

FLORIDA SCHOOL BOARDS ASSOCIATION



The voice of education in Florida

2018 LEGISLATIVE SESSION SUMMARY

Part I: Education Appropriations

Part II: Education Legislation

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BILL SUMMARIES

HB 29 – Military and Veterans Affairs

By Rep. Ponder (SB 1884 by Sen. Broxson)

AMENDS: 295.21, 295.22, 446.041, 446.081, 455.02, 456.024, 472.015, 472.016, 493.6105, 493.6107, 493.6113, 494.00312, 494.00313, 497.140, 497.141, 497.281, 497.368, 497.369, 497.370, 497.371, 497.373, 497.374, 497.375, 497.453, 497.466, 32, 497.554, 497.602, 501.015, 501.605, 501.607, 501.609, 507.03, 517.12, 527.02, 539.001, 559.904, 559.928, 626.171, 626.732, 626.7851, 626.8311, 626.8417, 626.927, 633.414, 633.444, 683.147, 1002.37, 1003.42, 1012.55, 1012.56, 1012.59, F.S.

CREATES: Sections 250.483, 497.393, 683.147, F.S.

EFFECTIVE: July 1, 2018

This bill has school board policy implications

The bill eases a variety of professional licensing fees and requirements for certain military members, veterans, and their spouses and includes several provisions to support and honor these individuals. Of interest to school districts, the bill:

- Directs the Department of Education (FDOE) to lead and coordinate outreach efforts to educate veterans about apprenticeship and career opportunities.
- Designates March 25 of each year as "Medal of Honor Day" and calls upon public officials, schools, private organizations, and all members of the state to commemorate Medal of Honor Day and honor recipients of the Medal of Honor.
- Adds references to Medal of Honor recipients and Medal of Honor Day to the required instruction relating to patriotism and provides that a character development program that incorporates the values of the recipients of the Medal of Honor and that is offered as part of a social studies, English Language Arts, or other character building and veteran awareness initiative meets the requirements of specified required instruction.
- Requires the Florida Virtual School to give priority for attendance to students who are children of an active duty member who is not stationed in Florida, but whose legal residence is Florida.
- Provides that an instructor of junior reserve officer training may receive funding through the Florida Teachers Classroom Supply Assistance Program.
- Requires the FDOE to issue a 3-year temporary certificate in educational leadership to an individual who:
 - Earned a passing score on the Florida Educational Leadership Examination.
 - Served as a commissioned or noncommissioned military officer for at least 3 years.
 - Was honorably discharged or has retired from the United States Armed Forces.
 - Is employed full time in a position for which an educator certificate is required in a Florida public school, state-supported school, or nonpublic school that has a Level II program.
- Requires a Level II program to accept an applicant who holds a temporary certificate who meets the provisions above and requires the FDOE to issue a permanent certification as a school principal to an individual who holds a temporary certificate and successfully completes the Level II program.
- Revises the circumstances under which the FDOE may extend the validity period of a temporary certificate when certain requirements for the professional certificate were not completed to include the military service of an applicant's spouse.
- Requires the SBE to waive initial general knowledge, professional education, and subject area examination fees and certification fees for:
 - A member of the United States Armed Forces or a reserve component thereof who is serving or has served on active duty or the spouse of such a member.
 - The surviving spouse of a member of the United States Armed Forces or a reserve component thereof who was serving on active duty at the time of death.
 - An honorably discharged veteran of the United States Armed Forces or a veteran of a reserve component thereof who served on active duty and the spouse or surviving spouse of such a veteran.

HB 165 – Written Threats to Conduct Mass Shootings or Acts of Terrorism

By Rep. McClain (SB 310 by Sen. Steube)

AMENDS: Sections 836.10, 921.0022, F.S.

REENACTS: Sections 794.056, 938.085, F.S.

EFFECTIVE: July 1, 2018

This bill has school board policy implications

The bill addresses the difficulty of applying current law to threats issued and shared publicly on social media, as such threats may not be communicated directly to any specific person. The bill amends s. 836.10, F.S., relating to written threats to kill or do bodily injury, as follows:

- Renames this section of law to include threats to conduct a mass shooting or an act of terrorism.
- Provides that any person who makes, posts, or transmits a threat in a writing or other record, including an electronic record, to conduct a mass shooting or an act of terrorism, in any manner that would allow another person to view the threat, commits a felony of the second degree.
- Specifies that these provisions do not impose liability on a provider of an interactive computer service, communications services, a commercial mobile service, or an information service if it provides the transmission, storage, or caching of electronic communications or messages of others or provides another related telecommunications service, commercial mobile radio service, or information service for use by another person who violates this section of law. This exemption from liability is consistent with and in addition to any liability exemption provided under federal law.

The bill amends s. 921.0022, F.S., relating to the Criminal Punishment Code and offense severity ranking chart to conform with the changes made by the bill and also reenacts ss. 794.056 and 938.085, F.S., to incorporate the amendments made by the bill.

HB 495 – K-12 Public Education

By Reps. Diaz and Bileca

AMENDS: Sections 121.091, 810.097, 1001.42, 1001.51, 1007.2616, 1008.22, 1012.27, 1012.31, 1012.315, 1012.56, 1012.795, 1012.796, F.S.

CREATES: Section 800.101, F.S.

EFFECTIVE: July 1, 2018 except as otherwise expressly provided

This bill has school board policy implications

The bill addresses several distinct issues including the Deferred Retirement Option Program (DROP), computer science instruction, end of course assessments, misconduct by authority figures, and educator conduct and certification.

Deferred Retirement Option Program (DROP)

The bill amends s. 121.091, F. S., relating to the Florida Retirement System, to modify participation in DROP for instructional and administrative personnel as follows:

- Provides that, effective July 1, 2018, instructional personnel who are authorized to extend DROP participation beyond the 60-month period must have a termination date that is the last day of the last month of the school year within the DROP extension granted by the employer.
- Authorizes a member's DROP participation to be extended through the last day of the last calendar month of the school year if, on July 1, 2018, a member's DROP participation has already been extended for the maximum 36 calendar months and the extension period concludes before the end of the school year.
- Provides that administrative personnel in grades K-12, who have a DROP termination date on or after July 1, 2018, may be authorized to extend DROP participation beyond the initial 60 calendar month period if the administrative personnel's termination date is before the end of the school year. Such administrative personnel may have DROP participation extended until the last day of the last month of the school year in which their original DROP termination date.

- Requires the employer to notify the Division of Retirement of the change in termination date and the additional period of DROP participation for the affected instructional and administrative personnel.

Computer Science Instruction

The bill amends s. 1007.2616, F.S., relating to computer science instruction, as follows:

- Defines “computer science” to mean the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society, and includes computer coding and computer programming.
- Requires middle schools, high schools, and combination schools to offer computer science courses.
- Requires computer science courses to be identified in the Course Code Directory (CCD) and published on the FDOE website by July 1, 2018. Additional computer science courses may be subsequently identified and posted on the website.
- Requires the Florida Virtual School (FLVS) to offer computer science courses identified in the CCD. If a school district does not offer and identified course, the district must provide students access to such course through the FLVS or through other means.
- Provides that, subject to legislative appropriation, a school district or a consortium of school districts may apply to the FDOE for funding to deliver or facilitate training for classroom teachers to earn an educator certificate in computer science or an industry certification associated with a course identified in the CCD. Such funding shall only be used to provide training for classroom teachers and to pay fees for examinations that lead to a credential.
- Provides, subject to legislative appropriation, the following bonuses to a public school classroom teacher evaluated as effective or highly effective, or is newly hired:
 - \$1,000 after each year teaching a computer science course, for up to three years, if the classroom teacher holds an educator certificate in computer science or has passed the computer science subject area examination and holds an adjunct certificate.
 - \$500 after each year teaching a specified course, for up to three years, if the classroom teacher holds an industry certification associated with a computer science course.
- Requires a school district to report a qualifying classroom teacher to the FDOE. An eligible classroom teacher shall receive his or her bonus upon completion of the school year in which he or she taught the course. A teacher may not receive more than one bonus per year.
- Requires, rather than authorizes, the State Board of Education (SBE) to adopt rules to administer these provisions.

Statewide Assessment Program

The bill amends s. 1008.22, F.S., relating to student assessments, to provide that a student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessments and earns the minimum score necessary to earn college credit does not have to take the required end-of-course assessment for the corresponding course.

Offenses Against Students

The bill creates s. 800.101, F.S., relating to offences against students by authority figures, to provide as follows:

- Provides the following definitions:
 - "Authority figure" means a person 18 years of age or older who is employed by, volunteering at, or under contract with a school, including school resource officers.
 - "School" has the same meaning as provided in s. 1003.01, F.S., and includes a private school, a voluntary prekindergarten education program, early learning programs, certain child care centers, the Florida School for the Deaf and the Blind, and the Florida Virtual School.
 - "Student" means a person who is enrolled at a school.

- Provides that an authority figure shall not solicit or engage in sexual conduct, a relationship of a romantic nature, or lewd conduct with a student
- Provides that a person who violates this section commits a felony of the second degree, punishable as provided by law.
- Adds this offense to the list of offenses in s. 1012.315, F.S., that disqualify educators from certification and/or employment.

The bill amends s. 810.097, F.S., relating to trespass on school grounds, by adding school buses to the definition of “school” so that the provisions in law regarding trespass on school grounds or facilities will also apply to buses.

Educator Conduct, Certification, and Employment

The bill modifies several sections of law relating to educator certification requirements and misconduct as follows:

- Expands the applicability of certain employment disqualification criteria to include all positions that require direct contact with students.
- Grants the Department of Education (FDOE) and the Education Practices Commission additional authority to enforce the educator certification requirements and impose penalties against persons who do not comply with certification requirements.
- Requires an educator who has been placed on probation to immediately notify the investigative office in the FDOE upon separation from employment in any public or private position requiring a Florida educator’s certificate.
- Revises standards of ethical conduct for instructional personnel and school administrators to expand the current training on alleged misconduct by instructional personnel and school administrators to include specified misconduct that would result in disqualification from educator certification or employment.
- Requires a school district to:
 - File in writing with the FDOE any legally sufficient complaint against an employee of the school district within a specified timeframe, regardless of the status of the complaint and regardless of whether the subject of the complaint is still a district employee.
 - Immediately notify the FDOE if the subject of a legally sufficient complaint of misconduct affecting the health, safety, or welfare of a student resigns or is terminated before the conclusion of the district’s investigation.
- Requires the FDOE, upon receipt of notification by the school district, to place an alert on a person’s certification file indicating that he or she resigned or was terminated before an investigation involving allegations of misconduct affecting the health, safety, or welfare of a student was concluded.
- Requires a district school superintendent to:
 - Report misconduct by instructional personnel or school administrators that would result in a disqualification from educator certification or employment to the law enforcement agencies with jurisdiction over the conduct. The bill provides that a superintendent who knowingly fails to report misconduct to law enforcement agencies must forfeit his or her salary for one year after the date of such failure to act.
 - Notify the parent of a student who was subjected to or affected by specified misconduct within 30 days after the date on which the school district learns of the misconduct, and specifies the information that must be included in such notification.
- Requires the resignation or termination of an employee before the conclusion of an alleged misconduct investigation affecting the health, safety, or welfare of a student to be clearly indicated in the employee’s personnel file.

HB 577 – High School Graduation Requirements

By Reps. Silvers and Duran (SB 856 by Sen. Montford)

AMENDS: Section 1003.4282, F.S.

EFFECTIVE: July 1, 2018

This bill has school board policy implications

The bill amends s. 1003.4282, F.S., relating to high school graduation requirements, to provide that a student who earns credit upon completion of an apprenticeship or pre-apprenticeship program registered with the FDOE may use such credit to satisfy the high school graduation credit requirements for:

- Fine or performing arts, speech and debate, or practical arts; or
- Electives.

The SBE must approve and identify in the Course Code Directory the apprenticeship and pre-apprenticeship programs from which earned credit may be used.

HB 731 – Home Education

By Rep. Sullivan (SB 732 by Sen. Baxley)

AMENDS: Sections 1002.385, 1002.41, 1003.21, 1003.26, 1003.27, 1007.35, F.S.

