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Florida School Boards Association 2021 Legislative Session Report

LEGISLATIVE SESSION WEEK FOUR

March 22, 2021 – March 26, 2021

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House Post-Secondary Education and Lifelong Learning Subcommittee

Discussion and Presentation of Bills

Monday, March 22, 2021

Meeting packet can be found [here](#).

Summary

The House Post-Secondary Education and Lifelong Learning Subcommittee met to consider HB 99 and HB 427.

HB 99 Use of Epinephrine Auto-Injectors on Public K-20 Campuses (Gottlieb, Nixon)

HB 99 is designed to modify a current law that authorizes public K-12 campuses to purchase and maintain a supply of epinephrine auto-injectors on their premises by requiring instead of simply authorizing it. It also expands the authorizing entities to include state universities and institutions in the Florida college system. The supplies of epi-pens will be required in cafeterias that have a capacity of 50 or more people. These entities must also adopt a protocol by a licensed physician for the administration by trained personnel in case of emergency use. This change is needed because studies show that many allergies go undiagnosed until an emergency happens at school. In these situations, seconds matter. This bill seeks to save children's lives in case of emergency.

Q&A

Representative Andrade

Q: Do you know how many cases of anaphylactic shock we see in school cafeterias in Florida?

A: We have spoken to the DOE and DOH, and they do not keep that information.

Q: Since the institution of this program, making it voluntary for K-12 schools to implement it to limit liability in having to use one of these auto-injectors, do you know how many schools are voluntarily participating in the program?

A: Throughout the life of this previous bill, about 4 districts were participating.

Q: There are 4 districts out of 67 that are voluntarily participating, so do we have a cost of how much the training, storage, and procuring these auto-injectors might cost state institutions and K-12 institutions if this became mandatory?

A: I am in current talks with pharmaceutical companies and pharmacies to try to get the price down for the epi-pens to around \$100 per package. As for training, my office has communicated with some physicians and children's hospitals. It is about \$17-\$20 per person to train the staffers. It is good to have around 4 staffers on campus to administrate the auto-injectors if necessary.

Q: Out of the 4 school districts that have implemented the program, do we know how many times that they have had to use the emergency auto-injectors?

A: I'm sorry, but I do not have that data.

Public Testimony

Natalie McGriff: Supports the bill.

Edeline Joseph-Theophile, Florida PTA: Waiving in support.

Debate

Representative Mooney

I am a proud co-sponsor of this bill. I am a person that suffers from this illness. These injectors are life-saving. This is a no-brainer bill, and it should be implemented in restaurants too, in my opinion. It is frightening to live with, and I want this fear to go away for children in the future. This is a great bill and should be supported 100%.

Representative Plasencia

The most important thing to teachers like me is that we make sure our students get home safely. Regardless of what the fiscal may or may not be, and I can guarantee you something this low of a cost won't make an impact on a large school district. They have foundation and discretionary dollars. As for small counties, I guarantee there is a healthcare provider that would partner with them to make sure they provide these at low cost. It is very important we provide these tools for our teachers and school nurses to make sure every student that comes to our classrooms are able to go home safely.

Representative Andrade

This is an important bill, but the concerns I have are switching this program from voluntary to mandatory. We have schools with private contractors in their cafeteria providing food for K-12 school districts. This problem will also continue in states and universities. I will support the bill today, but we need to take those considerations into account as we move forward. While the cost may be minimal, it doesn't even register as an impact, those things must be taken into consideration as we move forward with it.

Representative Arrington

Thank you for bringing this great bill. You are a world changer, and thank you for being here today.

Representative Alexander

I want to thank Representative Nixon for bringing this bill forward. It reminds me of what this process is all about, which is helping people. You never know how your story can impact someone else's story. This committee has set a precedent of passing bills where we don't understand the full fiscal impact of it, we just passed some bills recently in regard to tuition waivers and buybacks. So I would encourage all of my colleagues today to support this great bill so we can continue to save as many lives as possible.

Closing (Nixon)

Thank you so much to everyone that spoke. And to Representative Andrade's point, I look forward to working with you offline as well as with Representative Gottlieb. There are roughly \$50 million federal dollars schools can tap into to lower those costs. Pharmaceutical companies are also willing to help us and bring costs down. Thank you, and please help pass this life-saving bill.

Outcome

The bill is reported favorably by the committee, 17-0.

HB 427 Independent Living Services (Persons-Mulicka)

This bill seeks to accomplish two things. It amends § 419.395 of the Florida Statutes, which provides for the Florida Independent Living Council. The framework of the statute is established by the requirements; however, the statute has not

been updated since 2002. Since that time, the federal requirements were amended. This bill seeks to align the state requirements with the federal requirements, clean up some items, and mirror federal law. The second part of the bill amends § 413.44021, which establishes the Tax Collection Enforcement Diversion Program. This program was dreamed up by James Patrick, who was a quadriplegic. He worked for the State Attorney's office in Jacksonville. He saw that there were delinquent sales taxes that were not being collected by the state. He thought to create a program where the state attorneys could collect that money and use the funds to help Floridians; specifically, those with disabilities, stay employed and gain employment. As the program was originally designed, it provided that 50% of the funds collected would go towards the James Patrick Memorial Work Incentive Personal Attended Services Employment Assistance Program. It provided that the remaining 50% would be retained as general fund revenue. The program was established in 2002 and was codified and updated in 2005. Currently, 8 judicial circuits are participating. However, the revenues and funds have continually declined since the 2017 fiscal year. The costs exceeded the revenues generated by the program. This bill seeks to continue the intent of the program to help those in need and increase the percentage of money that goes to the program from 50% to 75%. That will help to continue to provide those services for Floridians.

Amendment

The amendment simply removes line 45 and corrects a scrivener's error.

The amendment is adopted without objection.

Public Testimony on the Bill as Amended

Jane Johnson, Florida Association of Centers for Independent Living: Waiving in support.

Outcome on the Bill as Amended

The bill is reported favorably by the committee, 17-0.

Senate Committee on Education

Tuesday, March 23, 2021

Meeting packet can be found [here](#).

Summary

The Senate Committee on Education met to consider the following bills: SB 98 Workforce Related Programs and Services (Albritton), SB 1672 State University Free Seat Program (Diaz), SB 1728 Out-of-state Fee Waiver for Nonresident Students (Baxley), SB 2010 Foreign Influence (Diaz), SB 2012 Promoting Equality of Athletic Opportunity (Stargel), SB 1094 Required Health Education Instruction (Bean), SB 192 Students with Disabilities in Public Schools (Book), CS/SB 582 Parental Rights (Rodrigues), SB 880 Florida High School Athletic Association (Rodriguez), SB 1028 Charter Schools (Hutson), SB 1656 Lawton Chiles Endowment Fund (Gruters), and SB 1282 Early Learning and Early Grade Success (Harrell).

SB 98 – Workforce Related Programs and Services (Albritton)

SB 98 modifies provisions related to Florida workforce development and education including:

- Reestablishing the Office of Economic and Demographic Research’s Workforce Estimating Conference as the Labor Market Estimating Conference, tasked with determining real-time supply and demand in Florida’s labor market;
- Adding “gross mismanagement” to the types of behavior for which the Governor may remove a member of the state workforce board or a local workforce development board;
- Requiring the state board to provide detailed information on the effectiveness of its activities, and requiring the state board to assign a letter grade to each local workforce development board;
- Requiring contracts for training services provided through Individual Training Accounts to condition final payment to a training provider, of at least 10 percent, upon a participant’s successful job placement;
- Requiring local workforce development boards to post information about the board’s finances and their board members’ financial and ethics disclosures;
- Imposing 6-year term limits on board members, and increasing oversight of contracts;
- Modifying the duties of the Department of Education to strengthen the accountability of apprenticeship and preapprenticeship programs, and target grants under the Florida Pathways to Career Opportunities Grant Program to programs that satisfy a regional or state demand and have successful completion and employment rates;
- Aligning educational offerings under the Career and Professional Education Act with the CAPE Industry Certification Funding List, and aligning the list with skills needed for future employment and projections from a new Labor Market Estimating Conference; and
- Requiring the Commissioner of Education to review the funding weights assigned to career courses and certifications included in the CAPE Industry Certification Funding List.

The bill takes effect July 1, 2021.

Q&A

None.

Appearance Forms on the Bill

Florida Workforce Development Association: Supports the bill. We have concerns on the implementation of term limits. We are not opposed to term limits, but we do request clarification. If the term limits do begin on July 1, many of the boards would be vacated completely, with no experience or expertise. We would ask that they would be staggered. We would also ask that the local design be maintained.

Chris Carmody, Career Source Central Florida: I will echo what was previously said. It is a good bill, but our concern also lies with the implementation of term limits. We would prefer that this version in the Senate stay as close as it can to what it is now, with a focus on accountability and transparency. We wouldn't want to add extra layers that make things more difficult at any levels.

James Mosteller, Foundation for Florida's Future: Waiving in support.

Debate on the Bill

None.

Closing on the Bill (Albritton)

I just want to say that I have heard the committee members loud and clear as it relates to offsetting the term limits. We are working on getting that piece of it solved. I appreciate your support.

Outcome

The bill was reported favorably.

HB 1728 – Out-of-state Fee Waiver for Nonresident Students (Baxley)

SB 1728 provides an out-of-state fee waiver, applicable for up to 110 percent of the number of required credit hours of the enrolled degree program, for a nonresident student who meets specified criteria, as follows:

- Is a United States citizen.
- Has a grandparent who is a legal resident.
- Earns the equivalent of a standard Florida high school diploma.
- Achieves an SAT combined score no lower than the 89th national percentile or appropriate concordant score on the ACT or the Classic Learning Test.
- Enrolls as a full-time undergraduate student at a state university in the fall academic term immediately following high school graduation.

In addition, the bill requires each university to annually report to the Board of Governors (BOG) the number and amount of fee waivers, and the BOG to adopt appropriate regulations to implement the waiver.

Q&A

None.

Amendment #173942 (Gruters)

I think it is only fair to require those states that are sending those kids in, to give our students from Florida that same opportunity for in-state tuition at whatever state that wants to join us in a compact. This amendment would create a compact that is fair. The other states have to be willing to accept our students as well.

Q&A

Senator Berman

Q: Is there any other state that has this already in existence?

A: No, and when I first read this bill, I thought it was a great idea, but I don't think it is fair to Florida students that want to go out of state.

Q: In order for the student to get the tuition waiver, would their state have to be part of the compact?

A: Yes, I think that is a fair deal.

Q: I've never seen us do a compact as a state. How do you envision getting the word out that we have this?

A: I think any of those opportunities where we can promote this program would be ideal.

Senator Thurston

Q: Is this reciprocity limited to their state schools? Or would this apply to private institutions as well?

A: No, it would not apply to private institutions because they have their own rules as well. This is strictly state schools.

Q: The schools in Florida are just state schools?

A: That is correct.

Appearance Forms

None.

Debate

Senator Baxley

I think it is a great idea. I am very familiar with compacts in other arenas. I think this is going to be very appreciated by the seniors in our state. This also supports families.

Closing (Gruters)

I just want to thank Senator Baxley for accepting this as a friendly amendment and for running this great bill. It benefits families and creates great relationships with other states. This is great for Florida and I appreciate your support.

Outcome

The amendment was adopted.

Q&A on the Bill as Amended

Senator Berman

Q: I have a question about the definition of grandparent. Would this include a grandparent by marriage?

A: I would say yes, but I have not asked an attorney about that.

Senator Polsky

Q: How would one prove one's grandparents?

A: They can have a birth certificate or a testation.

Q: Is that in the bill? I did not see it in the bill. It would seem to me that that would be quite difficult to prove.

A: Sure.

Appearance Forms on the Bill as Amended

None.

Debate on the Bill

Chair Gruters

I think Senator Polsky's comments are very fair and I think this is something we can look at. How can we make sure that these relatives are legitimate? I think you should work on that language.

Closing on the Bill (Baxley)

Waived close.

Outcome

The bill (as amended) was reported favorably.

SB 1672 – State University Free Seat Program (Diaz)

SB 1672 creates the State University Free Seat Program to exempt Florida residents who have not been enrolled in a postsecondary institution for more than 5 years from the payment of tuition and fees for one online course at a state university each academic year. The bill also specifies that:

- A state university may not charge a student who meets such criteria more than 75 percent of the tuition rate or tuition differential for other courses.
- A student who qualifies for the tuition discount is eligible to receive the discount for up to 110 percent of the number of required credit hours of the enrolled degree program.

Amendment #440644 (Diaz)

This amendment expands the program eligibility to include veterans, active duty members of the United States Armed Forces, and active drilling members of the Florida National Guard. These students would not be subject to the five-year waiting period that the bill establishes for other non-traditional students. It also clarifies that the intent of the bill are only available for online bachelor's degree courses.

Outcome

The amendment was adopted.

Q&A on the Bill as Amended

Senator Berman

Q: Do we have any idea how many people you think might take part in this program?

A: No, we don't have a number of people that would take part. It is kind of hard to gather that information. We are trying to target those that have kind of abandoned the idea. We have seen a lot of residents looking for career changes and education. This gives them that opportunity as a nontraditional seeker.

Appearance Forms on the Bill as Amended

None.

Debate on the Bill as Amended

None.

Closing on the Bill (Diaz)

Waived close.

