 1009.536, F.S., Florida Gold Seal Vocational Scholars award to:</p> <p>* Create the Florida Gold Seal CAPE Scholars award for students graduating high school in 2016-17; and</p> <p>* Clarify volunteer service for Bright Futures Scholarship Florida Gold Seal Vocational Scholars award eligibility.</p>	Yes	Yes	Published April 28, 2016 in Vol. 42/83	Expected by April 1, 2017
<p>Rule 6A-20.028, F.A.C., Florida Bright Futures Scholarship Program, will be amended.</p>				
Ch. 2016-117, (HB 189)				
<p>s. 7, amending 1012.56, F.S., to:</p> <p>*Provide alternative requirements for earning a professional certificate that covers grades 6-12 in an area of science, technology, engineering, or mathematics.</p>	No	Yes	No	Expected by April 1, 2017
<p>Rule 6A-4.004(2), F.A.C., Florida Educator's Certificates will be amended to provide certification requirements.</p>				
Ch. 2016-136, (HB 799)				
<p>s. 1, amending s. 1009.26, F.S., to:</p> <p>* Establish out-of-state tuition fee waivers for certain students.</p>	Yes	Yes	Published July 15, 2016 Vol. 42/137	Published August 16, 2016 Vol. 42/159
<p>Rule 6A-14.0305, F.A.C., will be amended.</p>				
Ch. 2016-142, (HB1157)				

<p>s. 1, amending s. 1004.096. F.S. to:</p> <p>* Direct the Department to award certain postsecondary course credit to veterans.</p>	Yes	<p>Yes</p> <p>Rules will be adopted to enable eligible service members or veterans of the United States Armed Forces to earn academic college credit at public postsecondary educational institutions for college-level training and education acquired in the military.</p>	No	Expected by April 1, 2017
<p>s. 4, amending s. 1012.56, F.S., to:</p> <p>* Provide that specified Defense Language Institute (DLI) programs and Defense Language Proficiency Test (DLPT) scores meet certain educator certification requirements.</p>	No	<p>Yes</p> <p>Rule 6A-4.002(4), F.A.C., General Provisions (Examinations) will be amended.</p>	No	Expected by April 1, 2017
Ch. 2016-149, (HB 1365)				

<p>s. 1, adding s. 1003.4996, F.S., to:</p> <p>*Establish the competency-based education pilot program for select districts to receive a waiver(s) allowing students to advance to higher levels of learning upon mastery of concepts and skills rather than awarding of credits;</p> <p>*Require the department to prescribe the application format, compile student and staff schedules before and after implementation, provide access to statewide assessments, and provide a report; and</p> <p>*Require the State Board of Education (SBE) to adopt rules for administration.</p>	Yes	Yes A new rule, 6A-6.0652, F.A.C., will be adopted.	Published July 15, 2016 Vol. 42/137	Expected by April 1, 2017
Ch. 2016-223 , (HB 287)				
<p>s. 1, adding s. 1011.6202, F.S., to:</p> <p>*Establish the Principal Autonomy Pilot Program Initiative;</p> <p>* Require the SBE to adopt rules for administration;</p> <p>*Require the SBE to report annually on program implementation; and</p> <p>*Require the Commissioner to conduct a full evaluation of the effectiveness of the program after 1st 3-yr term.</p>	Yes	Yes A new rule will be adopted.	No	Expected in November 2016
Ch. 2016-227 , (HB 0585)				

<p>s. 1, amending s. 1003.57, F.S., to:</p> <ul style="list-style-type: none"> * Require school districts to provide instruction to homebound or hospitalized students; * Require the State Board of Education to adopt rules for student eligibility, methods of providing instruction to homebound or hospitalized students and the initiation of services; and * Require the department to develop a standard agreement for use by districts. 	Yes	Yes Rulemaking is needed to amend Rule 6A-6.03020, F.A.C., Specially Designed Instruction for Students Who Are Homebound or Hospitalized	No	Expected by April 1, 2017
Ch. 2016-237, (HB7029)				
<p>s. 7, amending s. 1002.33, F.S. to:</p> <ul style="list-style-type: none"> * Revise requirements for charter school applications; * Revise the requirements for the operation of charter schools; * Require termination of a charter school's contract if the school earns two consecutive grades of "F." 	No	Yes Amendment to the Model Contract adopted in Rule 6A-6.0786, F.A.C., Forms for Charter School Applicants and Sponsors, is needed.	Published August 8, 2016 Vol. 42/153	Expected by October 31, 2016