EFFECTIVE: July 1, 2018

This bill has school board policy implications

The bill modifies requirements related to home education programs and school attendance, and also updates terminology relating to certain assessments. The bill amends s. 1002.41, F.S., relating to home education programs as follows:

- Provides that a home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with the state's attendance requirements.
- Provides that, upon receipt of a notice from a parent of the intent to establish and maintain a home education program, the district school superintendent must immediately register the home education program.
- Prohibits the district from requiring any additional information or verification from the parent unless the student chooses to participate in a school district program or service.
- Prohibits the district school superintendent from assigning a grade level to the home education student or including a social security number or any other personal information of the student in any school district or state database unless the student chooses to participate in a school district program or service.
- Requires the parent to file a written notice of termination upon completion of the home education program with the district school superintendent, along with the required annual evaluation, within 30 days of termination.
- Provides that the parent shall determine the content of the student portfolio containing, at a minimum, a log of educational activities and samples of the student's work and must make it available for inspection, if requested, by the superintendent.
- Authorizes a school district to provide access to career and technical courses and programs for a home education program student who enrolls in a public school solely for the career and technical courses or programs. The school district that provides the career and technical courses and programs shall report each student as a full-time equivalent student in the class, and funding shall be provided through the FEFP.
- Requires that industry certifications, national assessments, and statewide assessments offered by a school district to be available to home education program students. Each school district must notify home education program students of the available certifications and assessments and the deadline for notifying the school district of the student's intent to participate.
- Provides that a school district may not further regulate, exercise control over, or require documentation from parents of home education program students beyond the requirements of this section of law unless it is necessary for participation in a school district program.

The bill amends several sections of law relating to school attendance as follows:

- Amends s. 1003.21, F.S., relating to school attendance, to specify that the district school superintendent may not require evidence of age from any child who meets regular attendance requirements by attending a home education program.
- Amends s. 1003.26, F.S., relating to enforcement of school attendance, to authorize the district school superintendent to refer instances of non-enrollment or non-attendance to a child study team at the school the student would be assigned according to district school board attendance area policies. The child study team is required to diligently facilitate intervention services and shall report the case back to the district school superintendent only when all reasonable efforts to resolve the non-enrollment or non-attendance behavior are exhausted.
- Amends s. 1003.27, F.S., relating to court procedure and penalties in non-enrollment and non-attendance cases, to provide that criminal prosecution may not be instituted against the student's parent until the school and school district have complied with the enforcement of school attendance provisions set forth in s. 1003.26, F.S.
- Amends s. 1003.27, F.S., relating to court procedure and penalties in non-enrollment and non-attendance cases, to provide that the Department of Highway Safety and Motor Vehicles may not issue a driver license or learner's driver license to, and shall suspend any previously issued driver license or learner's driver license of, any minor student who fails to satisfy relevant attendance requirements.

The bill amends s. 1007.35, F.S. relating to the Florida Partnership for Minority and Underrepresented Student Achievement, as follows:

- Updates the name of the preliminary ACT assessment to the PreACT.
- Adds the ACT and the PreACT to the list of assessments included in databases containing teacher professional development data and databases containing assessment data.

HB 1091 – Early Learning

By Rep Grall (*SB 1254 by Sen. Passidomo*)

AMENDS: Sections 1002.81, 1002.82, 1002.84, 1002.85, 1002.87, 1002.88, 1002.89, F.S.

EFFECTIVE: July 1, 2018

This bill has school board policy implications

The bill modifies provisions relating to the school readiness program as follows:

- Requires the Office of Early Learning (OEL) to:
 - Identify observation-based child assessments for use by school readiness program providers at least three times a year, and specifies related requirements.
 - Adopt a program assessment for school readiness program providers that measures the quality of teacher-child interactions, including supports such as classroom organization and instructional supports, for children ages birth to 5 years, and specifies related requirements.
 - Develop a differential payment of 15% for school readiness program providers based on teacher-child interaction quality measures, with no more than 5% of the 15% total differential for providers who submit valid and reliable observation-based assessment data.
 - Revise the standard statewide provider contract to include contracted slots; quality improvement strategies, if applicable; and program assessment requirements.
 - Provide that termination of the standard statewide provider contract for cause, for up to 5 years, must also include failure to meet minimum quality measures of the program assessment, unless the early learning coalition determines that the provider is essential to meeting capacity needs and the provider has an active improvement plan.
 - Modify the single statewide information system to provide access to a parent to monitor the development of his or her child and enable analysis at the state, regional, and local level to measure child growth over time, program impact, and quality improvement and investment decisions.

- Modify the annual report published on the OEL’s website to include specified data regarding school readiness program providers’ compliance with requirements relating to the program assessment.
- Revises Early Learning Coalition (ELC) plans to add information regarding:
 - An assessment of local priorities within the respective county or multi-county region based on the needs of families and provider capacity using available community data.
 - Local eligibility priorities for children, the use of contracted slots, as applicable, in the ELC’s procedures for program implementation, a payment rate schedule, and quality improvement strategies in the description of the ELC’s quality activities and services.
- Revises the child eligibility priorities for participation in the school readiness program based on the ELC’s local priorities; and also revise the definition of “at-risk” children for eligibility purposes.
- Revises the eligibility requirements for providers to deliver the school readiness program to specify that the providers must participate in a program assessment that measures the quality of teacher-child interactions.
- Authorizes the use of the award of grants and financial supports to school readiness program providers and their staff to meet program assessment requirements.
- Appropriates \$6 million to the OEL to implement the program assessment for school readiness program providers.

HB 1201 – Education of Prisoners

By Rep. Ahern (SB 1318 by Rouson)

AMENDS: Sections 944.801, 951.176, 1011.80, F.S.

EFFECTIVE: July 1, 2018

This bill has school board policy implications

The bill amends ss. 951.176 and 944.801, F.S., authorizing a county or the Department of Corrections to contract with a district school board, the Florida Virtual School, or a charter school to provide educational services in the Correctional Educational Program to its inmates. The educational services may include any authorized educational, career, or vocational training. The bill also amends s. 1011.80, F.S., allowing state funding for postsecondary workforce programs to be used only for the education of inmates with less than 24 months of time remaining on his or her sentence.

HB 1279 – School District Accountability

By Rep. Sullivan (SB 1804 by Sen. Stargel)

AMENDS: Sections 11.45, 112.313, 112.31455, 1001.20, 1001.39, 1001.395, 1001.42, 1010.20, 1010.30, 1011.01, 1011.03, 1011.035, 1011.051, 1011.09, 1011.10, 1011.60, 1012.23, 1002.395, F.S.

REPEALS: Section 1011.64, F.S.

EFFECTIVE: July 1, 2019, except as otherwise expressly provided

This bill has school board policy implications

[NOTE: This summary prepared by Joy Frank, General Counsel, FADSS]

Section 1. Amends s. 11.45 – Definitions; duties; authorities; reports; rules.

The bill requires the Auditor General to contact each school board with the findings and recommendations contained within the Auditor General’s previous operational audit report. The bill requires the school board to provide information on evidence of initiation of corrective action within 45 days after the date it is requested by the Auditor General and evidence of completion of corrective action within 180 days after the date it is requested by the Auditor General. If the school board fails to comply within the required timeframe, the Auditor General must notify the Legislative Auditing Committee.

Section 2. Amends s. 112.313 – Standards of conduct for public officers, etc.

The bill expands the lobbying limitation to include appointed superintendents in the list of officials that may not personally represent another person or entity for compensation before the government body or agency of which the person was an officer for a 2 year period after vacating that office.

Section 3. Amends s. 112.31455 – Collection Methods for unpaid automatic fines, etc.

The bill adds a district school board as an entity from which unpaid fines imposed by the Commission on Ethics may be collected.

Section 4. Amends s. 1001.20 – Department under direction of state board.

The bill requires the Inspector General to investigate allegations or reports of possible fraud or abuse against a district school board made by any Cabinet member; Senate President, House Speaker, Chair of any committee with jurisdiction over education; or a member of the board for which an investigation is sought.

Section 5. Amends s. 1001.39 – District school board member members; travel expenses.

The bill provides that for school board members, any travel outside the district that exceeds \$500 requires prior approval by the school board to confirm that such travel is for official business of the district and complies with SBE rules. Any request for travel outside the state must include an itemized list detailing all anticipated travel expenses, including, but not limited to, the anticipated costs of all means of travel, lodging, and subsistence. Immediately preceding a request, the public must have an opportunity to speak on the specific travel agenda item.

Section 6. Amends s. 1001.395 – District School board members; compensation.

The bill limits school board member salaries to the district's beginning teacher salary.

Section 7. Amends s. 1001.42 – Powers and duties of district school board.

The bill expands standards of ethical conduct to all administrative personnel.

An individual board member may request and shall receive any proposed, tentative, and official budget documents, including all supporting and background information.

The bill requires a school board, in the case of a school district receiving annual federal, state, and local funds in excess of \$500 million, to employ an internal auditor. The scope of the internal auditor must not be restricted and must include every functional and program area of the school system.

The internal auditor must conduct a comprehensive risk assessment of all areas of the school system every 5 years, and other audits and reviews as the school board directs.

Any person responsible for furnishing or producing any book, record, paper, document, data, or sufficient information necessary to conduct a proper audit or examination which the internal auditor is authorized by law to perform is subject to the provisions of s. 11.47(3) and (4). These provisions provide that an individual who fails or refuses to furnish specific information is guilty of a first degree misdemeanor and an officer is subject to removal from office.

Section 8. Amends s. 1010.20 – Cost accounting and reporting for school districts.

The bill requires districts to report detailed information by school and district relating to total operating costs and expenditures for classroom instruction. The bill requires the Department of Education (DOE) to develop a web-based fiscal transparency tool that identifies public schools and districts that produce high academic achievement based on the ratio of classroom instruction expenditures to total expenditures. The results must be displayed in an easy to use format that enable the user to compare performance among public schools and districts.

Section 9. Amends s. 1010.30 – Audits required. The bill requires an audit overview if there is a significant “deficiency or material weakness” rather than just a “finding” in an audit. The audit overview must describe the corrective action to be taken and a timeline for completion of such action.

Section 10. Amends s. 1011.01 – Budget system established. Technical amendment.

Section 11. Amends s. 1011.03 – Public hearings; budget to be submitted to DOE.
The bill repeals the advertisement requirement relating to classroom expenditures.

Section 12. Amends s. 1011.035 – School district fiscal transparency.

The bill requires for the development of graphical representations for each school and school district of specific information relating to costs per student. The language also requires a link to a web-based fiscal transparency tool developed by DOE to enable taxpayers to evaluate the financial efficiency of the district and school.

Section 13. Amends s. 1011.051 – Guidelines for general funds.

The bill requires the superintendent to reduce the district’s administrative expenditures in proportion to the reduction in the general fund’s ending balance or the reduction in student enrollment, whichever is greater if the ending fund balance falls below 3 percent.

The bill also requires an audit if certain conditions existed in the 2015-2016 fiscal year in a district. (This is the only provision that take effect July 1, 2018.)

Section 14. Amends s. 1011.06 – Expenditures from District and other funds.

The bill provides that the school board must be in compliance with the requirements limiting expenditures for travel outside the district and cell phone service in order to exceed an amount budgeted by function and object. In addition, the expenditure must be approved by amending the budget at the next scheduled public meeting. The school board must provide a full explanation of any amendments at the next public meeting.

Section 15. Amends s. 1011.09 – Expenditure of funds by district school board.

The bill provides that if financial conditions in s. 1011.051 exist (ending fund balance projected to fall below 3 or 2 percent) the school board may not make expenditures for out of district travel or cell phone service while the financial conditions exist. Current law was limited to the 2009-2010 fiscal year and for out of state travel.

Section 16. Amends s. 1011.10 – Penalty.

The bill provides that if any of the conditions identified in s. 218.503(1) (reproduced below) exist, the salary of each board member and superintendent must be withheld until the conditions are corrected. This penalty s does not apply to a school board member or superintendent elected or appointed within 1 year after the identification of the conditions if he or she did not participate in the approval or preparation of the final budget adopted before the identification of such conditions.