Outcome

The bill (as amended) was reported favorably.

SB 1094 – Required Health Education Instruction (Bean)

SB 1094 requires that the general health education curriculum for K-12 public schools be developmentally and age-appropriate. The curriculum must include information on the prevention of child sexual abuse, exploitation, and human trafficking.

The bill also modifies the existing health education requirement to specify that instruction on abstinence and the consequences of teen pregnancy applies only to those students in grades 7 through 12.

The bill has no impact on state revenues or expenditures. The bill may have a fiscal impact to school districts. See section V. The bill takes effect on July 1, 2021.

Amendment #363262 (Bean)

This amendment adds the words “age appropriate” and “developmentally appropriate” K-12. It also makes the change that we focus on abstinence and the consequences of teenage pregnancy between grades 6-12.

Outcome

The amendment was adopted.

Q&A on the Bill as Amended

None.

Appearance Forms on the Bill as Amended

None.

Debate on the Bill as Amended

None.

Closing on the Bill (Bean)

Waived close.

Outcome

The bill (as amended) was reported favorably.

SB 2012 – Promoting Equality of Athletic Opportunity (Stargel)

SB 2012 establishes the Promoting Equality of Athletic Opportunity Act, to provide opportunities for female athletes to demonstrate their strength, skills, athletic abilities, and realize the long-term benefits that result from participating and competing in athletic endeavors.

Specifically, the bill:

- Requires interscholastic, intercollegiate, intramural, or club athletic teams that are sponsored by, or compete against, a public school or public postsecondary institution to be designated as male, female, or coed.
- Prohibits athletic teams designated for females, to be open to students of the male sex.
- Requires persons who transition from male to female to be eligible to compete in the female category if the student has declared a female gender identity to her school or institution and demonstrates a total testosterone level in serum below 10 nmol/L for at least 12 months before her first competition and throughout the period of desired eligibility.

The bill requires the Board of Governors to adopt regulations and the State Board of Education to adopt rules to implement the provisions of the act. The bill provides private causes of action for injunctive relief, damages, and any other relief available under law for students, schools, and public postsecondary institutions harmed by a violation of the Act's provisions. All such civil actions must be initiated within two years after the alleged harm occurred.

Q&A

Senator Jones

Q: Knowing that this same type of legislation has made its way across the country, and knowing supporters say they are meant to eliminate any competitive advantage that transgender athletes may have. Is there data on this? If so, what does that data show?

A: There is quite a bit of data that does show that—well, it is kind of mixed data with regards to testosterone specifically. We do know that testosterone makes a person stronger, but there is some overlapping. Females sometimes can have higher testosterone than some males. There has been an argument about looking at lean body mass as another measure, but I think it is clear across many of them. We don't have concrete yes or no, but that is why you are seeing such an enhanced discussion of this across the country.

Q: Sports in schools are supposed to be primarily about inclusivity, setting individual goals, collective goals, and wellbeing. Is there a reason to limit the participation of transgender athletes at the grade school level or even the collegiate level? Is there a good faith reason to do that?

A: I believe there is a good faith reason. I think part of the reason we did Title Nine several years ago, was because we recognized that a lot of women don't have the same opportunities in sports. We created sports for females, recognizing that they were weaker in a lot of ways than men. When you bring in the world of transgender, it does become a little bit ambiguous, because you do have some of these men who maybe have less testosterone but have transitioned to female. Now if they take the testosterone enhancing (or decreasing it, I guess) medication, that is why we have incorporated it into our bill.

Q: Do you think our children should be forced to share their medical history with their schools?

A: They do that now, actually. We require sports physicals prior to going into sports which tests a lot of things.

Q: Wouldn't this implicate substantial privacy concerns?

A: Not any more than what we are doing today. I think it could even be done as simple as a questionnaire.

Q: Title Four says that no person in the US, on the basis of sex, shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving federal financial assistance. How does this not violate Title Four?

A: I think the definition with sexes in that has been a little bit under question. I think some of that will be litigated, but I think the traditional point of sexes is referring to gender.

Q: So, we know there is current litigation happening in Idaho. Why not wait to see what the determinate factor is in Idaho?

A: I don't believe we are rushing this along. We have talked about these subjects for some time, but also, this is Florida and we have the ability to set precedent here as well.

Q: Both the NCAA and the FHSAA have well thought out guidelines in how to deal with our transgender brothers and sisters. Considering that, there are rules already in place. Why do we feel the need to create our own rules to put into the hands of our school districts?

A: I don't believe that this is unusual. Through the years, we have worked with the FHSAA on several bills. I think this is just another where we think they are not taking the right approach.

Q: Who is the student to report to when it comes to speaking about their medical business?

A: We have within the bill that DOE would make rules. I would suspect that it might be something along the lines of a questionnaire, not too different from what they do in the Olympics.

Q: Do you not see the embarrassment that might come about of a child having to go to an administrator or complete a questionnaire about this?

A: I don't believe it is embarrassing to ask whether you are biologically male or female. The person is a transgender individual. It's not like it is a secret.

Q: What about removing that child from a team because of it? Is that not something that might push a student toward suicide, given the already high rates?

A: That is a valid concern. We could have a discussion about a grandfather.

Senator Broxson

Q: I think for all of us that have played contact sports, we realize that the top concern is safety. Is that as important as any of the other issues?

A: Absolutely. We want to make sure that it is safe and fair for these females playing sports.

Senator Thurston

Q: I also played sports in high school and college. More importantly, I have a daughter and a son who play high school sports. I have some dealings with the FHSAA where sometimes I agreed with them and sometimes I did not. Does your bill address anything in terms of girls actually playing football with the boys?

A: That is where I have a lot of the focus. It is not fair for the girls. This does not address females choosing to play with the males, because she is choosing to play in that area. We can discuss it, though.

Q: Should we indicate to the girl athletes that they won't be allowed to participate in sports with males?

A: That is not contemplated in this bill.

Q: Is there any sport reporting where transgender participation has led to an unsafe environment?

A: Not to the specifics of unsafe—it is more so unfair.

Q: You actually have some data on sports activities where a transgender athlete was better?

A: I don't have a study. I have some google searches where transgender males won.

Q: You indicated when we disagree with FHSAA. I looked at the requirement dealing with gender identity participation. It seems to be a very thorough review. In fact, they have three levels of review. Can you tell me what you don't agree with in the current FHSAA requirement?

A: Basically, the bottom line is whether a student is truly transgender. Their policy just was not solving the right problem.

Q: So, you are saying the current rules are not addressing transgender participation, but rather whether it is changing for one day to compete? Is that your assessment of the FHSAA review?

A: It appears to me that they are trying to determine if the student is truly a transgender student. I think they had doctors' notes and parental review. To me, that is more invasive.

Q: Are you familiar with any challenges to this current procedure from the FHSAA?

A: I am not familiar with anything. I am not one of their liaisons, so no.

Senator Polsky

Q: It seems to me that this came about because of some track meet. Since that is not a contact sport, is it possible that we are not really talking about safety? That doesn't seem to be the issue.

A: Safety is one of the measures, but no, I am talking more about the competitive disadvantages that females have against males who are stronger.

Q: How do we know for sure that transgender athletes do have a competitive advantage?

A: I think there have been multiple studies that have shown that men have a competitive advantage over women. Whether testosterone is the measure used, there have been studies saying that testosterone is not the best measure.

Q: When I first heard about this bill, I was thinking about individuals that are born androgynous. What if someone made a claim that they want a random student tested and they biologically had a higher level of testosterone?

A: It would first address if you are biologically male or female. After that, we move to testosterone.

Q: How do we know how many people this might affect? It is obviously a very controversial and damaging bill.

A: That is unable to be known.

Q: Do we know how many students have gone through the FHSAA process of being reviewed?

A: I do not.

Q: Does your bill supersede NCAA standards?

A: Yes.

Q: What if there are students playing in Florida from a team out of state?

A: It depends.

Senator Berman

Q: You have intimated that there have been incidents of people upset regarding transgender athletes. Do you have any specific complaints from Florida?

A: I do not.

Q: If there are none in Florida, why are we trying to impose an Olympic standard on these children?

A: I have not received any complaints. That does not mean I don't believe there is a problem that needs to be solved.

Q: If someone on the other team says that someone in masculine, could they challenge the other player or report them in some way? What would happen?

A: My hope with this bill would be that all of this would be settled when the student applies for the team.

Q: Who is the ultimate handler of disputes?

A: That's why we have the criteria through the DOE.

Q: Are you hearing from athletes that this bill is necessary?

A: We have gone a long way for women to be able to play in sports. It is proven that a male is stronger than a female. This bill is not to be mean to anyone.

Q: Don't you think that the complete absence of women athletes asking for this bill indicates that we don't need to pass it?

A: I disagree with that, because a large number of athletes does not give the value to the issue. That is our job as policymakers. I have heard from women athletes who think it is unfair.

Appearance Forms on the Bill

Denice Barber: I am the mother of a 41-year-old transgender son, but more importantly, as the grandmother of a 13-year-old transgender granddaughter. I am here to speak against this bill. It is discriminatory. There is no problem to be fixed. Florida schools already have policies in place that are working. The bill sponsor does not know any specific instances or problems relating to this. LGBTQ people should be treated fairly across all areas of life. As a nation, a long time ago, we decided that discrimination is wrong. Please vote against this bill.

John Hairsmar, Equality of Florida: We strongly oppose this bill. Transgender youth are some of the most misunderstood and marginalized. This bill is part of a national effort that manipulates peoples' sense of fairness to attack transgender youth. They are using transgender students as a sword in a culture war. No one is saying cis girls cannot play. There have been no reported issues. This solves a problem that does not exist. Please vote no.

Ida Escamoni: Waiving in opposition.

Anthony Vertigo, Christian Family Coalition: We are strongly in support of this bill. A yes vote is a vote for women's rights and fairness. This is not about discrimination. This is about fairness. Women in women's sports are the most vulnerable. We do have an example in Florida. (Got into a heated argument with Senator Jones about whether their coalition ever supported LGBTQ rights).

Lakey Love, Florida Coalition for Transgender Liberation: I would like to strongly oppose this bill on the basis of its discriminatory measures. I'd also like to challenge the bill sponsor's argument relating to testosterone levels affecting playing capability. An individual from Yale University addresses this this year, showing that studies of testosterone levels in athletes do not show any correlation between testosterone and performance ability.

Annie Philacowsky, Florida Alliance of Planned Parenthood Affiliates: Waiving in opposition.

Rendala Elijah: Waiving in opposition.

Barbara Devain, Florida Now: Waiving in opposition.

Devin Graham, American Atheists: Waiving in opposition.

Armondo Pomar, Hispanic American Diabetes Foundation: Waiving in support.

Carrie Boyd, SPLC Action Fund: Waiving in opposition.

Angie Gallow, Alliance for Public Education: Waiving in support.

Anthony DeMarco: I am a proud parent of a trans child. Every year, anti-trans policies target our children. Transgender children face constant barriers and are exposed to constant reminders that administrators don't support them. Their cohorts in school largely embrace them. I have witnessed the harm that the introduction of these bills inflicts. The word equality has no place in the name of this bill because it denies equality and equal access. It would be amazing if you introduced policies to protect these children as well. To the bill sponsor, your testimony demonstrated your lack of knowledge and understanding of transgender individuals.

Paul Lans: I am a physician trained in family medicine and public health. My practice has included transgender individuals. I strongly oppose this bill. Research informs us that a human gender identity begins in utero at a different stage than sexual anatomy. It is not consistent with X or Y chromosomes. The criteria in this bill do not serve their states purpose. This bill will deprive transgender girls the value and benefit of gender appropriate school sports. I implore you to vote no on this bill.

Danielle Thomas, Florida PTA: Florida PTA supports our LGBTQ youth and believes that they should be treated as a protected class. Our children need to be able to participate in sports in which their gender identifies with. They should not be discriminated against. We urge our schools to provide supportive and safe environments for all youth. Vote no.

Debate on the Bill

Senator Polsky

I have a son and a daughter who both play high school and college sports. There is no one who cares more deeply about female sports and equality than I do. I have never witnessed a problem like this. I have never heard of a problem. My daughter lost out on spots on the team or college scholarship opportunities to girls who are much taller than her. That is a fact of life. Many sports are looking for that specific body type—tall long legs. If my daughter does not fit that, then she is missing out. So, the argument just does not make sense. She misses out because of her biology, and it is just unfair to say that other students who want to be able to play shouldn't be able to just because they are trying to change their biology. As the good doctor said, it doesn't give them any type of advantage. I would rather be inclusion than exclusive. I think that is what we should be striving for our students. I would be thrilled if there was a transgender athlete volleyball team because it would show her inclusivity. It would show her compassion. If someone misses out on the spot, then that means they aren't good enough. I would never hold it against that other student. We are using an Olympic standard for high school or middle school students. There is no money on the line. The example that the Christian gentleman talked about was a professional MMA match. That is the best example we can come up with of where there was a problem with a transgender athlete. That is not a student. It is very upsetting to me that we are putting forth potential legislation when we don't know of a problem and we already have system in place. No one here has come up with a legitimate example of this being an issue in school sports. There is no proof. I am also uncomfortable that we are going against the scientists and trying to say that we know better as legislators. I am also concerned when someone talked about corporate backlash. I would be very saddened to hear about corporations backing out of big sporting events. That happened in North Carolina with the bathroom bills. We are taking a very big risk for something with little benefits. This bill has a divisive and hurtful nature. It is not worth one girl losing a track meet. This could have potentially devastating consequences. I really beg by colleagues to vote this down.

