



# Florida School Boards Association

*The voice of education in Florida.*

## **HB 7029**

*An act relating to education*

Signed by Governor Scott, 4/14/16

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HB 7029 is an omnibus bill that addresses a variety of key education issues. We have provided a detailed summary of the bill in our [FSBA 2016 Legislative Session Summary](#) (see page 83).

Below is an overview of the major points addressed by the bill.

To access the full text of the bill (and the bill sections and page numbers referenced below), please click [HERE](#). Please note that the bill goes into effect on July 1, 2016 unless otherwise specified in the bill.

### **Choice & Student/Parent Rights**

- Beginning by the 2017-2018 school year, each school district must have a plan in place that allows parents to enroll their child in any school in the state, including a charter school, that has not reached capacity. *(Section 5; page 19; amends 1002.31, F.S.)*
- Requires districts to outline and publish a process for parents to request a teacher change. *(Section 19; page 93; creates s. 1003.3101, F.S.)*
- Authorizes parents of students assigned to an out-of-field teacher to request an in-field teacher, if an in-field teacher is available and the assignment does not exceed class-size limits. *(Section 30; page 141; amends s. 1012.42, F.S.)*
- Revises requirements for district notification to students of their right not to say the pledge. *(Section 39; page 155; amends s. 1003.44, F.S.)*

### **FHSAA & Student Eligibility**

- Provides that transfer students may immediately join a team if the team has capacity and student has skills and ability. Students may not participate in the same sport at different schools unless the student's transfer is based upon military, foster/custody, or for good cause. *(Section 22; page 99; amends s. 1006.15, F.S.)*
- Requires school boards and charter schools to establish their own eligibility criteria for student participation in extracurricular activities. *(Section 23; page 108; creates s. 1006.195, F.S.)*
- Allows private schools to join an athletic association by sport and public schools to apply to join by sport. *(Section 24; page 110; amends s.1006.20, F.S.)*
- Enhances penalties for recruitment violations by district employees and authorizes Education Practices Commission to enforce recruitment penalties. *(Section 24; page 113; amends s. 1006.20, F.S. and Section 33; page 145; amends s. 1012.795, F.S.)*

## Facilities & Construction

- Revises requirements for the Special Facility Construction Account Program, including a new provision prohibiting a paid consultant involved in preliminary phases of a project from being involved in subsequent phases of the project. *(Section 15; page 77; amends s. 1013.64, F.S.)*
- Requires EDR to conduct a study of the statutory cost per student station amounts and, effective July 1, 2017, prohibits a school district from using funds from ANY source that would result in the project exceeding the statutory cost per student station. *(Section 15; page 85; amends s. 1013.64, F.S.)*
- Requires OPPAGA to conduct a study of SREF requirements and authorizes school districts to implement exceptions to certain SREF requirements. *(Section 15; page 85; amends s. 1013.64, F.S. and Section 35; page 149; creates s. 1013.385, F.S.)*

## Charter Schools

- Revises provisions relating to charter school accountability, applications, contracts, funding, and facilities, including, but not limited to:
  - Requires sponsor to deny an application that does not propose a researched based reading curriculum consistent with effective teaching strategies;
  - Requires disclosure of background and other information of charter school applicants and governing board member;
  - Allows an approved charter school to delay opening for up to 2 years, with written notice to sponsor and parents of enrolled students 30 days prior to the first day of school;
  - Requires charter school to provide monthly financial statements to the sponsor;
  - Prohibits a charter school from dismissing a student based on academic performance;
  - Requires district school boards to make payments of funds to charters monthly or twice monthly and may not delay payments based on the timing of the district's receipt of state or local funding. *(Section 7; page 25; amends s.1002.33, F.S.)*
- Revises criteria for charter schools to be eligible for capital outlay funding and revises the funding distribution formula to provide additional weighted capital outlay funding to charter schools that have significant enrollment of student with disabilities and/or student qualifying for free or reduced price lunch. *(Section 14; page 70; amends s. 1013.62, F.S.)*
- Authorizes charter schools to establish a professional development certification and education competency program. *(Section 31; page 142; amends s. 1012.56, F.S.)*

## Funding

- Repeals provisions relating to performance funding tied to the passage of the Algebra I EOC assessment. *(Section 27; page 123; amends s. 1011.61, F.S.)*
- Revises the calculation of FTE membership in a school that operates for less than the minimum term to provide that a student shall generate FTE student membership proportional to the amount of instructional hours provided by the school divided by the minimum term requirement. *(Section 27; page 123; amends s. 1011.61, F.S.)*
- Revises several provisions relating to funding for the operation of schools, including, but not limited to:
  - Provides for the recalculation of ESE Guaranteed Allocation once during the year based on the actual student membership from the October FTE survey;
  - Revises CAPE Industry Certification bonuses and weights;
  - Provides that, if a student earns a certification through a dual enrollment course and the certification is not a fundable certification, the bonus value shall be funded in the same manner as other nondual enrollment course industry certifications;
  - Codifies the Federally Connected Student Supplement. *(Section 28; page 129; amends s. 1011.62, F.S.)*

## Programs & Curriculum

- Allows students to enroll in VPK at age 5 if they did not enroll at age 4. *(Section 6; page 24; amends s. 1002.53, F.S.)*
- Freezes VPK readiness rates for 2014-2015 and 2015-2016. *(Section 36; page 151; creates an unnumbered section of Florida Statutes)*
- Authorizes alternative means to satisfy the on-line course requirement for a standard high school diploma. *(Section 13; page 68; amends s. 1003.4282, F.S.)*
- Creates the Florida Seal of Biliteracy Program to recognize students who achieve specified performance requirements in English and a foreign language. *(Section 40; page 156; creates s. 1003.432, F.S.)*

## Personnel

- Authorizes personnel training for youth suicide awareness and prevention in elementary, middle, and high schools. *(Section 32; page 143; creates s. 1012.583, F.S.)*
- Provides that a retired member may reemployed under a 1-year probationary contract and then an annual contract. The retiree is not eligible for a professional service contract. *(Section 37; page 153; amends s. 1012.33, F.S.)*

## School Board Members

- Revises the calculation of dues assessed by a membership association and provides that, if a public officer elects to not join the membership association, the dues assessed to the public officer may not be paid to the membership association. (*Section 1; page 14; creates s. 617.221, F.S.*)
- Adds visitation of schools to powers and duties of district school board to “observe the management of instruction, give suggestions for improvement, and advise citizens with the view of promoting interest in education and improving the school.” (*Section 2; page 15; amends s. 1001.42, F.S.*)

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**Reminder:** *This document does not cover all provisions covered in the bill. Please be sure to refer to our detailed summary and/or to the complete bill text for more information.*