The conditions are as follows:

- (1) Local governmental entities, charter schools, charter technical career centers, and district school boards shall be subject to review and oversight by the Governor, the charter school sponsor, the charter technical career center sponsor, or the Commissioner of Education, as appropriate, when any one of the following conditions occurs:
 - (a) Failure within the same fiscal year in which due to pay short-term loans or failure to make bond debt service or other long-term debt payments when due, as a result of a lack of funds.

- (b) Failure to pay uncontested claims from creditors within 90 days after the claim is presented, as a result of a lack of funds.
- (c) Failure to transfer at the appropriate time, due to lack of funds:
 - 1. Taxes withheld on the income of employees; or
 - 2. Employer and employee contributions for:
 - A. Federal social security; or
 - B. Any pension, retirement, or benefit plan of an employee.
- (d) Failure for one pay period to pay, due to lack of funds:
 - 1. Wages and salaries owed to employees; or
 - 2. Retirement benefits owed to former employees.

Section 17. Amends s. 1011.60 – Minimum requirements of the FEFP.

The bill repeals Minimum Classroom Expenditure Requirements.

Section 18. Repeals s. 1011.64 – Minimum classroom expenditure requirements.

The bill repeals the section.

Section 23. Amends s. 1012.23 – School district personnel policies.

The language would prohibit a school superintendent from appointing or employing a relative as defined in s. 112.3135 to work under his or her direct supervision. The Commission on Ethics must investigate any alleged violations. The current language applies to school board members. These limitations do not apply to employees appointed or employed before the election or appointment of a school board member or district school superintendent.

A relative is defined as:(d) “Relative,” for purposes of this section only, with respect to a public official, means an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

Section 24. Amends s. 1002.395 – Florida Tax Credit Scholarship Program.

Technical change.

Section 21. Contingency Language

Contingent upon HB 7055 not becoming law, for the 2018-2019 fiscal year, \$100,000 is appropriated to DOE to implement the audit provision in s. 1011.051(2)(b).

Section 22. Effective Date

Except for Section 21 and except for s. 1011.051(2)(b), F.S., which takes effect July 1, 2018, the act takes effect July 1, 2019.

SB 7026 – Public Safety

By Senate Appropriations Committee (*HB 7101 by House Appropriations Committee*)

AMENDS: Sections 16.555, 20.15, 30.15, 121.091, 394.463, 394.495, 790.065, 790.0655, 836.10, 921.0022, 1002.32, 1006.04, 1006.07, 1006.08, 1006.12, 1006.13, 1011.62, 1013.64, F.S.

CREATES: Sections 790.064, 790.222, 790.401, 943.082, 943.687, 1001.212, 1006.1493, 1012.584, F.S.

REENACTS: Sections 397.6760(2), 790.335(3)(e), 794.056, and 938.085, F.S.

EFFECTIVE: Upon becoming a law except as otherwise expressly provided

This bill has school board policy implications

The bill, cited as the *Marjory Stoneman Douglas High School Public Safety Act*, seeks to comprehensively address the crisis of gun violence, particularly gun violence on school campuses. Components of the bill include, among others, provisions to enhance school safety policies, procedures, and personnel on the state and local level, to improve and expand mental health services, and to revise laws and empower law enforcement and the courts to limit access to firearms by young adults or by individuals exhibiting a risk of harming themselves or others. The bill also creates and/or revises operating and capital funding policies and provides appropriations to implement the provisions of the bill.

School Safety Policies, Procedures, and Personnel

Public Safety Commission

Section 20 of the bill creates s. 943.687, F.S., to establish the Marjory Stoneman Douglas High School Public Safety Commission within the Department of Law Enforcement (FDLE). The Commission:

- Must convene by June 1, 2018.
- Is comprised of 16 members including 5 members appointed by Governor, 5 members appointed by the Speaker of the House, 5 members appointed by the President of the Senate, and the Commissioner of the FDLE. In addition, the Secretary of the Department of Children and Families (DCF), the Secretary of the Department of Juvenile Justice (DJJ), the Secretary of the Agency for Health Care Administration (AHCA), and the Commissioner of the Department of Education (FDOE) serve as ex officio, nonvoting members of the Commission.
- Must investigate system failures in the Marjory Stoneman Douglas High School shooting and prior mass violence incidents in this state and develop recommendations for system improvements. At a minimum the commission shall:
 - Develop a timeline of the incident, incident response, and all relevant events preceding the incident, with particular attention to all perpetrator contacts with local, state and national government agencies and entities and any contract providers of such agencies and entities.
 - Investigate any failures in incident responses by local law enforcement agencies and school resource officers.
 - Investigate any failures in interactions with perpetrators preceding mass violence incidents.
- Has the power to investigate, subpoena witnesses and relevant documents, and may request and must be provided with access to any information or records, including exempt or confidential and exempt information or records.
- Must submit an initial report on its findings and recommendations by January 1, 2019, and may issue reports annually thereafter.
- Shall sunset July 1, 2023.

FDOE Office of Safe Schools

Section 21 of the bill creates s. 1001.212, F.S., to establish the Office of Safe Schools within the FDOE. The office shall serve as a central repository for best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning. The office shall:

- Establish and update a school security risk assessment tool for use by school districts and available for use by charter schools.
- Provide ongoing professional development opportunities to school district personnel.
- Provide a coordinated and interdisciplinary approach to providing technical assistance and guidance to school districts on safety and security best practices [per s. 1006.07(6)].
- Develop and implement a School Safety Specialist Training Program for school safety specialists [per s. 1006.07(6)].
- Review and provide recommendations on the security risk assessments. FDOE may contract with safety and security experts for consultant services.

- Coordinate with the Department of Law Enforcement (FDLE) to provide a centralized integrated data repository and data analytics resources to improve access to timely, complete, and accurate information integrating data from, at a minimum, social media, FDLE, Department of Children and Families (DCF), Department of Juvenile Justice (DJJ), and local law enforcement.
 - Data that is exempt or confidential and exempt from public records requirements retains its exempt and/or confidential status when incorporated into the data repository.
 - Data governance and security must ensure compliance with all applicable state and federal data privacy requirements through the use of user authorization and role based security, data anonymization and aggregation and auditing capabilities.
 - Each source agency providing data for the repository must be the sole custodian of the data for the purpose of any request for inspection or copies and FDOE must only allow access to data from the source agencies in accordance with rules adopted by the respective source agencies.
- Award grants to schools to improve the safety and security of school buildings based upon recommendations of the security risk assessment.
- In consultation with the FDLE, disseminate to participating schools awareness and education materials on the School Safety Awareness Program [per s. 943.082].
- Section 19 of the bill creates s. 943.082, F.S., to establish the School Safety Awareness Program. FDLE, in collaboration with Legal Affairs, must competitively procure a mobile suspicious activity reporting tool that allows students and the community to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials. The program will be named *FortifyFL*.

District Safe Schools Policies and Procedures

Section 24 of the bill substantially amends s. 1006.07, F.S., relating to district school board duties relating to student discipline and school safety, as follows:

- Revises the current requirement that each student, at the time of initial registration in the school district, to note previous school expulsions, arrests resulting in a charge, and juvenile justice actions the student has had by adding the requirement that the student must also report any prior referrals to mental health services. If the student is admitted, the student may be placed in an appropriate educational program and referred to mental health services identified by the school district, when appropriate, at the direction of the school board.
- Revises the required elements that must be covered in the Code of Student Conduct to require the inclusion of policies to be followed for the assignment of violent or disruptive students to an alternative educational program or referral of such students to mental health services identified by the school district. Such policies must include notice that any student who is determined to have brought a firearm or weapon to school or who is determined to have made a threat or false report, in addition to other existing actions, must be referred to mental health services identified by the school district [per s. 1012.584(4)] for evaluation or treatment, when appropriate.
- Revises provisions relating to the Student Crime Watch Program to require that the program must allow students and the community to anonymously relay information concerning unsafe and potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials.
- Revises provisions relating to Emergency Drills and Emergency Procedures to:
 - Require that policies and procedures for emergency drills and procedures are formulated in consultation with the appropriate public safety agencies.
 - Add “active shooter and hostage situations” to the types of emergency drills for fires, natural disasters, and bomb threats that must be conducted.
 - Require that drills must involve all students and faculty at all K-12 public schools.
 - Require that drills for active shooter and hostage situations are conducted at least as often as other emergency drills.

- Require the emergency response policy to identify the individuals responsible for contacting the primary emergency response agency as well as the emergency response agency that is responsible for notifying the school district for each type of emergency.
- Revises requirements for the district's model emergency management and emergency preparedness procedures to require that the active shooter situation training for each school engage the participation of the district school safety specialist, threat assessment team members, faculty, staff, and students and must be conducted by the law enforcement agency or agencies that are designated as first responders to the school's campus.
- Establish a schedule to test the functionality and coverage capacity of all emergency communication systems and determine if adequate signal strength is available in all areas of the school's campus.
- Revises provisions relating to Safety and Security Best Practices to:
 - Require each district school superintendent to establish policies and procedures for the prevention of violence on school grounds, including the assessment of, and intervention with, individuals whose behavior poses a threat to the safety of the school community.
 - Require each district school superintendent to designate a school administrator as a school safety specialist for the district. The school safety specialist must earn a certificate of completion of the school safety specialist training provided by the Office of Safe Schools within 1 year after appointment and is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district. The school safety specialist shall:
 - Review policies and procedures for compliance with state law and rules.
 - Provide the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance, emergency procedures, and school safety and security.
 - Serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.
 - Conduct a school security risk assessment [per s. 1006.1493] at each public school using the school security risk assessment tool developed by the Office of Safe Schools.
- Requires each district school board to adopt policies for the establishment of threat assessment teams at each school. The duties of the threat assessment teams include the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Office of Safe Schools. The threat assessment team must include persons with expertise in counseling, instruction, school administration, and law enforcement and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
 - Upon a preliminary determination that a student poses a threat of violence or physical harm to him/herself or others, the threat assessment team must immediately report its determination to the superintendent who must immediately attempt to notify the student's parent or legal guardian.
 - Upon a preliminary determination that a student poses a threat of violence to him/herself or others or exhibits significantly disruptive behavior or need for assistance, the threat assessment team may obtain criminal history record information. A member of a threat assessment team may not disclose any criminal history record information or otherwise use any record of an individual beyond the purpose for which such disclosure was made.
 - Notwithstanding any other provision of law, all state and local agencies and programs that provide services to students experiencing, or at risk of, an emotional disturbance or a mental illness may share with each other records or information that are confidential or exempt from disclosure under chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.

- If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including mobile crisis teams and school resource officers trained in crisis intervention, shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel must report all such situations and actions taken to the threat assessment team.
- Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools in accordance with guidance from the office.
- Requires a district school board to allow the law enforcement agency or agencies that are designated as first responders to the district's campuses to tour such campuses once every 3 years. Any changes related to school safety and emergency issues recommended by a law enforcement agency based on a campus tour must be documented by the district school board.

Additional Safe Schools Provisions

- Section 3 of the bill amends s. 16.555, F.S., relating to Crime Stoppers Trust Fund, to authorize the Department of Legal Affairs within the office of the Attorney General to award grants to applicants to fund student crime watch programs [per s. 1006.07(3)].
- Section 25 of the bill amends s. 1006.08, F.S., relating to district school superintendent duties relating to student discipline and school safety, to provide that, in addition to notifying the district superintendent of information of any student found to have committed a delinquent act or other criminal act, the court must notify the appropriate district school superintendent of the name and address of any student the court refers to mental health services.
- Section 27 of the bill amends s. 1006.13, F.S., relating to the policy of zero tolerance, to provide that, if a student commits more than one misdemeanor, the threat assessment team must consult with law enforcement to determine if the act should be reported.
- Section 28 of the bill creates s. 1006.1493, F.S., relating to the Florida Safe Schools Assessment Tool (FSSAT), to provide that FDOE must contract with a security consulting firm that specializes in development of risk assessment software solutions and has experience in conducting security assessments of public facilities to develop, update, and implement a risk assessment tool, which shall be known as the Florida Safe Schools Assessment Tool (FSSAT). FSSAT must be used by school officials in conducting security assessments for use by school officials at each school district and public school site in the state. The FSSAT must help school officials identify threats, vulnerabilities, and appropriate safety controls.