Senator Thurston

I think like Senator Polsky. I just think that we have got a policy in place with the FHSAA that is working. I spoke to a couple of county-wide athletic directors about that policy and I've been informed that there is not a problem. The rule works. They have three levels of review and a specific committee to address these issues on an ongoing basis. If there are problems with that, I would certainly like to hear about them. I am not able to be supportive of the bill today. On a broader note, I don't know how I feel about those of us who vote for equality being attacked for being "less Christian" or "not Christian." I am a Christian and I vote for equality for all. I want to see the transgender community get the same support. I have a big family, and when you have a big family, statistics are going to show that you are going to have some members of the LGBTQ community in your family. I think sometimes that can help others understand that you want to be fair to all. I think that as the pasture that was the president of the Christian organization, you should think about it from that perspective. We wouldn't want anyone treated differently than others. That is what the rule that the FHSAA has is designed to affect. As a Christian, it is hard to be supportive of this type of legislation. I think it shows disrespect for the organization that he represents.

Senator Berman

Like my colleagues, I am not going to be able to support this bill. I asked the question about whether there were any actual instances in the state of Florida and the answer is no. The one example we were given is not a middle school, high school, or college sport. The bill is really a solution in search of a problem. There is no evidence that there is any widespread problem in our state concerning transgender girls participating in sports. Because of that, this bill is very likely to be subject to a court challenge, and to be viewed unconstitutional, which we know these lawsuits cost millions of dollars. I don't want to put our state in that kind of position. I really think that we do not need to have this bill. I am also worried about boycotts. We have not heard from any college athletes. We know that many players in the NCAA don't agree with this policy. I support women 100%. I don't think anyone could question my views on that issue. I really think, as a woman, this is not an issue that we need to be worried about in the state of Florida. There is no problem that we are solving here, so I can't support the bill at this time.

Senator Jones

Chair Stargel, I will be honest with you. I don't believe that your intention is to harm or hurt anyone. My colleagues have made it clear from the FHSAA and the NCAA of the rules that are already in place. I think we should look at the unintended consequences that can and will exist (politically and economically). I don't believe Florida desires to walk into those waters. I want to take a different route from my colleagues, to speak directly about our transgender men and women, and the wave and attack on the transgender community. It's not just happening to them in policy—it is happening to them physically. In 2020, over 30 transgender people were murdered. Transgender people, and particularly Black and Latina transgender women who are marginalized, stigmatized, and criminalized in this country. I just want to give some statistics. Thirty-five percent of transgender youth attempted suicide in the past year. Thirty-one percent of transgender youth experienced sexual violence in the past year. Twenty-seven percent of transgender youth felt unsafe going to school in the past 30 days. These are true statistics, that although they didn't come up in questioning or debate, these are the type of legislations that cause for the percentages and for these young people to experience these things inside of our schools. Chair Stargel, I know you say that the intention is not to be mean, but let me tell you that the amount of hate that is happening to our transgender youth and LGBTQ community is extremely high and it is definitely on the rise. I will end with a story, and Chair, please indulge me on this. In 2018, when I came out as a gay Black man, I experienced a lot of friction within my household. That friction that we experienced within our home, it took me somewhere mentally to the point that I had to get counseling, and I had to step outside of the church where I would usually think to go to get help. Years later, my parents came around because my dad said that he would rather have a relationship with his son than for him to lose that relationship. That is a supportive parent, but there are certain children who do not have supportive parents like I have. There are some parents who have kicked out their children for being in the LGBTQ community. These children end up homeless and they end up murdered. This is a reality. Members of the LGBTQ community show up as our true selves every single day with the hope that no one would discriminate against

us or treat us differently. Truth be told, every last one of us that sit in this committee would be ashamed and embarrassed of the things that we do if it was made public. I ask that we are all careful to understand when legislation can harm these individuals that show up as their true selves. I don't believe that you are doing this to be hurtful, but I just want to bring notice to this entire committee that the LGBTQ community are human beings. I challenge all of you that if this was your child, what would you vote? Yes or no? Don't say that it will never happen, because when it does, the question still remains. I ask that you think that through first.

Senator Broxson

Chair Stargel, I did not hear you opine on any of these issues. I will tell you this as a grandfather: I have several children that are playing competitive sports. I have a granddaughter who will be a phenomenal soccer player. She is 4'11" and weighs less than 100 pounds. The thought of her having to run (and having a lot of contact) and being struck by a 6'5" male terrifies me. The only question I have for the committee to consider: Is it safe? You cannot tell me that having males competing with females is fair or safe. Thank you for bringing this good bill.

Senator Hutson

First, let me thank Senator Jones for telling his story. I want to talk about the notion that track is a non-contact sport. Runners bump into each other a lot. When you look at this bill, it is ultimately about safety and fairness. I think we should look at the FHSAA, and within the last eight years, eleven student athletes have fully been approved through the FHSAA process. My understanding of your bill is that it does not discriminate. It says that men will play in the men's sports and women will play in the women's sports until they are fully transitioned. I do feel like some of these women that are competing with these transgender athletes that they are being personally discriminated against (the biological females). If you just google it, you will see where women nationally have said that it is not fair. It was brought up why we were doing this and that it was because of it happening at some track meet. I would say that is the opposite. We need to care about those women's feelings. At this point, I am going to support the bill.

Senator Diaz

This is a tough issue to tackle. I appreciate Senator Jones making us put it into perspective, and I agree with him. I know what you are trying to do is for the right reasons, but I think that taking it from a purely operational perspective, you are trying to take a scientific approach to maintain fairness in sports. We have views from differing perspectives. I have three daughters and I want it to be a fair playing field. There is even a portion of this bill that states there is a documented process after transition that it would be fair. I want to highlight that your focus on this bill is not about excluding someone. Your context of this bill is strictly looking at the fair playing field and making sure that it is across the board. I commend you for trying to address this topic. I do appreciate the debate from both sides.

Closing on the Bill (Stargel)

I appreciate the comments. This is not meant to be punitive. I feel bad for students who feel that this is an attack on their gender identity. That is not the intention. This bill is strictly to support women's opportunity to have a competitive opportunity to play sports without another individual having an unfair competitive advantage because of their physiological make up. Again, to Senator Diaz's points, we don't allow students to change their physiological make up with steroids. It may not be a widespread issue now, but I would much rather handle this on the front end than waiting until the backend when someone had a title taken away, like the pervasive use of steroid in sports. I think the rules that FHSAA has in place are much more damaging. A student has to do all this work then go before a committee to explain their transgenerness to determine whether they truly are transgender or if they are just pretending. I think that is more ambiguous. I like our approach better. I'd ask for you to support this bill.

Outcome

The bill was reported favorably.

SB 1028 – Charter Schools (Hutson)

SB 1028 adds provisions for public postsecondary institutions to serve as a charter school sponsor, and authorizes a career and professional academy to be offered by a charter school.

Specifically, the bill:

- Authorizes state universities and Florida College System (FCS) institutions to solicit applications and sponsor charter schools upon approval by the Department of Education (DOE).
- Provides that a state university sponsored charter school may serve students from multiple school districts to meet regional education or workforce demands, and an FCS sponsored charter school may serve students from any county within the college's service area to meet workforce demands.
- Authorizes an FCS institution that operates an approved teacher preparation program to operate additional charter schools.
- Provides that the board of trustees of a sponsoring state university or FCS institution charter school is a local educational agency for the purpose of receiving federal funds and accepting responsibility for all requirements in that role.
- Provides that students attending a state university or FCS institution sponsored charter school are not to be included in the school district's grade calculation.
- Establishes operational funding and capital outlay funding formulas for charter schools sponsored by a state university or FCS institution.
- Requires the DOE to collaborate to develop a charter school sponsor evaluation framework.
- Authorizes charter schools to provide career and professional academies and revises charter school enrollment limitations.

Amendment #543250 (Hutson)

Within the strike all, there is a lot of clarification language as it relates to schools of hope and high performing charters. These came from Senator Bean's bill and Senator Gruter's bill that we are putting in one. The amendment allows for the schools of hope funds appropriated by the legislature to be carried forward for seven years instead of five. It allows schools of hope to be eligible to receive charter school capital outlay upon opening. In the ESE world, it allows for a rated charter schools that is exceptional student center that has had two consecutive years of school improvement rating of maintaining or higher be able to replicate pursuant to the high performing statute and qualify for the reduced admin fee for the 2.5%. It also allows an applicant charter school, if approved, the school may be determined by the high performing charter school application. This further clarifies that additional high performing replication applications may be submitted by the high performing charter school applicant and can, at any time after the two original applications, the approved charter still needs to meet all necessary requirement timelines. If an applicant's charter is approved, the applicant may open at the beginning of the school district's next year or to be opened at the time determined by the applicant. This clarifies that an approved charter may not have to wait 18 months to open.

Q&A

Senator Jones

Q: (To Senator Diaz): Currently, the school districts have the ability to do the charter and with the SUS institution having the ability to do it now, who would be the individual to make the determination? Will it be the board of trustees?

A: Right now, they can still go through the local districts to get that charter application. Or they can go to the board of directors directly. My understanding is that most of them have a good relationship with their school districts, so they are not trying to circumvent that. We are seeing issues where we want to have multiple workforce applicants from a region itself, and you've got different school districts. So, we are saying, instead of trying to go through three approval processes, you can go right through the state for that.

Q: Does this affect those schools such as FAU, Florida State, etc.?

A: The only way it would affect them is if they expired their time.

Appearance Forms

Adam Miller: Waiving in support.

Stewart Brown: Waiving in support.

Academica: We support the strike-all. We ask for your favorable support.

Outcome

The amendment was adopted.

Q&A on the Bill as Amended

None.

Appearance Forms on the Bill as Amended

James Mostetler, Foundation for Florida's Future: Waiving in support.

Dr. Danielle Thomas, Florida PTA: We want to thank Senator Hutson and his staff for meeting with us and hearing our concerns. We understand and support the need to expand access to quality apprenticeships and the CTE programming. If the idea for the charter schools to be run by universities and state colleges for workforce training needs, how would both the operating and capital outlay funding be determined? Currently, our lab schools are their own district, but the bill does not address that. Current law allows school districts to be able to join together to be able to offer academies. We would like for that route to be explored on needs of regional impact. We look forward to continue to work with you to address these needs.

Adam Miller: Waiving in support.

Stewart Brown: Waiving in support.

Christian Kamara, Florida Charter School Alliance: Waiving in support.

Phillip Suterma, Americans for Prosperity: I want to speak in support of this bill today. Education freedom is important because every child is unique in the way they learn and grow. Greater educational freedom means more opportunities to nurture our children and ensure that they are on a path to success. By offering new chances at learning, with new ways to reach students and engage parents, we believe this bill continues Florida's proud tradition of advancing educational freedom. We believe strongly in expanding educational freedom for all children. We ask for your support.

Debate on the Bill as Amended

Senator Jones

The one section of your strike-all that I agree with is definitely with the work that Miami is doing. The problem I have is how we are subverting the constitution of school boards by now allowing the state universities and colleges to now sponsor charter schools. My rationale behind it is that the process we have right now works. I don't believe we should change it and put more on our SUS systems. I cannot support it in the form it is in today. I have not even spoken to any of our SUS systems, because none of them have testified today. I would like to see what their position is. For those reasons, I am going to be down on this today.

Closing on the Bill (Hutson)

Waived close.

Outcome

The bill (as amended) was reported favorably.

SB 192 – Students with Disabilities in Public Schools (Book - Rodrigues)

SB 192 revises the circumstances and procedures required for restraining students with a disability in public schools and prohibits the use of seclusion. The bill also provides enhanced mechanisms for monitoring specified classrooms. Specifically, the bill requires school districts to:

- Adopt positive behavior interventions and supports for students with a disability and identify all school personnel authorized to use the interventions and supports.
 - Provide training to all school personnel authorized to use positive behavior interventions and supports.
 - Publish the procedures for training in positive behavior interventions and supports in the district's special policies and procedures manual.
- The development of a crisis intervention plan for a student who has been restrained twice during a semester.
- Schools within the Broward and Volusia school districts, as part of the Video Cameras in Public School Classrooms Pilot Program, to install a video camera, upon the request of a parent, in self-contained classrooms where students with a disability are enrolled and specifies the circumstances under which the video recording may be viewed.
- The Department of Education (DOE) to collect information relating to the installation and maintenance of video cameras in self-contained classrooms as part of the pilot program.
- Data maintained by the DOE on the use of restraint to be updated monthly and made available to the public through the DOE's website by October 1, 2021.
- The Commissioner of Education to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or inservice training requirements for instructional personnel.

The bill does not require a state appropriation. However, school districts may incur costs to provide training in the use of restraint or positive behavior interventions. The Broward and Volusia County school districts may incur costs related to the installation and maintenance of video surveillance equipment. See Section V.

The bill takes effect July 1, 2021.

Q&A

None.

Amendment #799354 (Book - Rodrigues)

This amendment would adopt House language that will be on the floor later this week. Specifically, the Department of Juvenile Justice technical change makes Section 100353 say 100.52 instead. It incorporates House language around the straight jacket language on line ninety. It removes Volusia County from the pilot program, which matches the house.