<p>s. 9, creating s. 1001.66, F.S., which:</p> <ul style="list-style-type: none"> * Creates a Florida College System Performance-Based Incentive for Florida College System Institutions; * Requires the State Board of Education to adopt metrics and bench marks; * Authorizes the State Board of Education to withhold an institutions incentive under certain circumstances; and * Requires the Commissioner to withhold certain disbursements under certain circumstances. 	Yes	Yes New rule, 6A-14.07621, F.A.C., was adopted.	Published May 5, 2016, Vol. 42/88	Published June 24, 2016 Vol. 42/123
<p>s. 14, amending s. 1013.62, F.S., to:</p> <ul style="list-style-type: none"> * Revise funding eligibility requirements for charter schools; * Revise funding allocation calculation; * Require the Department to calculate the eligible charter school funding allocations; and * Remove certain duties of the Commissioner. 	No	Yes Rule 6A-2.0020, F.A.C., Eligibility for Charter School Capital Outlay will be amended	Published July 15, 2016 Vol. 42/137	Published August 25, 2016, Vol. 42/166
<p>s. 15, amending s.1013.64, F.S., to:</p> <ul style="list-style-type: none"> * Revise eligibility requirements, application procedures and the application review process for the Special Facility Construction Account (SFCA) program; * Require accurate recordkeeping by school districts related to costs of construction; * Apply cost thresholds for all capital outlay funds, including local funds; and * Impose sanctions for districts that exceed the cost limits after July 1, 2017. 	No	Yes Rule 6A-2.0010, F.A.C., Educational Facilities, including the publication and several forms it incorporates by reference, will be revised to clarify provisions related to implementation of new provisions related to cost of construction limits and the SFCA, as well as other technical and clarifying revisions.	Published February 11, 2016, Vol. 42/28	Expected by September 26, 2016

<p>s. 26, amending s. 1009.893, F.S., Florida National Merit Scholars Incentive Program, to:</p> <ul style="list-style-type: none"> * Rename the program the Benacquisto Scholarship Program; * Identify a student receiving a scholarship as a Benacquisto Scholar; * Encourage all eligible Florida public or independent postsecondary institutions to become college sponsors of the National Merit Scholarship Program; and * Require eligible state universities to become college sponsors of the National Merit Scholarship Program. 	Yes	Yes Rule 6A-20.0281, F.A.C., Florida Incentive Scholarship Program, has been revised for consistency with new legislative language.	Published April 28, 2016 Vol. 42/83	Published June 24, 2016 Vol. 42/123
<p>s. 28, amending s. 1011.62, F.S., to:</p> <ul style="list-style-type: none"> * Revise the calculation for certain supplemental funds for exceptional student education programs; * Revise funding for students who earn Career and Professional Education (CAPE) industry certifications; * Revise teacher bonus caps * Create federally connected student supplement for school districts; and * Specify eligibility requirements and calculations for the supplement. 	Yes	<p>Yes Rulemaking is required annually under this statute (though not by the amended provisions of the statute). Rule 6A-6.0573, F.A.C., will be updated accordingly.</p> <p>The new provisions in the statute are sufficiently specific for implementation without additional rulemaking.</p>	<p>Published August 1, 2016 Vol. 42/80</p> <p>n/a</p>	<p>Published August 30, 2016 Vol. 42/169</p> <p>n/a</p>
<p>s. 30, amending s. 1012.42, F.S., to:</p> <ul style="list-style-type: none"> * Require districts to post a notice of out-of-field teachers on its website 30 days before the beginning of each semester. * Permit parents to request transfer of a student to an in-field teacher. 	No	No The statute is sufficiently specific for implementation without rulemaking.	n/a	n/a

<p>s. 32, creating s. 1012.583, F.S., to:</p> <p>*Require FDOE in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, to develop a list of approved youth suicide awareness and prevention training materials for K-12 instructional personnel.</p>	No	No The statute is sufficiently specific for implementation without rulemaking; however, rulemaking authority is provided should it become necessary.	n/a	n/a
<p>s. 33, amending s. 1012.795, F.S., to:</p> <p>*Authorize the Education Practices Commission to take action on the educator certificate of someone who has committed a third recruiting offense as determined by FHSAA.</p>	No	No The statute is sufficiently specific for implementation without rulemaking; however, rulemaking authority is provided should it become necessary.	n/a	n/a
<p>s. 40, amending s. 1003.432, F.S., to:</p> <p>* Establish a program recognizing a high level of competency in foreign languages for high school graduates; * Require school districts and the Commissioner of Education to administer the program; and * Require the Department to prepare and provide each district the diploma insignia.</p>	Yes	Yes A new rule is required for the implementation of the program, and Rule 6A-1.0995, F.A.C., Form of High School Diplomas and Certificates of Completion will be amended.	No	Expected April 1, 2017