Safe School Officers

Section 26 of the bill amends s. 1006.12, F.S., relating to safe-school officers, to provide that each district school board and school district superintendent shall partner with law enforcement agencies to establish or assign one or more safe-school officers at each school facility within the district by implementing any combination of the following options which best meets the needs of the district:

- Establish School Resource Officer (SRO) programs through cooperative agreements with law enforcement agencies.
 - SROs shall undergo criminal background checks, drug testing, and a psychological evaluation and be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee's tenure as a SRO.
 - SROs shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

- SROs shall complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.
- Commission one or more school safety officers for the protection and safety of school personnel, property, and students within the school district. The district school superintendent may recommend, and the district school board may appoint, one or more school safety officers.
 - School safety officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be law enforcement officers, as defined in s. 943.10(1), certified under the provisions of chapter 943 and employed by either a law enforcement agency or by the district school board. If the officer is employed by the district school board, the district school board is the employing agency for purposes of chapter 943, and must comply with the provisions of that chapter.
 - A school safety officer has and shall exercise the power to make arrests for violations of law on district school board property and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. A school safety officer has the authority to carry weapons when performing his or her official duties.
 - A school board may enter into mutual aid agreements with one or more law enforcement agencies as provided in chapter 23. A school safety officer's salary may be paid jointly by the district school board and the law enforcement agency, as mutually agreed.
- At the school district's discretion, participate in the Guardian Program, if such program is established [per s. 30.15], to meet the requirement of establishing a safe-school officer at each school facility.

Section 5 of the bill amends s. 30.15, F.S., relating to the powers, duties, and obligations of sheriffs, to provide that sheriffs, in their respective counties, shall establish, if the sheriff so chooses, a Coach Aaron Feis Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises. If established, the Guardian Program shall operate as follows:

- A school guardian has no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident on a school premises.
- Excluded from participating in the Guardian Program are individuals who exclusively perform classroom duties as classroom teachers [per s. 1012.01(2)(a)]. This limitation does not apply to classroom teachers of a Junior Reserve Officers' Training Corps program, a current servicemember [per s. 250.01], or a current or former law enforcement officer [per s. 943.10(1), (6), or (8)].
- The sheriff who chooses to establish the program shall appoint as school guardians, without the power of arrest, school employees who volunteer and who:
 - Hold a valid license under s. 790.06 (license to carry a concealed weapon)
 - Complete 132 total hours of firearm safety and proficiency training that must include:
 - 80 hours of firearms instruction
 - 16 hours of instruction in precision pistol
 - 8 hours of discretionary shooting instruction with a simulator
 - 8 hours of instruction active shooter or assailant scenarios
 - 8 hours of instruction in defensive tactics
 - 12 hours of instruction in legal issues
 - Pass a psychological evaluation
 - Pass an initial drug test and subsequent random drug tests
 - Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis
 - Successfully complete at least 12 hours of a certified diversity training program.

- The sheriff shall issue a school guardian certificate to individuals who meet these requirements.
- The sheriff shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each school guardian appointed by the sheriff.

Additional Safe School Officers Provisions

- Section 6 of the bill directs the Division of Law Revision and Information to change references from “school marshal program” to “Coach Aaron Feis Guardian Program” and references from “school marshal” to “school guardian” wherever those terms appear in the bill.]
- Section 7 of the bill amends s. 121.091, F.S., relating to benefits payable under the Florida Retirement System (FRS), to provide that a retired law enforcement officer may be reemployed as a school resource officer by an employer that participates in the FRS and receive compensation from that employer and retirement benefits after meeting the definition of termination, but may not receive both a salary from the employer and retirement benefits for 6 calendar months immediately subsequent to the date of retirement. The reemployed retired law enforcement officer may not renew membership in the FRS, except as provided in s. 121.122, F.S., relating to renewed membership.
- Section 22 of the bill amends s. 1002.32, F.S., relating to developmental research (laboratory) schools, to provide that the requirements of 1006.12(2), F.S., relating to safe-school officers at each public school will be held in abeyance for developmental research schools.
- Section 29 of the bill amends s. 1011.62, F.S., relating to funds for operation of schools, to provide that any additional funds appropriated to the safe schools allocation in the 2018- 2019 fiscal year to the school resource officer program established pursuant to s. 1006.12 shall be used exclusively for employing or contracting for school resource officers, which shall be in addition to the number of officers employed or contracted for in the 2017-2018 fiscal year.

Mental Health Services

Section 29 of the bill amends s. 1011.62, F.S., relating to funds for operation of schools, to create the mental health assistance allocation to provide funding to assist school districts in establishing or expanding school-based mental health care.

- Allocated annually, each school district shall receive a minimum of \$100,000 with the remaining balance allocated based on each school district’s proportionate share of the state’s total unweighted full-time equivalent student enrollment. Eligible charter schools are entitled to a proportionate share of district funding.
- The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses.
- The school district must develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval. A charter school must submit a plan to its governing body for approval and, once approved, it must be provided to the charter school’s sponsor. School districts must submit approved plans, including approved plans of each charter school in the district, to the commissioner by August 1 of each fiscal year.
- Beginning September 30, 2019, and annually thereafter, each school district must submit to the FDOE a report on its program outcomes and expenditures for the previous fiscal year
- At least 90% of a district’s allocation must be expended on the following:
 - Provision of mental health assessment, diagnosis, intervention, treatment, and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and students at high risk of such diagnoses.
 - Coordination of such services with a student’s primary care provider and with other mental health providers involved in the student’s care.

Section 30 of the bill creates s. 1012.584, F.S., to establish continuing education and inservice training for youth mental health awareness and assistance.

- Beginning with the 2018-2019 school year, the FDOE shall establish an evidence-based youth mental health awareness and assistance training program to help school personnel identify and understand the signs of emotional disturbance, mental illness, and substance use disorders and provide such personnel with the skills to help a person who is developing or experiencing an emotional disturbance, mental health, or substance use problem.
- The FDOE shall select a national authority on youth mental health awareness and assistance to facilitate providing the training, using a trainer certification model, to all school personnel in elementary, middle, and high schools. Each school safety specialist must earn, or designate one or more individuals to earn, certification as a youth mental health awareness and assistance trainer. The school safety specialist shall ensure that all school personnel within his or her school district receive the training.
- The training program shall include, but is not limited to:
 - An overview of mental illnesses and substance use disorders and the need to reduce the stigma of mental illness.
 - Information on the potential risk factors and warning signs of emotional disturbance, mental illness, or substance use disorders, common treatments for these conditions, and how to assess these risks.
 - Information on how to engage at-risk students with the skills, resources, and knowledge required to assess the situation, and how to identify and encourage the student to use appropriate professional help and other support strategies.
- Each school district must notify all school personnel who have received training of mental health services that are available in the school district, and the individual to contact if a student needs services.

Section 23 of the bill amends s. 1006.04, F.S., relating to educational multiagency services for students with severe emotional disturbance. The multiagency network for students with emotional and behavioral disabilities works with education, mental health, child welfare, and juvenile justice professionals, along with other agencies and families, to provide children with mental illness or emotional and behavioral problems and their families with access to the services and supports they need to succeed. The multiagency network shall:

- Support and represent the needs of students in each school district in joint planning with fiscal agents of children's mental health funds, including the expansion of school-based mental health services, transition services, and integrated education and treatment programs.
- Improve coordination of services for children with, or at risk of, emotional or behavioral disabilities and their families by assisting multi-agency collaborative initiatives to identify critical issues and barriers of mutual concern and develop local response systems that increase home and school connections and family engagement.
- Increase parent and youth involvement and development with local systems of care.
- Facilitate student and family access to effective services and programs for students with and at risk of emotional or behavioral disabilities that include necessary educational, residential, and mental health treatment services, enabling these students to learn appropriate behaviors, reduce dependency, and fully participate in all aspects of school and community living.

Section 9 of the bill amends s. 394.495, F.S., relating to child and adolescent mental health, to require DCF to contract for community action treatment teams throughout the state with the managing entities. A community action treatment team shall:

- Provide community-based behavioral health and support services to children from 11 to 13 years of age, adolescents, and young adults from 18 to 21 years of age with serious behavioral health conditions who are at risk of out-of-home placement as shown by:
 - Repeated failures at less intensive levels of care;
 - Two or more behavioral health hospitalizations;

- Involvement with DJJ;
- A history of multiple incidents with law enforcement; or
- Record of poor academic performance or suspensions.

Children under 11 may be candidates for services if they meet two or more of the characteristics listed above.

- Use an integrated service delivery approach to comprehensively address the needs of the child, adolescent, or young adult and strengthen his/her family and support systems to assist him/her to live successfully in the community. A community action treatment team shall:
 - Address the therapeutic needs of the child, adolescent, or young adult and assist parents and caregivers in obtaining services and support.
 - Make referrals to specialized treatment providers if necessary, with follow up by the community action treatment team to ensure services are received.
- Focus on engaging the child, adolescent, or young adult and his/her family as active participants in every phase of the treatment process. Community action treatment teams shall be available to the child, adolescent, or young adult and his or her family at all times.
- Coordinate with other key entities providing services and supports to the child, adolescent, or young adult and his or her family, including, but not limited to, his/her school, the local educational multiagency network for severely emotionally disturbed students [per s. 1006.04], the child welfare system, and the juvenile justice system.
- Subject to appropriations and at a minimum, individually serve each of several counties or regions and contract for additional teams through the managing entities to ensure the availability of community action treatment team services in the remaining areas of the state.

Limits on Access to Firearms

Section 8 of the bill amends s. 394.463, F.S., relating to involuntary examination under the Baker Act as follows:

- A law enforcement officer (LEO) acting in accordance with an ex parte order for an involuntary examination of a person may use such reasonable physical force as is necessary to gain entry to the premises and to take custody of the person.
 - The LEO may seize and hold a firearm or any ammunition the person possesses if the person poses a potential danger to him/herself or others and has made a credible threat of violence against another person.
 - The LEO may seek the voluntary surrender of any other firearms or ammunition kept in the residence and, if not voluntarily surrendered or if not seized or surrendered when the person was taken into custody, a LEO may petition the court for a risk protection order against the person [per s. 790.401].
- Firearms or ammunition seized or voluntarily surrendered must be made available for return no later than 24 hours after the person can document that he/she is no longer subject to involuntary examination unless a risk protection order [per s. 790.401] directs the law enforcement agency to hold the firearms or ammunition for a longer period or the person is subject to a firearm purchase, possession, or ownership disability [per ss. 790.065(2) or 790.064].
- The process for the actual return of firearms or ammunition seized or voluntarily surrendered may not take longer than 7 days.
- Law enforcement agencies must develop policies and procedures relating to the seizure, storage, and return of firearms or ammunition held under these provisions.

Sections 15 and 16 of the bill create s. 790.401, F.S., cited as *The Risk Protection Order Act*, to allow a LEO or law enforcement agency to file a petition against an individual alleging that, by having access to a firearm or any ammunition, the individual poses a significant danger of causing personal injury to him/herself or others.

- Upon receipt of a petition, the court must order a hearing to be held no later than 14 days after the date of the order and must issue a notice of hearing to the respondent for the same.

- The court must consider specified information and, if the court finds, by clear and convincing evidence, that the grounds for a protection order exist, the court must issue a risk protection order for a period that it deems appropriate, but not exceeding 12 months.
- If the protection order is issued, the respondent must surrender immediately all firearms and ammunition and any license to carry a concealed weapon or firearm.
- The court must inform the respondent that he or she is entitled to request a hearing to vacate the order. The bill provides the eligibility and process for vacating the order.
- A petitioner may request that a temporary ex parte risk protection order be issued before the hearing for a risk protection order, without notice to the respondent, by including in the petition detailed allegations based on personal knowledge that the respondent poses a significant danger of causing personal injury to him/herself or others in the near future if the respondent has, or will have, access to a firearm or ammunition. If issued, a temporary ex parte risk protection order ends upon the hearing on the risk protection order.