Outcome

The amendment was adopted.

Q&A on the Bill as Amended

Senator Thurston

Q: I got some calls today from the district and they are just talking about the cost. Apparently, there is a possibility of several million dollars for the cost of this pilot program in Broward County. Do you know if there is anything on the way to assist with the cost of the pilot program?

A: We do not have an appropriation associated with the bill. I am not sure that the several million-dollar cost estimate is accurate. What the pilot program would do, is if a parent of a child who is in an ESE classroom request that a camera be placed in. Only at that point would they participate in that pilot program.

Q: With regards to that, you said if a parent wants the camera. Would the other parents have a choice, or is it just if one wants it?

A: If one parent requests it, that would trigger the conversation with the rest of the parents. If there was consensus, then that would occur. I would think if someone did not want the camera, then that would be accommodated in a different classroom.

Appearance Forms on the Bill as Amended

David Brown: Waiving in support.

Angela Andry: Waiving in support.

Dr. Danielle Thomas, Florida PTA: Waiving in support.

Carrie Boyd, SPLC Action Fund: Waiving in support.

David Cullen, Advocacy Institute for Children: Waiving in support.

Debate on the Bill as Amended

None.

Closing on the Bill (Rodrigues)

Waived close.

Outcome

The bill (as amended) was reported favorably.

CS/SB 582 – Parental Rights (Rodrigues)

CS/SB 582 establishes the “Parents’ Bill of Rights.” The bill provides that the state, its political subdivisions, any other governmental entity, or other institution may not infringe upon the fundamental rights of a parent to direct the upbringing, education, health care, and mental health of a minor child. If those entities infringe upon a parent’s fundamental right, they must demonstrate that the action is reasonable and necessary to achieve a compelling state interest, and the action must be narrowly tailored and not otherwise served by less restrictive means.

The bill enumerates a list of rights that a parent possesses in order to direct the education of his or her child and be informed about the child’s educational programs. The bill also requires the school district to promote parental involvement in the public school system by providing access to the child’s studies and instructional materials while also recognizing a parent’s right to withdraw the child from objectionable portions of the school’s curriculum.

The bill also requires a parent’s permission before a health care practitioner may provide services, prescribe medicine to the child, or perform a medical procedure, unless otherwise provided by law. The bill provides a misdemeanor penalty for a health care practitioner or similar person who violates the health care provisions and subjects these persons to disciplinary actions.

Q&A

Senator Jones

Q: Why do we need a separate chapter cross referencing information that is already provided?

A: I think the chapters you are referring to are the educational rights. Parental rights have been articulated in a number of chapters across the Florida statutes, including healthcare. We are just putting them in one central location so that parents can easily find them

Q: Knowing that the courts recognized the fundamental rights of parents to direct the child’s upbringing, education, and their care for them, can that right be restricted in certain circumstances?

A: Only if we have already articulated it within the statutes. We are not creating any new statutes or exceptions.

Q: Would licensed professionals be required to disclose information to parents upon request, even if their license prohibits it?

A: The way I understand it is in our bill, we are taking what exists in statute and bringing it over and creating a new statute. So, if they don’t have to disclose now, they will not have to disclose if this bill is adopted.

Q: Under this bill, would guidance counselors be required to disclose information regarding private conversations they had with students to parents upon request?

A: Specifically, there is nothing in statute that requires an informative notification from a guidance counselor to a parent. There is nothing that would be shared that would require disclosure. However, the statutes are clear that there are three areas where schools must provide information to parents: academic progress, report cards, and verified incidents of substance abuse by the child.

Q: Does the bill give parent veto power?

A: No more than what they currently have in statute.

Senator Berman

Q: Could a parent ask for a child to be withdrawn from a classroom based on their agreement regarding the teacher’s lifestyle or ideology?

A: Under this bill, there is no new statute or new right afforded. You would have to consult existing statutes.

Q: Could a parent that is a Holocaust denier to remove their child from that portion of a course?

A: I will consult with you after checking.

Appearance Forms on the Bill

Renalda Elagie: I am here to speak in opposition to this bill. I am here to share a story of a girl named Abby who went to the same high school that I did. She was forcibly outed by the counselor and the principal to her parents because of an assignment she wrote titled "This I Believe." She wrote about how she struggles on a daily basis about being part of the LGBTQ community and mentions how she has to face the homophobia of her parents at home.

Valley Osborn: I just want to ask that each of you please support this bill. I come from a county where a non-verbal four-year-old was abused by her teacher and the abuse report was not given to the parents.

Trish Kneely, League of Women Voters: This bill endorses parental actions that are not good public health policy. Denying sex education is not going to stop sexual activity. You have a recipe for disaster. Women don't impregnate themselves. We urge you to focus on information to educate on safe sex.

Lakey Love: We ask you to please oppose this bill because of its anti-LGBTQ rhetoric. We respectfully disagree with the bill sponsor that this bill does actually change statute and provisions.

Devin Graham: One of the stipulations of this bill that you are glossing over is the requirement that minors receive written parental consent to receive medical care. Many people have sincere religious beliefs that faith and prayer are the only thing needed. Idaho has similar medical exemptions. Since these laws have been enacted, over 200 kids have died from non-life-threatening diseases.

Anthony Vertigo: Waiving in support.

Patty Sullivan: There is a lot of confusion around this bill and it would bring a lot of clarity if people would just read the bill. Vote yes.

Armando Pomar, Hispanic Americans for the Diabetes Foundation: Waiving in support.

Annie Philacowsky, Florida Alliance of Planned Parenthood Affiliates: Waiving in opposition.

Carrie Boyd, SPLC Action Fund: Waiving in opposition.

Ida Escamony, Florida Rising: Waiving in opposition.

Barbara Devain, Florida Now: Waiving in opposition.

Michael Barrot, Florida Conference of Catholic Bishops: Waiving in support.

Debate on the Bill

Senator Berman

I am worried that we are creating some new rights in here. I am worried that we are allowing parents to withdraw their children from portions of the curriculum that they view as object-able. I am also worried about us outing certain children. Not every child has a perfect parent. For those children, they need to be able to have someone to talk to. I don't want to jeopardize that, so I am voting against the bill.

Closing on the Bill (Rodrigues)

Waived close.

Outcome

The bill was reported favorably.

SB 1282 – Early Learning and Early Grade Success (Harrell)

SB 1282 modifies the administration of the Voluntary Prekindergarten Education Program (VPK) and the school readiness program and reorganizes the regulatory structure of the Office of Early Learning to consolidate authority and oversight within the State Board of Education. The bill also transfers the Gold Seal Quality Care program to the Department of Education (DOE) from the Department of Children and Families and adds standards for accrediting entities.

The bill expands accountability and assessment requirements for VPK providers. Specifically, the bill requires:

- A coordinated screening and progress monitoring program (CSPM) for students in VPK through grade 3 to provide information on students' progress in mastering the appropriate grade-level standards to parents, teachers, and school and program administrators.
- Beginning in the 2021-2022 program year, a program assessment composite score for each VPK provider based on the results of a program assessment that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages 3 to 5 years, in each VPK classroom.
- A performance metric that provides a score to each VPK provider based on the results of the CSPM, including learning gains, and the program assessment, beginning in the 2022-2023 program year.
- The assignment of a performance designation for VPK providers beginning with the 2023- 2024 program year.

The bill creates the Council for Early Grade Success within the DOE to oversee the CSPM and requires the new screenings and assessments to be administered by qualified individuals. The bill modifies the market rate schedule paid to school readiness providers to require a market rate schedule based on the prevailing market rate.

The bill appropriates \$3,088,000 in recurring funds from the General Revenue Fund to the DOE to implement the coordinated screening and progress monitoring program for VPK and kindergarten students beginning in Fiscal Year 2022-2023. The bill also appropriates \$677,759 recurring funds to implement the VPK program assessment and \$100,000 in nonrecurring funds to contract for a review of the school readiness payment rates.

The bill takes effect upon becoming law.

Q&A

Senator Berman

Q: Are you doing anything to help with the wages for our teachers and administrators?

A: Moving to market rate is going to help with that, especially with early learning.

Senator Passidomo

Q: What was the reason for moving the whole program from the Office for Early Learning to the Department of Education?

A: Again, we are looking at a holistic system. We are beginning educating our children in that early learning experience and we want to make sure we have a coordinated system. We have accountability throughout the system. I am very willing to look further into that.

Appearance Forms on the Bill

Dr. Danielle Thomas, Florida PTA: Waiving in support.

Madeline Thackard, Children's Movement of Florida: Waiving in support.

Amelio Torres, Early Learning Coalition of Miami: Waiving in support.

Erin Smelter, Association of Early Learning Coalitions: We want to thank you for bringing forward this good bill and speak to say we support it.

Michelle Watson, Florida Children's Council: We would like to thank the Senator for her tireless work over the past few years on this issue. We will waive in support.

Michael Barret, Florida Conference of Catholic Bishops: Waiving in support.

Chris Duggen, Florida Association of Education for Young Children: Waiving in support.

Angie Gallow, Alliance for Public Education: Waiving in support.

Debate on the Bill

Senator Jones

Good bill.

Senator Berman

I do think it is a good bill and I just hope that we pair it with making sure that we give adequate money for our VPK so that we can stop some of the turnover that we have.

Closing (Harrell)

When we look at the governance issues, I am very open to having further conversations on this. Thank you and I ask for your favorable support.

Outcome

The bill was reported favorably.

SB 1656 – Lawton Chiles Endowment Fund (Gruters)

SB 1656 modifies how funds are used in the Lawton Chiles Endowment Fund (LCEF). Specifically, the bill:

- Requires annually by October 31, the Chief Financial Officer (CFO) to certify the amount that reverts to the LCEF principal.
- Specifies that the CFO must transfer 50 percent of any reverted funds by December 1 to the Board of Trustees (BOT) of the University of South Florida (USF).
- Requires the BOT to expend any funds received to conduct and support cardiovascular disease research at the USF Health Heart Institute.
- Allows the BOT to use funds for annual operating costs, and for recruiting, retaining, and equipping researchers.
- Prohibits the BOT from pledging any funds to secure debt.

The bill also requires the CFO to notify the BOT annually by December 1 that, if there is no reverted balance in that year, a balance transfer will not occur.

The bill has no fiscal impact on state revenues or expenditures. However, if unappropriated funds are transferred to USF rather than back to the LCEF, it may impact the fund's balance. See Section V.

Q&A

None.

Appearance Forms on the Bill

Jim McGill, USF Health: We wholeheartedly support this bill and appreciate your efforts.

Debate on the Bill

None.

Closing (Gruters)

Waived close.

Outcome

This bill was reported favorably.

Early Learning and Elementary Education Subcommittee

Tuesday, March 23, 2021

Meeting packet with bill analysis can be found [here](#).

HB 849 — School Absence Due to Sickness or Injury (Valdes)

The intent of this bill is to codify into law that school districts may give excused absences from school for mental health reasons, not just physical injuries. The bill clarifies in state law that excused absences for students from school may be for injuries or sickness that are physical or mental.

Amendment 815469 (Valdes)

This amendment removes language specifying that a sickness or injury may be physical or mental and instead it allows a school district or school board to determine other licensed professionals, in addition to license practicing physicians who may write a note for an excused absence. These could include professionals who work with mental health issues such as certified mental health therapists, psychologists, family therapists, clinical, social workers, registered nurses practitioners, and psychiatric nurses. The amendment provides district flexibility to meet the students where they are in terms of their mental well-being.

Outcome

The amendment was adopted without objection.

Q&A on the Bill as Amended

None.

Public Testimony on the Bill as Amended

Robert Stuart, Hillsborough County Public Schools: Waiving in support.

Debate on the Bill as Amended

Representative Nixon: I am very thankful and grateful that you are bringing this great bill, especially during a time of a pandemic. I have a 13 year old daughter, one of her friends mom called and she let me know that some things that were transpiring at a public school in Jacksonville in regards to students cutting themselves and harming themselves during this pandemic. I think this is something that's needed and I am just very appreciative that you decided to bring forth this bill.

Ranking Member Davis: Thank you for this bill, it is definitely needed.

Chair Aloupis: I am appreciative for this bill.

Closing on the Bill as Amended

Waived closing.

Outcome on the Bill as Amended

The bill was passed as amended 17-0 and was reported favorably by the committee.

The bill was filed on February 9, 2021. This bill was also referred to Secondary Education and Career Development Subcommittee and Education and Employment Committee. This bill is now in its second stop, Secondary Education and Career Development Subcommittee.

HB 1119 — Water Safety and Swimming Certification for K-12 Students (Daley)

This bill would require school districts to ask an enrolling parent if their child is able to swim. If the answer is no, the school district is required to hand them a document that goes over the importance of swimming, why it's so important in the state of Florida, something to the effect of drowning is the number one killer of children ages one to four in this state, and provide five low or no-cost options for the child to become swim certified. The bill is vital because obviously there is water literally all around us in this state, personally important to me because I have more pools per capita in my district than anywhere in the southeast United States, and I was a swim instructor. The bill establishes the Edna Mae McGovern Act, named after a young girl from Coral Springs, Florida, who tragically drowned in her family's backyard pool in 2009.