Section 10 of the bill creates s.790.064, F.S., relating to firearm possession and ownership disability to provide that a person who has been adjudicated mentally defective or who has been committed to a mental institution [per s. 790.065(2)], may not own a firearm or possess a firearm until relief from the firearm possession and firearm ownership disability is obtained. The bill specifies a procedure for obtaining relief.

Section 11 of the bill amends s. 790.065, F.S., relating to the sale and delivery of firearms, to provide that a person younger than 21 years of age may not purchase a firearm. A person who violates this provision commits a felony of the third degree, punishable as provided by law. This prohibition does not apply to the purchase of a rifle or shotgun by a LEO, a correctional officer, or a servicemember.

Section 12 of the bill amends s. 790.0655, F.S., relating to mandatory waiting period between the purchase and delivery of firearms, to provide:

- The waiting period applies to the purchase of firearms (rather than handguns).
- The waiting period between the purchase and delivery of the firearm is 3 days, excluding weekends and holidays, or upon completion of the required records check, whichever occurs later.
- The waiting period does not apply in the following circumstances:
 - When a firearm is being purchased by a holder of a concealed weapons permit.
 - To a trade-in of another firearm.
 - To the purchase of a rifle or shotgun, if the purchaser has successfully completed a minimum of a 16-hour hunter safety course or if the purchaser has completed a hunter safety course approved by the Fish and Wildlife Conservation Commission or similar agency of another state and holds a valid Florida hunting license.
 - When a rifle or shotgun is being purchased by a LEO or correctional officer.
- A person who violates these provisions commits a felony of the third degree, punishable as provided by law.

Section 13 of the bill creates s. 790.222, F.S., relating to bump-fire stocks, to provide that a person may not import into this state or transfer, distribute, sell, keep for sale, offer for sale, possess, or give to another person a bump-fire stock. A person who violates this provisions commits a felony of the third degree, punishable as provided by law.

Sections 17 of the bill amends s. 836.10, relating to threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism, to provide that any person who makes, posts, or transmits a threat in a writing or other record, including an electronic record, to conduct a mass shooting or an act of terrorism, in any manner that would allow another person to view the threat commits a 2nd degree felony.

Funding Policies and Allocations

Section 31 of the bill amends s. 1013.64, F.S., relating to construction cost maximums, to provide that the cost per student station caps do not include the cost for securing entries, checkpoint construction, lighting specifically designed for entry point security, security cameras, automatic locks and locking devices, electronic security systems, fencing designed to prevent intruder entry into a building, bullet-proof glass, or other capital construction items approved by the school safety specialist to ensure building security for new educational, auxiliary, or ancillary facilities. Costs for these items must be below 2% per student station.

Sections 36 - 51 of the bill provide the following specific appropriations:

- \$69,237,286 in recurring funds to the FDOE to fund the mental health assistance allocation.
- \$500,000 in recurring funds and \$6,200,000 in nonrecurring funds to the FDOE to implement the youth mental health awareness and assistance training.
- \$1,000,000 in nonrecurring funds to FDOE for the design and construction of a memorial at Marjory Stoneman Douglas High School in Broward County.
- \$25,262,714 in nonrecurring funds to FDOE to replace Building 12 at Marjory Stoneman Douglas High School in Broward County.
- \$500,000 in recurring funds and \$67 million in nonrecurring funds to FDOE to allocate to sheriffs' offices who establish a school marshal program pursuant to s. 30.15, F.S. The funds shall be used for screening-related and training-related costs and providing a one-time stipend of \$500 to school marshals who participate in the school marshal program.
- \$344,393 in recurring funds to FDOE to fund the Office of Safe Schools, including authorization for three full-time equivalent positions with an associated salary rate of 150,000.
- \$97,500,000 in recurring funds to FDOE for the safe schools allocation. These funds are in addition to the safe schools allocation funds appropriated in the FEFP in the Fiscal Year 2018-2019 General Appropriations Act. From these funds, \$187,340 shall be distributed to each school district and developmental research school to increase each school districts' minimum amount to \$250,000 when combined with the minimum amount appropriated in the 2018-2019 General Appropriations Act.
- \$100,000 in recurring funds to FDOE to competitively procure the active shooter training component of the school safety specialist training program.
- \$98,962,286 in nonrecurring funds to FDOE to implement a grant program that will provide awards to schools to fund, in whole or in part, the fixed capital outlay costs associated with improving the physical security of school buildings as identified by a security risk assessment completed before August 1, 2018, by a school district or charter school. By August 31, 2018, the department shall submit the grant guidelines, which must include an application submission deadline of no later than December 1, 2018, and the specific evaluation criteria, to all school districts and charter schools. The department shall award grants no later than January 15, 2019, based upon the evaluation criteria set forth in the application guidelines.
- \$300,000 in nonrecurring funds and \$100,000 in recurring funds to FDLE to competitively procure proposals for the development or acquisition of the mobile suspicious activity reporting tool.
- \$600,000 in recurring funds, and \$50,000 in nonrecurring funds to FDLE to fund the operations of the Marjory Stoneman Douglas High School Public Safety Commission, including five full-time equivalent positions, with associated salary rate of \$345,000.
- \$9,800,000 in recurring funds to DCF to competitively procure for additional community action treatment teams to ensure reasonable access among all counties.
- \$18,300,000 in recurring funds to DCF to competitively procure proposals for additional mobile crisis teams to ensure reasonable access among all counties
- \$18,321 in recurring funds and \$225,000 in nonrecurring funds to FDOE to provide for the benefits awarded to the three Marjory Stoneman Douglas High School staff members who lost their lives on February 14, 2018

- \$3,000,000 in recurring funds to FDOE to competitively procure for the development or acquisition of the centralized data repository and analytics resources pursuant to s. 1001.212, Florida Statutes. The department shall collaborate with the Department of Law Enforcement and school districts to identify the requirements and functionality of the data repository and analytics resources and shall make such resources available to the school districts no later than December 1, 2018.
- \$1,000,000 in nonrecurring funds to FDOE to competitively procure a contract with a third-party security consultant with experience in conducting security risk assessments of public schools.
 - Contract funds shall be used to review and analyze the department’s current security risk assessment tool known as the Florida Safe Schools Assessment Tool (FSSAT) and a sample of self-assessments conducted by school districts using the FSSAT to determine the effectiveness of the recommendations produced based upon the FSSAT.
 - The review shall include any recommended updates and enhancements with associated costs for their implementation to aid districts in developing recommendations to address safety and security issues discovered by the FSSAT.
 - The department shall submit the completed review to the State Board of Education, the Executive Office of the Governor’s Office of Policy and Budget, the chair of the Senate Committee on Appropriations, and the House of Representatives Appropriations Committee no later than January 1, 2019.

[NOTE: [SB 1940](#) and [SB 7024](#) provide exemptions from public records and public meeting requirements for specified individuals, meetings, and information related to incidents of violence.]

HB 7055 – Education

By Rep. Diaz

AMENDS: Sections 212.1831, 213.053, 220.13, 220.1875, 1001.10, 1002.33, 1002.331, 1002.333, 1002.37, 1002.385, 1002.39, 1002.395, 1002.421, 1002.55, 1002.75, 1002.88, 1003.44, 1003.453, 1003.576, 1006.061, 1006.15, 1007.271, 1008.22, 1011.62, 1011.6202, 1011.69, 1011.71, 1012.2315, 1012.28, 1012.315, 1012.32, 1012.562, 1012.586, 1012.731, 1012.796, 1012.98, 1013.28, 1013.31, 1013.385, 1013.62, F.S.

CREATES: Sections 212.099, 212.1832, 1002.40, 1002.411, F.S.

EFFECTIVE: July 1, 2018 except as otherwise expressly provided

This bill has school board policy implications

This omnibus bill addresses a variety of issues including, but not limited to, operating and capital funding and policy, public and private school choice options, personnel, assessments, and curriculum and extracurricular activities.

Operating Funding & Policy

Funds for the Operation of Schools (Bill Section 29)

The bill amends several subsections of s. 1011.62, F.S., relating to funds for the operation of schools, as follows:

- Amends subsection (1)(f), relating to Supplemental Academic Instruction (SAI), as follows:
 - Designates these funds as an “allocation” rather than a categorical fund.
 - Provides that, beginning in the 2018-2019 fiscal year, each school district with a school earning a grade of “D” or “F” must use SAI funds to implement intervention and support strategies for school improvement and salary incentives [per s. 1012.2315(3)] or supplements [per s. 1012.22(1)(c)5.c.] that are provided through a Memorandum of Understanding (MOU) between the collective bargaining unit and the school board that addresses the selection, placement, and expectations of instructional personnel and school administrators.

- Substantially amends current policy regarding the 300 lowest performing elementary schools to provide that each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data (rather than prior year data) must use that school's portion of the allocation to provide an additional hour per day of intensive reading for the students in the school.
- Provides that students enrolled in these schools who earned a level 4 or level 5 score (rather than only those with a level 5 score) on the English Language Arts assessment for the previous school year may participate in the extra hour of instruction.
- Deletes the requirement that the additional hour of be provided beyond the regular school day and authorized the hour to be provided within the school day.
- Deletes the calculation formula that provides additional SAI funds to districts that must provide the additional hour of reading instruction.
- Relocates an existing provision so include drop-out prevention programs in the list of allowable uses of funds by all other schools.
- Amends subsection (1)(o), relating to bonuses awarded for successful completion of career-themed courses, to provide that a bonus may not be awarded to a teacher who fails to maintain the security of any CAPE industry certification examination or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher.
- Amends subsection (1)(t), relating to State Board of Education (SBE) rules relating FEFP funding, to authorize the SBE to adopt rules establishing criteria under which a student's industry certification or grade may be rescinded.
- Amends subsection (6)(b), relating to transferring categorical funding to be used for other critical needs, as follows:
 - Provides that a school board may approve the transfer of categorical funds to maintain specified academic classroom instruction or improve school safety.
 - Removes funds for safe schools and funds for SAI from the list of sources of funding that may be transferred.
- Amends subsection (9)(a),(c), and (d), relating to the reading allocation as follows:
 - Revises provisions relating to the additional hour of reading instruction to conform with changes made to the SAI allocation (as outlined above).
 - Requires that only certified or reading endorsed personnel are used to teach summer reading camps.
 - Requires that any supplemental instructional materials purchased with reading allocation funds must be identified by the office of Just Read! Florida.
 - Provides that, beginning in the 2020-2021 school year, the district's reading plan must include provisions requiring that interventions are delivered by a teacher who is certified or endorsed in reading and incorporate strategies identified by the Just Read! Florida Office.

Title I Funding (Bill Section 31)

The bill amends subsection (5) of s. 1011.69, F.S., relating to equity in school-level funding as follows:

- Provides that, in addition to schools above the 75% poverty threshold, high schools above the 50% poverty threshold may be eligible to receive Title I funds.
- Raises, from 8% to 10%, the level of Title I funding that a school district may withhold for administration, which includes the districts indirect cost.
- Adds that a school district may withhold up to 1% of Title I funding to provide educational services in accordance with the approved Title I plan.
- Provides that any funds provided by an eligible school to participate in discretionary educational services provided by the school district are not subject to the requirements of this subsection of the law.
- Provides that any funds carried forward by the school district are not subject to the requirements of this subsection of law.

Capital Outlay Funding & Policy

District School Tax (Bill Section 32)

The bill amends subsection (2) of s. 1011.71, F.S., relating to the district discretionary capital outlay millage authority, to provide that, if payments under lease-purchase agreements in the aggregate, including lease-purchase agreements entered into before June 30, 2009, exceed three-fourths of the proceeds from the millage levied under this subsection, the district school board may not withhold the administrative fees from any charter school operating in the school district.

Surplus Tangible Personal Property (Bill Section 42)

The bill amends subsection (2)(a) of s. 1013.28, F.S., relating to disposal of property, to provide that tangible personal property that has been properly classified as surplus, marked for disposal, or otherwise unused by a district school board must be provided for a charter school's use on the same basis as it is made available to other public schools in the district. A charter school receiving property from the school district may not sell or dispose of such property without the written permission of the school district.