Amendment 838617 (Daley)

This amendment removes the requirement for parents to provide documentation that their child is in fact swim certified, clarifies the district may provide the information to the parent in hard copy or virtually, and it removes the record maintenance requirement in the liability waiver for the school district.

Outcome

The amendment was adopted without objection.

Q&A on the Bill as Amended

Representative LaMarca

Q: Would you consider this a mandate?

A: No, it is asking a question and providing information.

Representative McFarland

Q: Do you have any facts about drowning?

A: Yes, drowning is the number one cause of death among children.

Representative Roach

Q: How would this bill effect those deaths in ages 1-4, if this bill affects ages after that in schools?

A: It is the step in the right direction.

Public Testimony on the Bill as Amended

Edward Briggs, Brandon Sports and Aquatic Center: Waiving in support.

Dominic Calabro, Florida TaxWatch: Speaking in support.

Megan Turetsky, Children's Services Council of Broward County: Waiving in support.

Debate on the Bill as Amended

Vice Chair Fetterhoff: I really appreciate this legislation; one of the first pieces of legislation I worked on was regarding a child that was harmed for life because she did not know how to swim.

Representative Mooney: Florida still ranks number 2 for children 16 and under with drowning. This bill is needed.

Representative Learned: A friend of mine just lost his son last week to drowning, thank you for this great bill.

Representative Nixon: I lost my 13-year-old cousin due to drowning, so thank you for this bill.

Representative McCurdy: Thank you for this good bill. I am a Floridian that cannot swim, but my 3-year-old daughter will not have to go through that. I can only imagine if my mother was provided this years ago.

Representative Hunschofsky: I also have a close friend who lost a child, this is important will all the people we have moving into Florida.

Closing on the Bill as Amended

Thank you to everyone who has worked on this bill to help mold it and move this bill along the process.

Outcome on the Bill as Amended

The bill as amended was passed 18-0 and was reported favorably by the committee.

The bill was filed on February 18, 2021. This bill is now in its second and last stop, Education and Employment Committee.

HB 489 — Student Identification CARDS (Daley)

This bill would require school districts to include on the back of the student identification card a text or call crisis hotline. This bill is the product of a high school bill contest that I run back home in Broward County and I'm proud to say the awesome students at MacArthur high school came up with this concept and I'm proud to work with my awesome friend representative Mary Woodson as the Co-sponsor as MacArthur high school is in her district.

Amendment 124345 (Daley)

This amendment clarifies that if a district doesn't already issue an ID card to their students, they aren't required to do so simply because of this bill and we do narrow the scope from K-12 to 6-12 grade.

Outcome

The amendment was adopted without objection.

Q&A on the Bill as Amended

Representative Chaney

Q: In the event that high schools switch to electronic ID cards, would this bill cover that or would another bill have to be introduced?

A: I do not know it is currently covered, but the amendment will in part answer that.

Public Testimony on the Bill as Amended

Jessica Janasiewicz, Florida Association of School Administrators: Waiving in support.

Debate on the Bill as Amended

None.

Closing on the Bill as Amended

This is designed to target students who do not know where to go when they need help.

Outcome on the Bill as Amended

The bill as amended was passed 17-0 and was reported favorably by the committee.

The bill was filed on January 27, 2021. This bill was also referred to Secondary Education and Career Development Subcommittee and Education and Employment Committee. This bill is now in its second stop, Secondary Education and Career Development Subcommittee.

HB 1635 – Hernando County School District (Ingoglia)

This bill provides for an elected Superintendent of the school board of Hernando County, subject to approval of a referendum to be conducted in the 2022 general election. If approved at that point the first election for an elected Superintendent would be in the 2026 general election.

Q&A

Representative Davis

Q: Does the school board have the authority to do this now?

A: It has to go before a referendum before the voters.

Q: Are you a charter county?

A: No.

Q: Have you talked to the school board and what is their position on this?

A: I have not talked to them directly but they sent out a statement saying they are against this, but this does not surprise me since anytime you take a politicians power away they cry.

Q: Are your school board members elected?

A: Yes

Q: How many are there?

A: Five.

Representative Nixon

Q: What's the rationale behind changing this?

A: We have some problems with the school board. Ever since we changed to an appointed superintendent, it has been a nightmare. The current structure leaves out the voters but most importantly the parents. Forty out of sixty-seven superintendents are elected.

Q: During the superintendent tenure have the graduation rates gone up?

A: I believe so.

Q: How about test scores?

A: Sometime yes, sometimes no.

Representative Learned

Q: This sounds like a forever fix to a temporary problem with a bad superintendent. Can you help me understand why this is a problem that needs to be fixed?

A: This is a ballot question for the voters to decide. This has been a long-term problem for Hernando County.

Public Testimony

Sam Wagoner, Hernando County School Board: Waiving in opposition

Debate

Representative Nixon: I have an issue with this bill because sometimes when you elect someone it is a popularity contest, whereas when you appoint someone you can do a nationwide search to find the most qualified person. If there is an issue with an elected superintendent, it can take four to eight years to take care of, yet the average term of an appointed one is 3.2 years statewide.

Representative Roach: I think this is simple, are we going to empower government or empower parents. My only regret is that this isn't a state wide bill.

Representative Davis: Anytime I hear this type of issue, it's the policy I do not like. We have had this happen in Duval County and it was completely spiteful, nothing to do with the superintendents actions. Our superintendent has raises scores, graduation rates, and many other successes. She was just named Florida's 2020 superintendent of the year.

Representative Hawkins: I am up on this bill because when it comes to these local bills I trust the Representative who has to listen to their constituents. Let's let the constituents talk through a vote.

Closing

This bill is about trying to empower the parents to have direct input. I do not necessarily agree with the appointment process because it is indirect input. This is not unheard of as 40 of 67 counties have an elected superintendent. This is not just an issue with the current superintendent; there have been problems with the superintendents in Hernando County for a while now. I asked and spoke to a lot of people about this issue and they are all concerned about not having the type of direct input that the other counties have. So, let's go back and ask the voters.

Outcome

The bill was passed 13-4 and was reported favorably by the committee.

The bill was filed on March 2, 2021. This bill passed Local Administration and Veteran Affairs Subcommittee 17-0 on March 16, 2021. The bill is now in its third and last stop, State Affairs Committee.

Senate Appropriations Subcommittee on Education

Consideration of Bills
Tuesday, March 23, 2021

Meeting packet can be found [here](#).

Summary

The Senate Appropriations Subcommittee on Education considered CS/SB86 and Amendment 666218.

CS/SB 86 Student Financial Aid

There is a strike all amendment.

Amendment 666218 (Baxley)

Creation of an online dashboard about university graduates' career path employment opportunities and education outcomes and the requirement that a hold be placed on each student's registration after the first year until the student has met some specific conditions to make sure they're exposed to these things, this dashboard information, as they make choices about their educational content in view of the fact that they may be looking at certain career paths and we don't want that to be a disappointment; we want that to come together for them. It also retains the creation of the annual list of certificate and degree programs that do not directly lead to employment so that you can govern your decision-making accordingly on how to adapt that fact. It also retains the modification of Bright Futures Florida Academic Scholars and the Florida Medallion Scholar Awards which adds additional alternative eligibility options and changes the FAS and FMS Award to as specified in the General Appropriations Act. It also retains modification of the Benacquisto Scholarship Program to limit initial eligibility for non-resident students and provides the award as specified in the General Appropriations Act. It also retains a clarification that free exemptions related to students in the Department of Children and Families Care applies to students age 18 and under in their care.

The strike all amendment removes a number of things that were concerned and how to readjust these. The reduction, first of all it provides for the reduction of a Bright Futures or Benacquisto Scholarship Award amount tied to student enrollment in a certificate or degree program on the annual list. It provides for the reduction in the total number of credits in a Bright Future Award by the number of acceleration credits applied, the provision relating to graduate study for Bright Futures Award recipients which simply retains current law relating to graduate study, and it also removes the establishment of the Florida Bright Opportunities Grant Program and the Florida Endeavor Scholarship which can be done later in a different format separate from the meritorious nature of this great program or to Bright Futures.

The strike all amendment adds a few things. It is a requirement that is part of the state university procedures to release a hold on the student's registration after the first year that the student affirmatively indicates that he or she has received the required career information and indicates an awareness of future employment and wage prospects based on his or her declared major.

Q&A On Amendment 666218 to SB 86 Student Financial Aid (Baxley)

Senator Cruz

Q: Thank you, Chair, and thank you, Chair Baxley. I want to start out by, there is a question here. I want to start out by thanking you for your intentions with this bill, specifically to improve career outcomes for our students in this state. I was a teen mom

who went to a college technical program and looked to the right column to see which program paid the most when I got out of school because I had a family to take care of. But I'll be very clear that this is an issue that I take very seriously and so do thousands of families that have contacted my office on this issue. You maintained in the bill the creation of this list that shows degree programs that are less likely to directly result in employment. And my, do you plan on tying this funding in the General Appropriations Act, because I'm concerned that this language will come back in proviso language and will have circumvented the entire public process. So my question, Chair Baxley, is will you commit right now to the students that rely on this money to attend college and their families, that you'll not bring this language back and that it will not end up in the General Appropriations Act?

A: Yes, this is the serious approach. And by doing this, one of the main reasons, and we've had this before, we've been over in, for the funding side, the money side really is related to the appropriations based on the fact that we can only expend what we receive in Florida. We don't credit, borrow money and keep certain numbers in play. And so it is the right place to be figuring out the numbers right here, you, based on what we see that we have to work with and there is no intention to try to cut Bright Futures. As a matter of fact, we've done everything we can to improve it because we think it's improved so many outcomes and allowed so many people to attend college. And there's absolutely no intent on my part to move in any other direction with this than straightforward.

Q: Follow up, Mr. Chair. Thank you. And I also noticed that you removed the statutory requirement for the state to pay 100% of the tuition and fees for the top tier and 75% tuition and fees for the second tier. My question is why? And additionally, this language directs that the funding amount will be specified in the General Appropriations Act and that's what worries me, when you say no, yet we've removed the percentages of 100% and 75% and then left it up to the General Appropriations Act. So I guess I ask you why did we do that?

A: Well, because we've really not changed anything in that regard except where these computations are made and that'll be here.

Q: One more follow up, Mr. Chair. To that end, if it's not specified, then how can we expect children to make lifelong decisions based on this funding when we're failing to guarantee it during the course of their time in college, and I say that as an example. Does this set us up so that a student could receive 100% in a good budget year based on the GAA, but only 50% in the next year? I ask that because, you know, I'm thinking about parents who are on very, very tight budgets and what would happen to them if the second year was only funded at 50% and whether the student would be able to go to school or not anymore.

A: Well, I understand the question and the concerns because we have a lot of planners, planning people, planning parents, and they want this whole thing covered all the way out. Now I'm a guy who paid my own way through college, been on my own since I was 17. Now I had to work 50 hours a week to do that and I don't know if you can even do it today. But I will tell you that there are very unrealistic expectations about any of this stuff being forever when we cannot bind future legislatures. And this may be an organism that changes somewhat over time; hopefully it will if it's going to continue to be improved. And so my concern, I hope you would be careful to resolve that we've got these other concerns that we can't promise forever promises to people. We have grandfathered in their coverage and we have set standards of where these price points are for our legislative appropriations team to work from, but they have to deal with the realities just like I had to plan quarter to quarter how I was going to do next quarter. And I think that's more realistic approach to life that this is, we can't guarantee you everything's going to be just like it was because the world's always changing and there's always events and circumstances occurring and I think a more realistic is to lay out this plan, communicate this plan and do our best to carry out this plan. But with the understand that we may not be here; there may be other people here who feel differently based on what's going on at that time and so they have to have that authority to make adjustments and this way within the GAA, we don't have to go back and change the legislation. These measures between are established, they will be the pattern, but the realities of the current economic climate will be a reality as we move forward.

Q: Just one more follow up. I promise this is the last one.

Chair: Okay. One last follow up.

Q: Thank you. Why are we removing the deposit of these dollars into the state Student Financial Assistance Trust Fund and where are they going if not there?

A: Let me get some help with that one. Yeah, that's actually an outdated practice because actually the funds go directly into the department that manages these funds.

Q: Thank you, Mr. Chair.

Senator Hutson

Q: Thank you, Mr. Chairman. And first off, thank you for your hard work on this and getting it to where it is today. I assume you spent several hours over the weekend trying to come up with this strike all based on the first committee's concerns, so I'm relieved and appreciate what you've come up with. As it relates to the funding, it is my understanding that no legislative body can tie a future legislator's hands on how they would spend the money and that's probably why some of this language we see here today is in there. Is that your intention? Is that correct that we're not trying to tie the hands of future legislature members?

A: Absolutely. We know they'll face consequences just like we have faced with COVID and recessions and there may be adjustments, and also growth periods. I mean this leaves the potential open to increase the provision if it's needed. That can happen. So it's trusting this process and realizing that these future legislators will have realities to cope with and some of them will be great realities and some of them will be challenging ones.

Q: A couple of more follow ups if I could, Mr. Chair. Thank you for that answer, Senator Baxley. It is my understanding, or isn't it true that all funding within Bright Futures has always been subject to the General Appropriations Act?

A: Ultimately that's absolutely true because they've got to balance the books. And so this just realistically puts that out there instead of saying well we're going to designate these numbers and then it doesn't happen. So I think it's more true to share the reality that we're under what happens with the entire appropriations system and the circumstances of that time period.