Voter Approved Funds (Bill Section 43)

The bill amends subsection (1) of s. 1013.31, F.S., relating to the educational plant survey, to codify current practice as follows:

- Adds new language to provide that a district may only use funds from the following sources for educational, auxiliary, and ancillary plant capital outlay purposes without needing a survey recommendation:
 - The local capital outlay improvement fund, consisting of funds that come from and are a part of the district's basic operating budget;
 - If a board decides to build an educational, auxiliary, or ancillary facility without a survey recommendation and the taxpayers approve a bond referendum, the voted bond referendum;
 - One-half cent sales surtax revenue;
 - One cent local governmental surtax revenue;
 - Impact fees; and
 - Private gifts or donations.

Construction Flexibility (Bill Section 44)

The bill amends subsection (2)(e) of s. 1013.385, F.S., relating to school district construction flexibility, to provide that, in addition to the existing authority to seek building code exceptions for interior non-load-bearing walls, walkways, roadways, driveways, parking areas, relocatable classrooms, and site lighting, a school board, by resolution, may seek exceptions to any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school [per s. 1002.33(18)] so long as the regional planning council determines that there is sufficient shelter capacity within the school district as documented in the Statewide Emergency Shelter Plan.

Charter School Capital Outlay (Bill Section 45)

The bill amends subsections (1), (3), and (5) of s. 1013.62, F.S., relating to charter school capital outlay funding, as follows:

- For the 2018-2019 fiscal year, charter school capital outlay funding shall consist of state funds appropriated in the 2018-2019 General Appropriations Act (GAA).
- Beginning in the 2019-2020 fiscal year, charter school capital outlay funding shall consist of state funds when such funds are appropriated in the GAA and revenue resulting from district discretionary millage if the amount of state funds is less than the average charter capital outlay funds per unweighted FTE for the 2018-2019 fiscal year multiplied by the estimated number of charter school students for the applicable fiscal year and adjusted by the change in the Consumer Price Index (CPI) from the previous fiscal year.

- School districts must distribute funds under this section by February 1 each year based on the amount of funds received by the district school board and distribute any remaining funds upon the receipt of such funds until the total amount has been distributed.
- By October 1 each year, districts must certify to the Department of Education (FDOE) the amount of debt service and participation requirement that can be reduced from the total discretionary millage. The auditor general must verify compliance during scheduled operational audits of school districts.

Public School Choice Options

Charter Schools (Bill Section 9)

The bill amends several subsections of s. 1002.33, F.S., relating to charter schools, as follows:

- Provides that a new charter school will open 18 months after the February 1 application deadline at the beginning of the school district's school year, or at a time determined by the applicant (rather than at a time agreed to by the sponsor and the applicant).
- Provides that a charter school may defer opening for 3 years (rather than 2 years) to provide time for adequate facility planning.
- Provides that the initial term of the charter contract is 5 years (rather than 4 or 5 years) and adds that the 5 year contract term excludes 2 planning years.
- Provides that a charter modification during any term may include consolidation of multiple charters into a single charter if the charters are operated under the same governing board and deletes the requirement that a consolidated charter school must be physically located on the same campus. A charter school that is not subject to a school improvement plan and that closes as part of a consolidation must be reported by the school district as a consolidation.
- Revises the causes for nonrenewal or termination of a charter by:
 - Raising the standard for termination of a charter to require clear and convincing evidence of the grounds for termination.
 - Revising one of the causes for termination to be a "material" violation of law.
 - Removes the option for a district hearing on the nonrenewal or termination of the charter and requires the hearing to be conducted by the Florida Division of Administrative Hearings (DOAH) within 90 (rather than 60) days. The administrative law judge shall issue a final (rather than recommended) order and shall award the prevailing party reasonable attorney fees and costs incurred during the administrative proceeding and any appeals.
- Revises enrollment limitations for specific target populations to provide that students living in a development in which a business entity provides the school facility with an appraised value of at least \$5 million (rather than \$10 million) to be used as a charter to mitigate the educational impact of new residential dwelling units. Students living in the development shall be entitled to no more than 50% of student stations in the charter school.
- Requires sponsors to provide to the FDOE by September 15 each year the total amount of funding withheld from charter schools in the prior year in administrative fees.
- Provides that, if mediation fails to resolve disputes over contracted services or contractual matters not included in the charter, an appeal may be made to an administrative law judge appointed by DOAH (rather than the Charter Schools Appeal Commission). The administrative law judge has final order authority to rule on the dispute and shall award the prevailing party reasonable attorney fees and costs incurred during the mediation process, administrative proceeding, and any appeals.

High Performing Charter Schools (Bill Section 10)

The bill amends s. 1002.331, F.S., relating to high-performing charter schools, as follows:

- Revises the grade requirements for a school to be designated as high-performing to provide that the school meet the existing requirement two school grades of "A" and no grade below "B" during the previous 3 school years or received at least two consecutive school grades of "A" in the most recent 2 school years. Other requirements for the designation apply only for the most recent 2 years if the school achieves this new school grade requirement.

- Revises the authority of a high-performing charter school to increase enrollment beyond the capacity identified in the charter to provide that enrollment may not exceed the capacity of the facility at the time the enrollment increase will take effect. Facility capacity for purposes of grade level expansion must include any improvements to an existing facility or any new facility in which a majority of the students of the high-performing charter school will enroll.
- Allows high-performing charter schools to replicate two charter schools (rather than one) in the state each year.

Private School Choice Options

Florida Sales Tax Credit Scholarship Program (Bill Section 1)

The bill creates s. 212.099, F.S., to establish an additional revenue source to fund scholarships under the Gardiner Scholarship Program [per s. 1002.385] and/or the Florida Tax Credit Scholarship (FTC) Program [per s. 1002.395] as follows:

- The program is funded by contributions to a SFO from tenants of commercial real estate that have to pay sales tax on their lease payments [per s. 212.031] in exchange for a tax credit equal to 100% of the contribution.
- The DOR shall approve allocations of tax credits on a first-come, first-served basis.
- If the total amount of credits an eligible business may take cannot be fully used within any period that a payment is due under the rental or license fee arrangement, the unused amount may be carried forward for up to 10 years.
- For 2018-2019, contributions will fund scholarships for children in foster care or whose families are within 185% of the Federal Poverty Line. In future years, dollars will serve these children after having met the needs of the Gardiner Scholarship Program that serves children with special needs.
- Eligible contributions can be made starting October 1, 2018.
- The SFO may use up to 3% of eligible contributions for administrative expenses.
- The sum of tax credits that may be approved in any state fiscal year is \$57.5 million.
- The DOR is authorized to adopt rules to administer these provisions.
- The bill provides \$150,000 to the DOR to implement the creation of this program (see Bill Section 47).

Hope Scholarship Program (Bill Sections 3, 5, and 16)

The bill creates s. 1002.40, F.S., to establish, beginning in the 2018-2019 school year, the Hope Scholarship Program to provide the parent of a public school student who was subjected to an incident of battery, harassment, hazing, bullying, kidnapping, physical attack, robbery, sexual offenses, harassment, assault, battery, threat or intimidation, or fighting at school an opportunity to transfer the student to another public school or to request a scholarship for the student to enroll in and attend an eligible private school as follows:

- Contingent upon available funds, and on a first-come, first-served basis, a student enrolled in a Florida public school in kindergarten through grade 12 is eligible for a scholarship if the student reported any of the incidents listed above.
- A scholarship to a student enrolled in a private school may not be made if a student is:
 - Enrolled in a public school;
 - Enrolled in specified Department of Juvenile Justice commitment programs;
 - Participating in a virtual school, correspondence school, or distance learning program that receives state funding; or
 - Receiving any other educational scholarship.
- The scholarship shall remain in force until the student returns to public school or graduates from high school, whichever occurs first.
- Upon receipt of a report of an incident, the school principal, or his or her designee, provide a copy of the report to the parent and investigate the incident to determine if the incident must be reported to the FDOE. Within 24 hours after receipt of the report, the principal or his or her designee shall provide a copy of the report to the parent of the alleged offender and to the

superintendent. Upon conclusion of the investigation or within 15 days after the incident was reported, whichever occurs first, the school district must notify the parent of the program and offer the parent an opportunity to enroll his or her student in another public school that has capacity or to request and receive a scholarship to attend an eligible private school. A parent who chooses to enroll his or her student in a public school located outside the district in which the student resides shall be eligible for a scholarship to transport the student.

- For each student participating in the program in a private school who chooses to participate in the statewide assessments, the school district in which the student resides must notify the student and his or her parent about the locations and times to take all statewide assessments.
- An eligible private school may be sectarian or nonsectarian and must comply with all requirements for private schools participating in state school choice scholarship programs, including requirements related to assessments. If a private school fails to meet these requirements, the commissioner may determine that the private school is ineligible to participate in the program.
- The FDOE must cross-check the list of participating scholarship students with the public school enrollment lists to avoid duplication and require quarterly reports by an eligible scholarship-funding organization (SFO) regarding the number of students participating in the program, the private schools in which the students are enrolled, and other information. In addition, FDOE must contract with an independent entity to provide an annual evaluation of the program that includes, among other things, reviewing the school that students transferred to or transferred from and surveying the parents of participating students. The bill appropriates \$2,000,000 to implement these FDOE requirements (see Bill Section 46).
- A parent who applies for a Hope scholarship is exercising his or her parental option to place his or her student in an eligible private school. Among other program requirements:
 - The parent must select an eligible private school and apply for the admission of his or her student and must inform the student's school district when the parent withdraws his or her student to attend an eligible private school.
 - Any student participating in the program must remain in attendance throughout the school year unless excused by the school for illness or other good cause.
 - Upon reasonable notice to the FDOE and the school district, the parent may remove the student from the private school and place the student in a public school.
 - The parent must ensure that a participating student takes the norm-referenced assessment offered by the private school and the parent may also choose to have the student participate in the statewide assessments
 - Upon receipt of a scholarship warrant, the parent must restrictively endorse the warrant to the private school for deposit into the school's account.
- An eligible SFO may establish scholarships for eligible students by:
 - Receiving applications and determining student eligibility.
 - Notifying parents of their receipt of a scholarship on a first-come, first-served basis, based upon available funds.
 - Establishing a date by which the parent of a participating student must confirm continuing participation in the program.
 - Awarding scholarship funds, giving priority to renewing students from the previous year.
 - Preparing and submitting quarterly reports and submitting information in a timely manner to the FDOE.
- The maximum amount awarded to a student enrolled in an eligible private school shall be determined as a percentage of the unweighted FTE funding amount as follows:
 - 88% for a student enrolled in kindergarten - grade 5.
 - 92% for a student enrolled in grade 6 - grade 8.
 - 96% for a student enrolled in grade 9 - 12.
- The maximum amount awarded to a student enrolled in a public school located outside of the district in which the student resides shall be \$750.

- The SFO must manage the process for payment warrants, ensure payments are made no less frequently than on a quarterly basis, and ensure compliance by the student's parent.
- A SFO may use up to 3% of eligible contributions received during the state fiscal year for administrative expenses if the SFO meets certain requirements.
 - These funds may not be used for lobbying or political activity or expenses related to lobbying or political activity.
 - Up to one-third of the funds for administrative expenses may be used for expenses related to the recruitment of contributions.
- Moneys received do not constitute taxable income to the qualified student or his or her parent.
- The Auditor General must conduct an annual operational audit of accounts and records of each SFO that participates in the program, provide the commissioner with a copy of each annual operational audit performed within 10 days after the audit is finalized, and notify the FDOE of any SFO that fails to comply with a request for information.
- The Hope Scholarship Program is funded by contributions made by purchasers of motor vehicles.
 - A tax credit is created by s. 212.1832, F.S., and is available for use by a person that makes an eligible contribution.
 - The contribution is limited to a single maximum payment of \$105 per motor vehicle and may not exceed the state tax that would otherwise be collected on the purchase of the vehicle.
 - An eligible contribution must be accompanied by a contribution election form provided by the Department of Revenue (DOR). The form must include, at a minimum, a brief description of the Hope Scholarship Program that states: "The Hope Scholarship Program provides a public school student who was subjected to an incident of violence or bullying at school the opportunity to apply for a scholarship to attend an eligible private school rather than remain in an unsafe school environment."
- A dealer, designated agent, or private tag agent must:
 - Provide the purchaser the contribution election form.
 - Collect eligible contributions.
 - Remit to a SFO the total amount of contributions made to that SFO and also submit this information to the DOR.
 - Report to the DOR the total amount of credits granted.
- A SFO must report to the DOR the total amount of contributions received along with other specified information.
- A person who fails to remit a contribution is guilty of theft, punishable as provided in the bill.
- Any dealer, designated agent, private tag agent, or SFO that fails to timely submit reports to the DOR is subject to a penalty of \$1,000 for every month, or part thereof, the report is not provided, up to a maximum amount of \$10,000.
- The bill provides that the state is not liable for the award of, or any use of, awarded funds for Hope Scholarship Program. In addition, these provisions do not expand the regulatory authority of this state, its officers, or any school district to impose additional regulation on participating private schools beyond those reasonably necessary.
- The SBE and DOE must adopt rules to administer these provisions

The bill creates s. 212.1832, F.S., relating to credit for contributions to the Hope Scholarship Program, to conform state tax laws to allow a purchaser of a motor vehicle to be granted a tax credit for eligible contributions. The bill also amends s. 213.053, F.S., relating to confidentiality and information sharing, to provide that the DOR may provide to a SFO for the Hope Scholarship Program information about a dealer and information related to differences between credits taken by the dealer and amounts remitted to the SFO. The SFO may use the information for purposes of recovering eligible contributions that were collected by the dealer but never remitted to the SFO. The SFO is bound by the same requirements of confidentiality and subject to the same penalties for a violation of the requirements as the DOR.

Reading Scholarship Accounts (Bill Section 17)

The bill creates s. 1002.411, F.S., to establish Reading Scholarship Accounts to provide educational options for students as follows:

- Eligibility is contingent upon available funds, and on a first-come, first-served basis, and:
 - Each student in grades 3 - 5 who is enrolled in a Florida public school is eligible for a reading scholarship account if the student scored below a Level 3 on the grade 3 or grade 4 English Language Arts (ELA) assessment in the prior school year.
 - English Language Learner (ELL) students enrolled in a program or receiving services that are designed to meet the instructional needs of ELL students shall receive priority.
- For an eligible student to receive a reading scholarship account, the student's parent must:
 - Submit an application to an eligible nonprofit scholarship-funding organization (SFO) by the deadline established by the SFO; and
 - Submit eligible expenses to the SFO for reimbursement of qualifying expenditures, which may include instructional materials, curriculum, tuition and fees for part-time tutoring services, fees for summer education programs, and fees for after-school education programs.
 - These materials, services, and programs must meet specified requirements.
 - The provider of the materials, services, and/or programs is prohibited from sharing, refunding, or rebating any moneys from the scholarship to the parent or student.
 - A parent, student, or provider is prohibited from billing an insurance company, Medicaid, or any other agency for the same services that are paid by the scholarship funds.
 - The parent is responsible for the payment of all eligible expenses in excess of the amount in the account and may not receive any refund or rebate of any expenditures.
- A SFO participating in the Florida Tax Credit Scholarship Program may establish reading scholarship accounts for eligible students.
- The FDOE shall have the same duties imposed by this chapter regarding oversight of scholarship programs administered by a SFO.
- By September 30, the school district must notify the parent of each eligible student of the process to request and receive a reading scholarship, subject to available funds.
- For the 2018-2019 school year, the amount of the scholarship shall be \$500 per eligible student. Thereafter, the maximum amount granted for an eligible student shall be provided in the GAA. The bill allocates \$9,700,000 to fund the scholarship accounts and \$300,000 us allocated for administrative fees. (see Bill Section 46).
 - 100% of the funds appropriated for the reading scholarship accounts must be released to the FDOE at the beginning of the first quarter of each fiscal year.
 - Upon notification from the SFO that a student is eligible for a scholarship, the FDOE must release the student's scholarship funds to the SFO for deposit into the student's account.
 - Account funds include both the awarded funds and any accrued interest.
 - The SFO may develop a system for payment of scholarship funds by funds transfer, including, but not limited to, debit cards, electronic payment cards, or other means, but a student's scholarship award may not be reduced for debit card or electronic payment fees.
 - Payment of the scholarship shall be made by the SFO at least on a quarterly basis.
 - In addition to funds appropriated for scholarships, and subject to a separate appropriation, a SFO may receive not more than 3% of each scholarship for administrative expenses. Funds for administrative expenses may not be used for lobbying or political activity or expenses related to lobbying or political activity.
 - Moneys received for these scholarships do not constitute taxable income to the qualified student or his or her parent.
 - A student's scholarship account must be closed and any remaining funds shall revert to the state after denial or revocation of scholarship eligibility by the commissioner for fraud or abuse and/or three consecutive fiscal years in which an account has been inactive.
- The bill specifies that no liability shall arise on the part of the state based on the award or use of a reading scholarship account.

Gardiner Scholarship Program (Bill Section 13)

The bill amends s. 1002.385, F.S., relating to the Gardiner Scholarship Program, as follows:

- Clarifies that funds can be used on a full-time or part-time tuition or fees for enrollment in the various approved programs.
- Revises the credentials for tutors providing part-time tutoring services by adding tutors that hold a bachelor's or graduate degree in the subject area in which instruction is given.
- Adds tuition and fees associated with enrollment in a nationally or internationally recognized research-based training program for a child with a neurological disorder or brain damage to the list of allowable uses of program funds.
- Removes various program accountability measures from this section of law and relocates in a separate section of law.

The bill appropriates \$250,000 to issue a competitive grant award (see Bill Section 46)

John M. McKay Scholarship Program (Bill Section 14)

The bill amends s. 1002.39, F.S., relating to the McKay Scholarship Program, to remove various program accountability measures from this section of law, relocate them in a separate section of law, and provide updated cross-references.

Florida Tax Credit Scholarship Program (Bill Sections 4, 6, 7, and 15)

The bill amends s. 1002.395, F.S., relating to the Florida Tax Credit (FTC) Scholarship Program, as follows:

- Provides that a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year.
- Provides that, if a tax credit is not fully used within the specified state fiscal year, the unused amount shall be carried forward for a period not to exceed 10 years (rather than 5 years) and a credit carried forward may be used in a subsequent year after applying the other credits and unused carryovers in the order provided.
- Authorizes corporations to use credits to reduce any estimated payment.
- Allows a sales tax dealer to receive the collection allowance even though it did not remit any taxes due to the use of tax credits.
- Requires the FDOE to issue a project grant award to a state university to which participating private schools must report the scores of participating students on the nationally norm-referenced tests or the statewide assessments administered by the private school in grades 3 through 10. The bill allocates \$250,000 for this project (see Bill Section 46).
- Removes various program accountability measures from this section of law, relocates them in a separate section of law, and provides updated cross-references.

In addition, the bill amends several sections of tax law to:

- Require the DOR, upon request, to provide to a SFO a list of the 200 taxpayers with the greatest total corporate income or franchise tax due during the previous calendar year. This information may be used by the SFO only to notify the taxpayer of the opportunity to make a contribution to the FTC Scholarship Program. The SFO is bound by the same requirements of confidentiality and is subject to the same penalties for a violation as the DOR.
- Provide an exception intended to ensure that a specified tax is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.
- Provide that an eligible contribution must be made to a SFO on or before the date the taxpayer is required to file a return. If a taxpayer is approved for a credit after requesting an extension to file, the credit does not reduce the amount of tax due for purposes of the DOR's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes. The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit and the taxpayer will be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance.

Scholarship Program Accountability and Oversight (Bill Sections 18, 35, and 40)

The bill substantially amends s. 1002.421, F.S., relating to scholarship program accountability. The bill streamlines and consolidates accountability provisions for private schools that participate in state scholarship programs. Significant accountability provisions include the following:

- Requires participating private schools to provide to the FDOE or SFO all documentation required for a student's participation, including the private school's and student's individual fee schedule, and attendance verification, prior to scholarship payment.
- Requires participating private schools to certify that all school employees and contracted personnel with direct student contact have successfully undergone background screening.
- Requires each owner or operator of the private school, prior to employment or engagement to provide services, to undergo level 2 background screening with the cost to be borne by the owner or operator and provides that an owner or operator who fails the level 2 background screening is not eligible to participate in a scholarship program.
- Requires participating private schools to maintain a physical location in the state at which each student has regular and direct contact with teachers.
- Requires participating private schools to publish on the school's website, or provide in a written format, information for parents regarding the school including, but not limited to, programs, services, and the qualifications of classroom teachers.
- Requires participating private schools to provide the parent of each scholarship student with a written explanation of the student's progress on a quarterly basis.
- Provides that the owner or operator of a private school that has been deemed ineligible to participate in a scholarship program may not transfer ownership or management authority of the school to a relative in order to participate in a scholarship program.
- Requires a private school that receives more than \$250,000 in funds from state school choice scholarships in a state fiscal year to provide a report from an independent certified public accountant who performs the agreed-upon procedures specified in law.
- Provides that, if a private school fails to meet the requirements of this section of law or has consecutive years of material exceptions listed in the report, the commissioner may determine that the private school is ineligible to participate in a scholarship program.
- Requires FDOE to establish a toll-free hotline that provides parents and private schools with information on participation in the scholarship programs.
- Requires FDOE to establish a process by which individuals may report any violation by a parent, private school, or school district of state laws relating to program participation.
- Requires the FDOE to coordinate with the entities conducting the health inspection for a private school to obtain copies of the inspection reports.
- Requires the FDOE to conduct site visits to private schools entering a scholarship program for the first time and specifies that beginning with the 2019-2020 school year, a private school is not eligible to receive scholarship payments until a satisfactory site visit has been conducted and the school is in compliance with all other requirements of this section.
- Requires the FDOE to coordinate with the State Fire Marshal to obtain access to fire inspection reports for private schools and specifies that the authority conducting the fire safety inspection must certify to the State Fire Marshal that the annual inspection has been completed and that the school is in full compliance.
- Provides that annually, by December 15, the FDOE must report to the Governor, the President of the Senate, and the Speaker of the House its actions in implementing accountability in the scholarship programs.
- Provides circumstances under which the Commissioner must or may deny, suspend, or revoke a private school's participation in a program and provides a process for review and appeal.
- Modifies the requirement for the SBE to adopt rules to specify that such rules must include a deadline for private school applications for participation and timelines for the DOE to conduct site visits.

The bill appropriates \$950,000 to the FDOE to implement the additional oversight requirements of these provisions (see Bill Section 46).

Personnel Issues

Collective Bargaining (Bill Section 33)

The bill adds subsection (4)(c) of s. 1012.2315, F.S., relating to collective bargaining, to provide as follows:

- An employee organization that has been certified as the bargaining agent for a unit of instructional personnel as defined in s. 1012.01(2) must include for each such certified bargaining unit the following information in its application for renewal of registration:
 - The number of employees in the bargaining unit who are eligible for representation by the employee organization.
 - The number of employees who are represented by the employee organization, specifying the number of members who pay dues and the number of members who do not pay dues.
- Notwithstanding the provisions of chapter 447, an employee organization whose dues paying membership is less than 50% of the employees eligible for representation in the unit must petition the Public Employees Relations Commission (PERC) for recertification as the exclusive representative of all employees in the unit within 1 month of the application for renewal.
- If an employee organization does not comply with these provisions, their certification will be revoked.