Q: And one last follow up, Mr. Chair, and I've been here since 2012 or '13 session; we consolidated this two years ago to have that language in there, but prior to a couple of years ago, when I've been here from '12 to that time, I don't remember us ever hurting or cutting Bright Futures without that language that was in there from our General Appropriations Act. So would it be fair to say that we would not be touching or hurting any of those dollars that these students receive, whether the language is consolidated like it is now or back to your original strike all?

A: That is correct and to back up what you just shared, this decoupling has to do with the fact that awards were tied, the award was tied to tuition and fees '97 through 2008 and '09. The per credit hour award was set this way in 2009 to '10, '16 to '17, so we're really just going back to a more appropriate accounting system and it was tied to tuition fees '17 and '18 through the present.

Q: And one last one based on that. So if we were to debate or discuss anything as it relates to Bright Futures either expanding or declining in terms of increases or decreases and cuts, that debate and that discussion would be held when we bring out the General Appropriations Act; is that correct?

A: Yes, sir, and a big part of that is we also contribute significantly to their education on the university side if you just compare the in-state versus out-of-state tuition. So it's very clear that there's ways to get that there through different categories, whichever is the most effective for the financial burden and challenge at the time.

Senator Polsky

Q: Thank you, Chair. I wanted to take a little bit deeper dive into the finances, especially since this is an appropriations committee; so if we need some help, you know, I'm happy to have anyone answer this. The Bright Futures scholarship is funded through the lottery; is that correct?

A: Yes. I would add a caveat that the constitution is clear that those funds that are received, those public funds that are collected through the lottery are to go to education. But that's a very broad space and may get applied differently depending

on -- now we've made conscious decisions for a number of years to prioritize our scholarship program out of there. But that's the real nature of it is the constitution says for education

Q: May I just go back and forth? Thank you, Chair. So but there's never been a problem before this Bill, well I've only been around for three years here, but it seemed to me from the parents and students that there hasn't been a problem with expectation of funding. Once you were categorized as either a 100% student or a 75% student, it was never an issue with whether or not you would get that funding for the four years that you attended; is that correct?

A: Well, I think this approach is far more truthful with them because nothing is guaranteed in this world. We don't know what we're up against until we're there. Now obviously this is a very strong priority and the top priority and we have continued to use that as an indicator of funds and have not used it for other education purposes as much as we could to improve education overall. But we feel like this was a proper direction to move and it can continue to move in that way, but I think it's a lot more honest with people to say we can't guarantee what's going to happen forever. You are not getting any change in intention. You're not getting any change in direction. There is no impetus here to reduce funding of any Bright Futures scholarships. It's just being more truthful that this is the proper way to align your finances is to admit that that's all done through appropriations.

Q: But there's always been enough money, well beyond the amount of the Bright Futures scholarship in the lottery fund to make sure that every student who qualifies is fully funded for four years in the lottery; right?

A: Always is a very big word. I don't use that.

Q: In the past. In the past has there always been enough funding in the lottery to cover the full down ...

A: We have met the commitment. We have. As a matter of fact, we've even increased the commitment.

Q: So let me give you a hypothetical that I think a lot of people are concerned about. And one of the reasons why there is such an emphasis as you said in Bright Futures and funding it, and I believe you that you want to keep it, but you can also understand the hesitation that parents have who are watching this right now.

Chair: In the form of a question, please.

Q: I'm getting there; I promise you. There are many students in my area who get full scholarships to private schools out of state, or even maybe public schools out of state. An example is Tulane; they love the strong students, top 10% or top 10 at public high schools in my area. And many students have received a full scholarship to Tulane University, but they may prefer UF; and these are the same students who get 100% funding from Bright Futures. So if they choose the Tulane scholarship that's a guarantee because it's essentially a contract between them and a school for a four year scholarship, otherwise they wouldn't go. So if that same student, and here's my question, decides to take Bright Futures at UF because that's where they want to go and we want them to go there, what is the guarantee that they will be paid 100% for four years under this new, your new amendment?

A: As I said, you can make commitment, but you can't keep that commitment because this legislature cannot bind each new legislature that occurs every two years. And I would rather be honest with them. This is the problem; this is a wakeup call that the government is not your final answer. The economy is your final answer as to whether those revenues are there. I mean we've had great success, we have a very well run lottery; probably one of the best in the country. I've never bought a ticket. I should love it because it's one tax I don't pay. But a lot of people did pay and a lot of them are hardworking people and they continue and they are hopeful for what I begrudgingly call the false promises; it's programmed what it's going to put out. And so my view is it is a stable source. It will remain a stable source, but I'm going to be honest and tell you I can't predict what's going to happen in four years.

Q: Has it been the case though over the last period of time where the Bright Futures Scholarships have been in play that there was a chance that they weren't going to get funded? Because I never heard that before as someone who has these age children that Bright Futures was not guaranteed to our students. But are you saying that this has always been the case and you're just bringing it to the surface the truth of the matter?

A: Absolutely, and also our intent to continue on this path. We are the most competitive state in terms of tuition. I've talked with so many parents in the last few weeks that they were going to go out of state, but then they compared the benefits of our package and they came to Florida to the universities of Florida. All 11 have prospered and it's allowed us to be one of the

most, best value states as far as costs and value received. We continue to hold that effort high and we will take care of these students.

Q: My last question, please. So do you have any concern that if this bill passed that there would be students who would choose not to go to Florida schools if they got a 100% scholarship to an out-of-state school and the great reputation that our Florida universities have earned mainly because of Bright Futures and getting those quality students and the out-of-state Benacquisto, for example, that that could be at risk if Bright Futures is not protected the way, now that you're describing it's kind of a vagary of the economic system?

A: I'm just being real, you know, I'm being truthful with people instead of a false promise that I really don't know what the future holds and I need to be honest about that. And I don't think, they will not find a better value in education, in higher ed, than they will in Florida. And that's why they're walking away from these high priced tuition schools and coming where we pay a lot of the stuff up front, directly to the university. Why? To keep tuition down. And then if you qualify for this, we even pay that. So I think we have an incredibly defensible program and it can handle the truth, and they need to handle the truth that nothing's tied down. You don't know if you'll have a job four years from now. You don't know if anybody will. We all lay great expectations and we work towards fulfilling those and we have and we will.

Senator Gibson

Q: Thank you, Mr. Chair. I'm looking at some information I requested a few committees ago on Florida Bright Futures Scholarship Programs. And so the total for 2019-'20 award looks like 111,973 students and the, there is a breakdown, Asian Pacific Islander of the 111,973 is 8,700. We have 6,800 African-American; 29,000 Hispanic, 308 American Indians, 62,000, almost 63,000 white; and 3,900 other. And so in terms of the total number, based on your bill, will, are you looking to decrease the number of students who are receiving Bright Futures? Is that the goal?

A: Absolutely not. This is to be forthright with people and actually that's why I built in the Bright Opportunities Grant Program and the Florida Endeavor Scholarship, but that moves us away from this primary goal of merit base no matter who you are that you can find your way there. And I like having merit based scholars that earn their way there in terms of qualifying with some effort, and are better prepared for success because of it. And that's the real goal. In no way is my move to reduce what we're doing in this area. I'm very proud of the numbers we produced.

Q: Thank you, Mr. Chair. So, and maybe I don't know the criteria for the other two categories, but when you, when the bill, I don't want to say personally, reduces the amount of funding in Florida Bright Futures and, then there will be less students covered in that category; correct?

A: No. There's nothing that changes those numbers in this provision.

Q: Well, there's less money in the pot; right?

A: No, that's up to appropriations. They know what commitments we made with these students and they're there to fund them if they can.

Q: And so, but you're adding, what is, I'm sorry. The two pots that you're, the two types I guess of scholarships that you're adding does not decrease the ability to fund the Florida Bright Futures Scholarships Program?

A: No, we took those out, but they were more need-based which would help equalize some of this difference that you're looking at. I thought it was a good idea, but obviously the response was no, we wanted this maintained as a merit program entirely and so that's where we've gone.

Q: Follow up? Couldn't we just put more need based money in the budget, period, without giving it a name?

A: Absolutely. That can happen. Talk to your Chairman.

Q: Chairman?

Chair: Too late this year.

Q: Thank you, Mr. Chair.

Amendment 394796 to the Strike All Amendment 666218 (Polsky)

This amendment is very straightforward. It would just prevent any lists of career certificate and undergraduate and graduate degree programs created by the Board of Governors, the State Board of Education and the independent colleges and universities of Florida from being utilized to determine eligibility or award amounts for any state student assistance grant or state financial aid. This would be an important preventative step that would allow the lists to inform students, but not to restrict their aspirations.

Public Testimony on Amendment 394796 to Amendment 666218

Dr. Danielle Thomas, Florida PTA: Waiving in support.

Debate on Amendment 394796 to Amendment 666218

Senator Passidomo

Thank you, Mr. Chair. While I appreciate the thought behind the amendment, because of the substantial amendment of the strike all, which basically decouples that provision, this amendment is not necessary. Thank you.

Closing on Amendment 394796 (Polsky) to Amendment 666218

I would just reiterate the outpouring of concern that we had with the original bill and the fact that this new strike all does still require lists of majors that are attached to careers and employability and as a result that list is out there. The work and expense has been done by the Board of Governors or universities to put that list together and that might be an opportunity in the future to say oh well we've got this great list, now let's tie it to Bright Futures. So just want to put our residents at ease that these lists are just there for educational purposes and won't be used against them to eliminate their eligibility for Bright Futures and I just think it would make everyone feel better about this bill. So I think it's a very simple amendment. Thank you. I hope for your support.

Outcome

The amendment is not adopted.

Amendment 606296 to the Strike All Amendment 666218 (Cruz)

This amendment seeks to restore the statutory requirement for the state to pay what has already been agreed upon, 100% of tuition and fees for the top tier in the Bright Futures Scholarship Program and 75% of tuition and fees for the second tier award of the Bright Futures Scholarship. To subject our children and their education, their futures to the appropriations process by tying their award to the GAA is unfair. How can we expect lifelong decisions to be made when the state is essentially saying we won't commit to fully funding the scholarship programs. Families rely on this program to access higher education to climb out of generational poverty. I think we should preserve this language and statute to ensure that we are providing a bright future for our students in this state, at least for those that are now in college and create some kind of a trajectory or some kind of a glide path that says in the future, you know, for five years we won't do this. But the families that are there and have students in the University System are nervous and worried and I have thousands of emails to prove that. So I'm asking that we just restore this and look at something perhaps that creates a reduction for the future, and that is the amendment, Mr. Chair.

Q&A On Amendment 606296 to Amendment 666218 (Cruz)

Senator Diaz

Q: Thank you, Mr. Chair. Thank you, Senator Cruz. I think it's clear what you're trying to get at here, but I have a couple of questions on, because it says in Statute 75 and 100, are you assuming with your amendment that that's still not subject to our appropriations process because of the pots of money that are required to get to the 75% and 100%?

A: I'm assuming that that has been in place for quite some time. So I'm not absolutely positive that it can or cannot be affected by appropriation or deduction in GAA, but I'm just asking that it be put back to where it was at least for the students that are currently enrolled and parents that have budgeted for this four year process.

Q: So in keeping that, do you know what effects that could have on eligible students, meaning students that meet the criteria that may not be able to get any award due to the fact that the 75% and 100% is in there, and wouldn't you think it would be better to give the legislature, which has historically funded this, more flexibility in order to make sure that we reach or fund as many students as we can that are eligible under Bright Futures?

A: Senator Diaz, in the past we figured out ways to reduce this program. I watched many black and brown students disenfranchised from the qualification of this program because we pushed the qualification pass rates up higher. So, you know, we've doing a balancing act on this for quite some time. And if we want to, and that's basically what we're saying, if we want to reduce this program, because that's really what I see happening here is that we don't want to commit the funds that we have committed, nor do we want to be tied into 100% or 75%. I am speaking to the parents specifically who are in this program now who are panicked about what they will do. I think that, you know, a hard stop on this is inappropriate. So at least this takes us back to the drawing board to take a look at what other avenues we would have to reduce the funding in this program if that indeed is the objective.

Q: So you mentioned minority students. Do you think that the, wouldn't you say that if you had the 100%, 75% hard on there wouldn't that affect that list, the number of students that would be available? And number two, are you aware has there been any fund transfers in order to meet the waiting list or the number of students that are eligible in the Bright Futures Program over the -- I know that this change I think is two years old with the 100% and 75%, but hasn't the legislature had to appropriate or fund transfer in order to meet some of these demands of students? Because regardless of the increase in the criteria, students continue to meet the requirements and there's a demand for this scholarship.

A: If you're speaking in terms of it, I think that you are saying fund transfer because the money that's been allocated is not enough and we have a commitment to the students; is that what you're saying?

Q: That's correct.

A: Okay. So essentially what you're saying is that we can't afford the program that we have now even though it's based on the profits of the lottery; is that correct?

Q: So to clarify, what I'm saying is if we have a commitment, the legislature has funded the program, but do you know if, and I believe this may be the case, but are you aware if we've had to make more fund transfers in order to meet that demand outside of those dollars, which have we made further commitments in order to try to meet that list which would be the opposite of reducing it? We've actually expended by having to go into some other funds to meet that demand.

A: That's a fair question and the only answer that I can give you is that we adjust funds across the budget. Every single year I receive emails that request budget changes. So if that's happening, Senator Diaz, and I don't deny or question that it is, I'm saying that it happens across our budget all the time. Why are we singling out the Bright Futures and saying because they're we're paying more than we expected in a budget, we should cut this program or we should slow this program down. This happens in our budget often.

Q: So having said that and we'll go with probably, I'm assuming we have done this, like you said with other programs, do you still think this is a sign of the legislature walking away from that commitment if we continue to have done that even though there might have been enough money in that pot?

A: No, I'm not. I'm saying that there are folks that are in this program right now that started as freshmen and they were under, and they worked under an assumption that if they did X number of hours, of volunteer hours, if they maintained a GPA, the

family worked together so that this kid could afford to go to college based on what they saw which is what we presented, and now we sort of kind of pull the rug out from underneath them. I'm saying that I don't think that's fair. And I understand what you're saying, Senator Diaz, because you're saying I don't think it's fair that you're asking me to continue funding these students and we're looking for money to backfill a deficit. But I'm also saying that we do this all the time. I understand that we need to make some changes, but we shouldn't make it to the students that are already in the program. Let's create a glide path moving forward.

Senator Hutson

Q: Thank you, Mr. Chairman, and that's kind of where I was going here. Is there anything in this bill or anything that we've talked about today that shows that we are cutting Bright Futures funding?

A: In my opinion, the answer is yes.

Q: Mr. Chair, as a follow up?

Chair: Yes.

Q: Can you point to the specific lines where we are actually cutting Bright Future funding?

A: Let me see if I can find the line that I want to refer to.

Q: And as a follow up the specific dollar amount you're referring to that we're cutting?

A: No, I cannot do that, but I'll get back to you on it.

Q: Okay. Thank you.

Senator Polsky

Q: Thank you. In my initial questions I was trying to get at what the amount we receive in the lottery and if that fully covers the amount of Bright Futures. And it's my understanding it does, but I'd actually like to ask a question to staff if they can answer that. I thought I heard \$5 billion in the lottery and the Bright Futures Program was \$600 million. So perhaps someone in staff can explain that there wouldn't be a shortfall, or not expect it to be a shortfall where we have to move money around to guarantee these students full funding.

Chair: The staff would like to give you a detailed answer. They'd like to go back and give you the physical paperwork on your question. So if you would defer that and get with them, I would appreciate it rather than them answering a fairly detailed question during committee time now.

Q: Okay.

Senator Hutson

Q: Chairman, I ask a follow up because it may be able to help Senator Polsky too if staff can answer this. I believe I've had this conversation with staff. Isn't every year when we do the Bright Futures funding it's an estimation on who we think is eligible for it? So some years we overfund it and we have to come back and set it straight; some years we underfund it, but we've always made those commitments based on the estimations that are put in front of us at the time when we do budget allocations. If staff could answer that for me.

Chair: Form your question or do you want to get with staff on that?

Q: That was the question that may help Senator Polsky with her line of questioning is that my understanding, if staff could clarify, the Bright Futures is always an estimation that is put in front of us that we fund in our budget. Sometimes we overestimate, sometimes we underestimate and we always come back and make it whole within the next year, or we do our best to do that. Is that true that it's an estimation of our budget which should help Senator Polsky answer some of her questions?

Unidentified Staff: That's correct, Senator. It's an estimation and a lot of times it's, sometimes it's high, sometimes it's low; it just depends. And we come back, at least since I've been here, the legislature always comes back to make sure that it's fully funded.

Public Testimony on Amendment 606296 to Amendment 666218

Dr. Danielle Thomas, Florida PTA: Waiving in support of Senator Cruz's amendment.

Debate on Amendment 606296 to Amendment 666218

Senator Polsky

Thank you, Mr. Chair. I think it's very clear that there's a lot of concern about the funding. And while the intention, it's a little hard to strip away the original bill from the strike all. I understand where we are; I was actually in both committees, so you know I'm very clear on where we are now. But someone asked is there an intention to decrease Bright Futures and while I don't believe that that is Senator Baxley's intent, you can understand why parents would feel that way because at first it seemed like well there'll be fewer students because of the majors. And now that part is gone, but now the part that's left is well we're going to decide the funding. And I understand that there may have always been this overarching ability of the legislature to decide the funding except that our constituents believe that when they buy lottery tickets, that money is going directly to education. And it is my understanding that there is more than enough money in the lottery to pay for Bright Futures plus our other educational needs. And it is my understanding that when they overestimate the number of Bright Futures students, there's plenty of money in the lottery fund to cover it, or if they underestimated then there's more money for other areas like K through 12. So what Senator Cruz is just asking for in this amendment is that guarantee and maybe the statute would only say for the next four years and every four years it gets redone, so that anyone who's starting school that for four years they have their Bright Futures covered at 100% or 75% and not at the whim of the legislature. And you know you could say you shouldn't tie the hands of future legislatures, but what's the point of this guarantee or this contract or this belief that a student has that they are going to be fully funded through Bright Futures if they don't know it's going to happen for sure. You know we are in the midst of the worst economic crises in our lifetimes and yet from a prior committee here I understand that the lottery has been fully funded and there's no problem, that people continue to buy the tickets even though we're, you know, having economic issues. So there's really no economic reason why Bright Futures wouldn't be fully funded and if we could take the language in this bill and make it more comfortable for parents; make them want to stay. Make them turn down the 100% scholarship from an out-of-state school and say nope, I'm going to stay in Florida because I know Bright Futures is there for me, and I'm going to choose Florida and I know that it will be paid for four years. And that's all that she's asking for and I think it makes a lot of sense given the history of the bill and the history of this legislature with sweeping funds. The Sadowski Trust Fund is set up for affordable housing and how many years for all of you has it ever been fully funded? I think not one, even though it was requested last year. Okay, now we had a terrible, you know, economic situation. So I don't want that to happen next year, say well we didn't recover as well as we thought we would have so we're going to cut Bright Futures. That student turned away a full scholarship from an out-of-state school. So I think for that reason alone we need to give the security to the students and the parents and given the history of the legislature and how we do move funds around and knowing that there's plenty of money in the lottery to cover this and more that we just guaranteed that our students will get what they have worked so hard for and what they are eligible for. Thank you.

Senator Gibson

Thank you, Mr. Chair and I think that Senator Cruz's amendment gives predictability to parents and students. So the bill is requiring this dashboard for students to look to see what is possible but they have no assurance that they will get to possible and no predictability for the parents on how they can help their student fund possible without Senator Cruz's amendment and possible is certainly a goal to strive for. Thank you.

Senator Hutson

Thank you, Chairman. I appreciate the colleagues or the conversation with my colleagues here. I think we're having two different conversations; one's a policy issue which is how do we word what we're going to do with Bright Futures which is the

General Appropriations Act versus what's currently in statute, and the other is an appropriations issue which is going to be subject to the GAA, which is how we always do it. We always go into that. So I want to be very clear that we are not cutting any funding in this bill. If funding were to be increased or decreased, it would be when we roll out the GAA. I think that parents should know that, that there's no intention of making any cuts whatsoever. But when Senator Polsky talked about the guarantee, even if we put this on today, there's nothing that guarantees it wouldn't come off next year. There is no four year commitment there because it's always subject to the GAA. Before two years ago when we passed this to make this language in here, we had still funded Bright Futures and always have funded it. And I don't think any member on this committee wants to cut Bright Futures. I think everybody is loud and clear on that and in fact if a GAA rolled out with a cut, I think you'd see every member up here upset with that and have to deal with that policy issue or that budgetary issue at the time. So I don't think the amendment is needed. I think it's a policy discussion to be had on a budgetary item and we're kind of confusing the two, but in terms of the budget itself, that will be discussed at another time and I am confident that with our budget chairman that we will roll out something that is great for our students and keeps our parents happy and our students feeling well about their security of their Bright Futures Scholarships.

Senator Diaz

Thank you, Mr. Chair, and I think some of what Senator Hutson mentioned, I think there's obviously been a lot of changes with this bill and I applaud them and there's also been a lot of confusion each time there's changes. And I think we've narrowed it down to this issue, and while I understand the intent, I think that we can't live under the false pretense that anything in our budget is not subject to the appropriations process. It clearly is regardless of what statute says, a legislature can only appropriate the dollars it has. And so this is not an intent to reduce Bright Futures by any means. I think it provides flexibility and I think this is just a beginning of a further conversation of dealing with Bright Futures which has historically always been funded by the legislatures including even if there has to be fund transfers. So I don't think, you know, there's no sweeping of the educational trust fund. None of that occurs. I think what we're talking about here is the flexibility of something that already has to occur, no matter what, whether this amendment is in or not, the budget every year in this state is subject to the appropriations process of the legislature and the vetoes of the governor. So I think there may be some talking past each other or trying to get people to understand and I understand that there's been a lot confusion with this bill. But I do think that at this point we should continue working on the bill. And this is not necessary now, I think we need to go forward in the appropriations process where I think we'll show that the legislature continues to value Bright Futures and will continue to fund it and flexibility, if we need to fund more, to make sure these students are participating in the program.

Senator Baxley

I don't think I need to [opinion on amendment to amendment]. It's pretty obvious that this was not presented to me or in any discussion and it's taking us in a direction that's uncertain and deceptive that somehow we can create money that you're covered if nobody else is and that's just not realistic. It's a beautiful intention, but it's not honest. And I like being honest with people. And if anything, the publicity of this bill as demonstrated to all the members, the intensity of emotions wrapped around our children and their success and that's a good thing. It's also good for them to know they don't belong to the state. They're your kids and you need to be a part of that plan and they've shown they're willing to be a part of that plan. As I've explained to many, look I just file a bill but this is a story. That's just the first chapter. There are many layers that this goes through in each committee to be a better bill and I think it has. Thank you.

Closing on Amendment 606296 to Amendment 666218 (Cruz)

Thank you, Mr. Chair and Senator Baxley. Knowing you and you knowing me know that I'm going to make sure that you're speaking in terms of the amendment not being honest and not the author of the amendment, so just for a point of clarification there. I want to remind everyone that the statutory requirement for the state to pay 100% tuition and fees for the top tier and

75% of the tuition for the fees in the second tier was removed. So we can say what we want to say, but it was removed. And all that I am trying to do here is to preserve what has been in current law for three years. So with that I close, Mr. Chair.

Outcome of Amendment 606296 of Amendment 666218

The amendment is not adopted.

Outcome of Strike All Amendment 666218 (Baxley)

The amendment is adopted.

Public Testimony on CS/SB 86 as Amended

Andrea Roche, Parent: Good morning. I am Andrea and I have come from 1,400 miles away to stand against Senate Bill 86 as the parent of an out-of-state Benacquisto Scholar. This bill has too many fallacies to address in short time, so I will focus first on my daughter being awarded a full cost of attendance for up to five years to complete a bachelor's degree so long as she completed all credits for which she registered and maintained a certain GPA. She has upheld her end of the deal. The State of Florida must do the same. In 2018 you welcomed out-of-state Benacquisto recipients, yet you won't be honoring your end of the deal even to this first class as the funds are cut in less than five years with this bill. Financial planning and school choices are made based on these awards. As a student in the top one-half percent of all 2020 senior graduates in the nation, my daughter had amazing financial packages offered to her including other full cost of attendance and near full cost of attendance awards, yet she chose Florida. This leads me to my next point. The purpose of the Benacquisto and the Bright Futures Scholarships are to draw and keep the best of the best distant and local talent in Florida and it has worked as can be seen by the advancement and the ranking of Florida universities. Eliminating these programs will be a brain drain on the state of Florida and profoundly impact the economy in years to come. I personally am aware of 2021 and 2022 Benacquisto recipients that will not be coming to Florida due to the uncertainty of this bill as well as Florida students that will have to drop out if Bright Futures is reduced. For that, I implore that you defeat this bill. Thank you for your time. **[Opposes bill.]**

Andres Rigado, Student: Good morning. My name is Andres. I am studying music education and I'm a living, breathing example of why Bright Futures should remain a four year guarantee for all overachieving high school -- oh my God, I had to run -- who maintain a high achievement throughout college. If this bill passed three years ago, I would not have to had the financial ability to attend the prestigious music education program at Florida State University which has a 100% job placement rate over 50 years due to the inability to guarantee my financial aid. In this situation, you would be short one teacher and we all know that those are scarce. I asked my family, friends, and colleagues for their feelings regarding this bill. There was an overwhelming amount of anecdotes from all of them, far too many to fit into one minute. Instead, I will simply say the names of those dear to me who strongly oppose this bill. I speak on behalf of Julia Weinberg, Megan Whalen, Myra Sully. I am being told that I need to speed up, so I will send each of you the list personally. These distinguished individuals who cannot be here today believe that this bill should not pass. I stand against the bill and towards a four year funding guarantee. A bright future is a future that the student decides for themselves, not a future that the government decides for the student. I yield my time. **[Opposes bill.]**