Principal Autonomy Program Initiative (Bill Sections 30, 33, and 34)

The bill amends s. 1011.6202, F.S., relating to the Principal Pilot Autonomy Program Initiative, as follows:

- Expands the Principal Autonomy Program Initiative (PAPI) from a pilot program to a statewide program, retains the existing participation requirements, and retains the existing list of statutes and rules that must be complied with regardless of participation in the program.
- Provides that, beginning with the 2018-2019 school year, contingent upon available funds, and on a first-come, first-served basis, a district school board may submit, no later than December 1, to the SBE a principal autonomy proposal that exchanges statutory and rule exemptions for an agreement to meet performance goals established in the proposal.
- If approved by the SBE, the school district is eligible to participate in the program for 3 years and may remain exempt from rules and statutes beyond the term of the program so long as the school receives no grade lower than a "B".
- Requires the principal of each participating school and a designated leadership team selected by the principal to engage in professional development by completing a nationally recognized school turnaround program which focuses on improving leadership, instructional infrastructure, talent management, and differentiated support and accountability.
- Creates District Innovation Academies and Zones in which:
 - The school board may authorize highly effective principals who have received the professional development training to manage multiple schools within a zone.
 - A zone may include the school at which the principal is assigned, persistently low-performing schools, feeder pattern schools, or a schools identified by the school district.
 - The principal may allocate resources and personnel between the schools under his or her administration.
- Provides that, subject to appropriation, the FDOE shall fund for the costs of the PAPI program to include the administrative and enrollment costs for the nationally recognized school turnaround program and up to \$10,000 for each participating principal as an annual salary supplement for 3 years. To be eligible for a salary supplement, a participating principal must:
 - Be rated "highly effective" as determined by the principal's performance evaluation.
 - Be transferred to a school that earned a grade of "F" or two consecutive grades of "D", or manage a persistently low-performing school and provided additional authority and responsibilities [per s. 1012.28(8)]; and
 - Have implemented a turnaround option at a school as the school's principal that resulted in the school improving by at least one letter grade while he or she was serving as the school's principal.

- Removes the requirement for school boards to include the budgets of schools participating in PAPI to the SBE.
- The bill also amends s. 1012.2315, F.S., relating to collective bargaining, by adding subsection (4)(b) to provide that, before the start of the 2019-2020 school year, each school district and the certified collective bargaining unit for instructional personnel must negotiate a memorandum of understanding that addresses the selection, placement, and expectations of instructional personnel and provides school principals with the autonomy for the PAPI [per s. 1012.28(8)].

Background Screening (Bill Section 36)

The bill amends s. 1012.32, F.S., relating to qualifications of personnel, to require a district school board to reimburse a charter school the cost of background screening if it does not notify the charter school of the eligibility of a governing board members or instructional or noninstructional personnel within the earlier of 14 days after receipt of the background screening results from the Florida Department of Law Enforcement or 30 days of submission of fingerprints by the governing board member or instructional or noninstructional personnel.

School Leader Preparation Programs (Bill Section 37)

The bill amends s. 1012.562, F.S., relating to school leader preparation programs, to provide that, in addition to postsecondary institutions and school districts, charter schools and charter management organizations may apply to establish Level 1 and Level 2 school leader preparation programs.

Educator Certification (Bill Section 38)

The bill amends s. 1012.586, F.S., relating to additions or changes to certificates, to require FDOE to include in their review of existing subject coverage or endorsement requirements in the elementary reading and exceptional student educational areas the consideration of an endorsement to an individual who holds a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers or who completes a post-secondary program that is accredited by such an organization. Any such certificate or program must require an individual who completes the certificate or program to demonstrate competence in reading intervention strategies through clinical experience.

Best and Brightest Teacher Scholarship (Bill Section 39)

The bill amends s. 1012.731, F.S., relating to the Best and Brightest Teacher Scholarship Program, to provide that a school district employee who is no longer a classroom teacher may receive an award if the employee was a classroom teacher in the prior school year, was rated highly effective, and met the program requirements a classroom teacher.

Disqualification and Complaints (Bill Sections 35 and 40)

The bill amends s. 1012.315, F.S., relating to disqualification from employment, to provide that employees are disqualified from teaching in state scholarship programs if convicted of specified offences. The bill also amends s. 1012.796, F.S., relating to complaints against teachers and administrators, to include scholarship programs as an entity that must file a complaint to FDOE if allegations arise against a certified employee.

Professional Development (Bill Section 41)

The bill amends s. 1012.98, F.S., relating to the School Community Professional Development Act, to provide that FDOE professional development resources must include sample course-at-a-glance and unit overview templates that school districts may use when developing curriculum. The templates must provide an organized structure for addressing the Florida Standards, grade-level expectations, evidence outcomes, and 21st century skills that build to students' mastery of the standards at each grade level. Each template must support teaching to greater intellectual depth and emphasize transfer and application of concepts, content, and skills.

Assessment and Accountability

Marjory Stoneman Douglas High School (Bill Section 50)

The bill creates an unnumbered section of law to provide the following exemptions from, and exceptions to, state assessment and accountability requirements for Marjory Stoneman Douglas High School and its students for the 2017-2018 school year:

- Exempts the students enrolled in the school from taking the statewide assessments and from the use of assessment results for course grades. However, the school must administer any assessments for any student who chooses to take them.
- Exempts students who are in the 2017-2018 graduating class from the minimum hours of instruction requirement and from being required to use certain assessments to earn a standard high school diploma and to earn standard high school diploma designations.
- Provides that the school grade of "A" earned by the school for the 2016-2017 school year shall be used for the 2017-2018 school year to maintain eligibility for designation as a School of Excellence and to award of school recognition.

Student Assessment Program (Bill Section 28)

The bill amends s. 1008.22, F.S., relating to the student assessment program, as follows:

- Provides that reading passages and writing prompts for English Language Arts (ELA) assessments must incorporate grade-level core curricula content from social studies.
- Deletes the requirement that ELA assessments must be administered online.
- Requires that published and released assessments to be in a format that facilitates sharing of assessment items.

Schools of Hope (Bill Section 11)

The bill amends s. 1002.333, F.S., relating to persistently low-performing schools, to provide that funds allocated for the Schools of Hope program which are not disbursed by June 30 of the fiscal year in which the funds are allocated may be carried forward for up to 5 years after the effective date of the original appropriation.

Florida Virtual School (Bill Section 12)

The bill amends s. 1002.37, F.S., relating to the Florida Virtual School, to require that industry certification examinations, national assessments, and statewide assessments offered by the school district are available to all Florida Virtual School students.

Curricular and Extracurricular Programs

Early Learning Programs (Bill Sections 19, 20, and 21)

The bill amends ss. 1002.55, 1002.75, and 1002.88, F.S., relating to school readiness programs and Voluntary Prekindergarten (VPK) programs, as follows:

- Authorizes the Early Learning Coalition to refuse to contract with a private VPK provider which has been cited for a class I violation or may revoke the the provider's eligibility to deliver the VPK program.
- Authorizes the Early Learning Coalition to refuse to contract with a private school readiness provider which has been cited for a class I violation coalition or may revoke the provider's eligibility to deliver the school readiness program.

Cardiopulmonary Resuscitation (Bill Section 23)

The bill amends s. 1003.453, F.S., relating to training in cardiopulmonary resuscitation (CPR) that school districts are encouraged to provide. If CPR instruction is provided, the instruction must:

- Be based on a nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.
- Allow students to practice the psychomotor skills associated with performing CPR and use an automated external defibrillator when a school district has the equipment necessary to perform the instruction.

Extracurricular Activities (Bill Section 26)

The bill amends s. 1006.15, F.S., relating to participation in extracurricular activities, to provide that all non-traditional students, including charter school, home education, and FLVS students, must register their intent to participate in the activity prior to participation (rather than prior to the beginning date of the season for the activity).

Dual Enrollment (Bill Section 27)

The bill amends s. 1007.271, F.S., relating to dual enrollment programs, as follows:

- Provides that students may not be limited in the number of dual enrollment courses in which the student may enroll based solely upon enrollment at an independent postsecondary institution.
- Removes the requirement for a home education student to pay for his/her instructional materials for dual enrollment courses. The bill provides an appropriation of \$550,000 to pay for the instructional materials for these students (see Bill Section 46).
- Provides that a public postsecondary institution course or program limitations on home education students may not exceed the limitations for other dually enrolled students.
- Provides that a high school grade point average may not be required for home education students who meet the minimum score on a common placement test adopted by the SBE, but home education student eligibility requirements for continued enrollment in dual enrollment courses must include the maintenance of the minimum postsecondary grade point average established by the postsecondary institution.

Additional Provisions

Commissioner of Education Powers and Duties (Bill Section 8)

The bill amends s. 1001.10, F.S., to provide that in the event of an emergency situation, the commissioner may coordinate through the most appropriate means of communication with local school districts, Florida College System institutions, and satellite offices of the Division of Blind Services and the Division of Vocational Rehabilitation to assess the need for resources and assistance to enable each school, institution, or satellite office the ability to reopen as soon as possible after considering the health, safety, and welfare of students and clients.

State Motto (Bill Section 22)

The bill amends s. 1003.44, F.S., relating to patriotic programs, to require each district school board to adopt rules to require, in all of the schools of the district and in each building used by the district school board, the display of the state motto, "In God We Trust", in a conspicuous place.

Allocations (Bill Sections 46 and 47)

For the 2018-2019 fiscal year, the bill appropriates \$13,750,000 in recurring funds to the FDOE as follows:

- \$10,000,000 for the Reading Scholarship Accounts – s. 1002.411, F.S.
- \$2,000,000 for the Hope Scholarship Program – s. 1002.40, F.S.
- \$950,000 for FDOE oversight of participating private schools – s. 1002.421, F.S.
- \$250,000 for a competitive grant award – s. 1002.395, F.S.
- \$550,000 for instructional materials for home education students – s. 1007.271, F.S.

For the 2017-2018 fiscal year, the bill appropriates \$250,000 in nonrecurring funds to implement a provision of this bill and a provision in HB 1279 as follows:

- \$150,000 to the DOR to implement the sales tax program created by s. 212.099, F.S.
- \$100,000 in nonrecurring funds, and contingent upon HB 1279 becoming law, to implement the provisions of s. 1011.051(2)(b), F.S., as provided in HB 1279.

Other Bills of Interest

SB 186 – Resign-to-Run Law

The bill requires a state or local officer seeking a federal public office to submit his or her resignation at least 10 days before the first day of qualifying for the federal office if the terms of the two offices overlap. Failure to submit the resignation constitutes an automatic, immediately-effective resignation from the current office. A similar “resign-to-run” law already applies to state or local officers who seek another state, district, county, or municipal public office where the terms overlap.

HB 1013 – Daylight Saving Time

The bill creates the Sunshine Protection Act, which provides that the Legislature intends to adopt Daylight Saving Time as the year-round standard time if the United States Congress amends 15 U.S.C. s. 260a, relating to Daylight Saving Time. Current federal law allows states to exempt themselves from observing Daylight Saving Time and observe standard time year-round, but does not allow states to exempt themselves from standard time.

HB 6009 – Write-In Candidates

The bill codifies the 2016 Florida Supreme Court decision in *Brinkmann v. Francois*, by repealing s. 99.0615, F.S., that requires a write-in candidate to reside in the district that he or she seeks to represent at the time of qualifying. This does not appear to change existing residency requirements for candidates seeking the office of school board member.

HJR 7001 – Supermajority Vote for State Taxes and Fees

The bill proposes amendment to State Constitution to prohibit a state tax or fee from being imposed or raised except through legislation approved by two-thirds of each house of legislature and requires a state tax or fee imposed or raised to be contained in separate bill that contains no other subject.

HB 7045 – Date for Convening the 2020 Regular Legislative Session

The bill provides that the 2020 Regular Session of the Legislature shall convene on January 14, 2020.

HB 7087 – Taxation

The bill provides a number of tax relief measures. Of interest to school districts, the bill:

- Provides a 3-day Back-to-School sales tax holiday during August 3-5, 2018.
- Increases, from \$100 to \$150, the allowable per-pupil spending of 1.5 discretionary capital outlay millage revenue for the purchase of vehicles and for payment of insurance premiums.
- Requires counties and school districts that want to adopt a new discretionary sales surtax to have a CPA, procured by OPPAGA, conduct a performance audit of the program to be funded by the anticipated surtax revenue prior to holding a referendum.

[EDITOR’S NOTE: I am infinitely grateful to the members of the Florida Education Legislative Liaisons (FELL) for their assistance in compiling these summaries. FELL members are the most talented, generous, and hard-working people in Tallahassee. – RHM]

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