Sam McLaughlin, FSU College Democrats: Hi. Good morning. My name is Sam McLaughlin and I'm here representing the FSU college democrats. We appreciate the changes made by the strike all amendment, but we would like to see language adopted in this legislation similar to Senator Polsky's amendment. It's very suspicious that the language to restrict funding based on major has been removed from this bill but a list of economically promising majors will still be created. I understand the need to inform students of the post grad realities of their degrees, but if this is the intended function of the degree list, then

why did more than half of this Committee just vote down Senator Polsky's amendment? Along with this, as a current student at FSU, I don't know anyone who is not aware of the realities of their job prospects after graduation. We urge you adopt similar language to Senator Polsky's amendment to guarantee in legislation that funding in the future will not be restricted based on major. Thank you. **[Supports bill, but would like to language similar to Amendment 394796 (Polsky) included.]**

Yusuf Solak, Student: My name is Yusuf Solak. I'm a student. I'd like to say first of all I'd like to thank Senator Baxley for his new amendment as clearly taken into consideration the concerns of students, parents and educators from across this state. However, I would like to point out the fact that the funding for the scholarship is still left to the General Appropriations Act. With such vital funding being held in such uncertainty, this bill still affects the future plans of hundreds of thousands of Florida students. Currently it requires legislative action in order for funding to change. With these changes, the amount students are funded can change every year in a GAA. This is too volatile for students and families to plan their finances in college. With the many students that use Bright Futures I urge there to be a base funding for Bright Futures that can be only changed through legislative actions such as this. Again, I thank Senator Baxley for this amendment. It teaches freedom and choice in Bright Futures, but I believe further changes are warranted before this bill can be passed. Thank you. **[Opposes bill.]**

Unidentified, Student: Hello? All right. I am a double major in political science and statistics. One of those majors is more likely to be put on the list of unemployable majors than the other, I think. But throughout my college career, neither of these majors have prepared me as much as my extracurricular work from internships, part-time jobs, volunteer opportunities and other activities I can put on my resume that would make me more competitive in the hiring market. College students are not oblivious to the employment prospects their chosen majors have and they certainly won't listen to a list of bad majors some government officials put together. Instead of giving up on people choosing these majors on this hypothetical list, I think college students would appreciate policies that intend to give us educational opportunities on how to find work in whatever major or program we choose, or better yet give us connections to organizations in our respective field so that we have -- okay, I'll wrap up a little bit. As a student, I'm not an expert on these creating college programs, but there are professors and department heads who know a lot more than I do. This bill needs work and if you listen to us, it will be a great bill; so thank you. **[Supports bill with further work.]**

Allison Rash, Student: Good morning, Senators. My name is Allison Rash and I'm a Benacquisto Scholarship recipient and an honor student at Florida State University. Today I sat in a conference room at the Tucker Civic Center and took my classes with one ear listening to my professors and the other ear listening to my senators attempt to defund that same education. I should not have to fight against having my education pulled out from underneath me as I am receiving it. In regards to the list of majors, please consider that we have done our research and we know what our job prospects look like. As a liberal arts major I know my starting salary, I know the healthcare benefits, and I even know the language bonuses of which by the time I earn my bachelor's degree I will speak two besides English. As a liberal arts major with no further education, my starting salary has the potential to be over \$100,000.00. You say you've never guaranteed students the scholarship money, but when I signed the contract to attend Florida State University, I was promised a full cost of attendance scholarship which would cover 120 credit hours at a Florida university. With over 30 credit hours initially, I was going to be able to finish two majors and a minor without going into debt and now that might not be the case. By decreasing the money that is allotted for our scholarships you're breaking your promises to me and every student like me. And now you say you're one of the best value states for education in this country and right now that's true, but with this bill that might be the case anymore. You say you don't know what the future holds, but as a student I can tell you the Bright Futures Scholarship is why in-state students stay in this state. When you remove funding from Bright Futures we do find better value. We find better tuition. Without Bright Futures, my roommate would have attended the University of Chicago, not a Florida university. Without the Benacquisto Scholarship I would have attended a northeastern university in Boston, not a Florida university. And without Bright Futures, multiple students

would not even be able to attend university at all. In order to keep students in Florida and allow students to attend school, you must vote no on Senate Bill 86. Thank you. **[Opposes bill.]**

Dr. Danielle Thomas, The Florida PTA: Waiving against.

Angie Gallo, Alliance for Public Schools: Waiving against.

Debate on the Amended Strike All (Baxley)

Senator Cruz

Thank you, Mr. Chair. And I want to -- let me back up and tell everyone involved that I appreciate the changes that were made to this bill because parents were losing their minds. There are multiple bills working through the legislature this year to affirm the American ideals of democracy and liberty which we rightly hold so dear and that were so instrumental in our founding and in the founding of our nation. Ironically at times, the legislature purports to know what is best for the people, but sometimes we fail to heed our own advice. In 1785 founding father and U.S. President John Adams said the whole people must take upon themselves the education of the whole people and be willing to bear the expenses of it. There should not be a district of one mile square without a school in it not founded by a charitable individual, but maintained at the public expense of the people themselves. Our founding fathers recognized the importance of an informed and educated society. Public education has certainly changed quite a bit since those times, but the rhetoric and basis for the arguments today would resonate just as poorly in history as they do today. And I would say that I am almost ashamed to debate this issue today. It certainly was improved with the amendment, but still not the direction that we should be moving. I'm all in for workforce development and ensuring that we're preparing future generations to obtain gainful employment. But is this truly what this is all about? If that were the case, wouldn't we alter requirements for general education courses so that they incorporate skills that are more beneficial for the future and for future career opportunities? What is this goal really about? We could instead discuss that 180 appropriation items totaling \$136.3 million that Florida tax watch deemed budget turkeys in our budget. These budget turkeys often only serve a limited region, would be more appropriately funded with private or local dollars and oftentimes circumvent adequate oversight and accountability. These budget turkeys are just a portion of the record; 829 member projects in the budget worth more than half a billion dollars that would be a decent start to put towards Bright Futures. We've seen this very legislature pass bills to adjust requirements such as GPA and test scores to make it more difficult to obtain the scholarship, but this past year when a record 112,000 students received Bright Futures aid to the tune of \$618 million, we decided to take a different approach to stop spending so much on sending our kids to college. Now we're going to cut the program by penalizing students that pursue a degree pathway that we deem is not going to lead to a job. How is that for limited government? It's been a popular talking point lately to remark how prescient the book *Nineteen Eighty-Four* by George Orwell is. The irony is not lost on me that this attack is often used by a party that allegedly wants to limit government, yet controls every aspect of our state government and turns around the forces and forces oppressive, undemocratic, big government legislation through until it becomes a law, and now we will add to that controlling what you should learn in college. And on that previous note of civic education, let's discuss what a representative democracy is. We are elected by the citizens and we are supposed to then represent their ideas and concerns in government. Well as this bill passed the Education Committee and made it on the agenda today ...

[Motion made and passed to have a vote certain at 11:57 a.m.]

Senator Cruz (cont'd.)

Thank you, Mr. Chair. I'm going to move forward a few pages and just say that I'll leave you with this quote today: "If we don't empower families to be able to have a quality education, then our children for the first time in American history, truly the first

time, will not have the same economic opportunities.” And that is a quote from the Former Governor Jeb Bush. Thank you, Mr. Chair.

Senator Gibson

Thank you, Mr. Chair. Earlier in some of our discussion and debate, we talked about the difference, or we’re mentioning the difference between budget and policy, which this is actually a budget, a policy bill. And so one of the things that strikes me as I read the line 7 through probably 39 actually, page 1 and 2, I characterize this as a steering bill. It tries to steer students towards decisions based on other than what they may have in mind of what they want their major to be and what their course of actions will be following their education and into their careers. And when it talks about, and it’s good to have information obviously about what the salary is going to be of a particular, if you have a particular degree, and I supposed that if we talked about teacher salaries, we may be steering students away from becoming teachers. And there are other areas in state employment and public employment that we would be steering students, or it seems to be to me that we’re trying to steer students away from. And I think that is very, very dangerous. Obviously, my family let me decide what I wanted to major in and not a board of governors, I think it’s the board of governors that has to do this, letting me know that hey you might not make any money in that criminology field so you might consider something else. And so I think there’s danger in not only steering students and families, but also what happens to courses that will be offered in our state university system. And I think we should think very strongly about how we tried to direct students away from things and courses and majors and their place in our society and in their communities and drive them towards those things that they feel will offer them fulfillment in their life and in their career. Thank you.

Senator Hutson

Thank you, Chairman, and thank you, Senator Baxley, for getting this bill to where it is today. I think the dashboard is transformational in terms of putting that in the students’ hands, the parents’ hands, the guidance counselor hands, anybody that wants to look at it, I think having that data there is going to be wonderful for our kids when they make these decisions. I heard some of my colleagues’ debate on kind of the old bill, not what the strike all is, but let me be clear and kind of set the record straight. There is no steering going on with these children as we have adopted that strike all, there are no funds being cut at all. In terms of some of the students that spoke at the Education Center, I want to be very clear the way that our Bright Futures funding works, when you get into college that money that you have earned through your academic success stays with you, stays with you the whole time. What we’re talking about with the General Appropriations Act is going forward these sixth graders or seventh graders can we make that same guarantee to them. It’s new students, and that’s something that’s going to be talked about at a budget time process when the GAA comes out. But I want to be very clear that every student that’s qualified that’s in college right now will be taken care of. We are not making any cuts. There are no cuts in this bill. We are not steering any students in any direction whatsoever. All we’re asking is for the Board of Governors, through a transparent process, where anybody could come speak in the public hearing, any professors that want to weigh in, any college or university individual that wants to come up, whether it’s -- and any work sector individual that wants to come up can work with the Board to develop this program and to determine which degrees are higher successful for workforce and which are not. That’s all we’re asking for. That’s all the strike all does. There’s nothing else out there that starts steering or take away funding. And I want to be very clear of that because the original bill did, the strike all does not. You’ve taken all of that out of there. So when we talk about what this bill does and does not do, it’s important to know what’s in the strike all that we voted on and not what came in front of us before the committee. I think this is a transformational thing that you’re doing. I know it’s no easy task when you start talking about how we’re going to look at education at the higher level. I appreciate all your work and I hopefully will get all of our colleagues to support this because I think it’s moving in the right direction and I thank you for what you’ve done. Thank you very much, Senator Baxley.

Senator Diaz

Thank you and I know the time is brief, so I just wanted to clarify that, you know, the changes that you have made, Senator Baxley, listening to concerns, the process is working. There was a lot of concerns with a lot of things in the bill. I don't think that there's anything wrong with having students be aware of, having information on where career paths lead. That's not an issue. I think, you know, there were concerns with what as in the bill before. That's no longer in there, so I just want to, I appreciate your work on this and look forward to continuing to improve this bill in the process.

Closing on the Bill as Amended

Senator Baxley having closed on the bill, Joanne, please call the roll on CS for CS/SB 86.

Outcome of CS/SB 86

The bill is reported favorably by the committee; yeas 6, nays 3.

House Secondary Education and Career Development Subcommittee

Tuesday, March 23, 2021

Meeting packet can be found [here](#).

Summary

The House Secondary Education and Career Development Subcommittee met today to consider the following bills: CS/HB 383 Involuntary Examinations of Minors by Early Learning and Elementary Education Subcommittee, Plasencia; HB 827 School District Funding by Hawkins, HB 1031 Charter Schools by Rodriguez, HB 1033 Certificate of Completion by Borrero, HB 1061 Schools of Hope by Smith, D., HB 1159 Educator Preparation and Certification by Busatta Cabrera, and HB 1279 Florida Talent Development Council by Melo. The subcommittee also considered the following proposed committee substitute: PCS for HB 429 Purple Star Campuses.

HB 1061 – Schools of Hope (Representative Smith, D.)

To provide high-quality educational options for students in persistently low-performing schools, Florida law authorizes charter school operators meeting certain criteria, known as hope operators, to operate charter schools called schools of hope. Schools of hope may receive additional funding for certain expenses such as initial school facility leasing, hiring instructional support personnel, or acquiring supplies and educational materials, along with other expenses specified in law.

The bill makes the following changes to hope operators and schools of hope:

- Authorizes a school of hope, which has been designated as a local education agency, to report its students to the Department of Education (DOE) directly rather than through a school district.
- Authorizes a hope operator as the entity responsible for providing quarterly financial statements to the school district and meeting annual financial audit requirements.
- Revises facility reporting requirements for identifying educational facilities that may be used by a school of hope by requiring the DOE to provide to school districts a list of all underused, vacant, or surplus facilities.
- Authorizes schools of hope to provide for background screening for their employees, rather than coordinating screening through a school district.
- Revises the definition of a persistently low-performing school to account for school years in which a school grade is not issued.
- Extends the authorization for undispersed Schools of Hope Program funds to be carried forward from 5 years to 7 years.
- Authorizes a charter school operated as a school of hope to be eligible to receive charter school capital outlay funding.

The bill does not appear to have a fiscal impact. The bill provides an effective date of July 1, 2021.

Q&A

Representative Robinson

Q: My question has to do with the years and amount of money. So, originally, they had five years. Where are we in those five years?

A: Ninety percent of the money has been obligated or expended, so we are really talking about the ten percent of the money spread over a little bit/a couple more years.

Amendment #351021 (Smith)

This is a technical amendment that aligns with the language of the Senate. It outlines and clarifies what goes into those quarterly audits.

Outcome

The amendment was adopted.

Appearance Forms on the Bill as Amended

Deborah Mortham: Waiving in support.

Christian Kumara, Florida Charter School Alliance: Waiving in support.

Natalie King: Waiving in support.

Adam Miller: Waiving in support.

Debate on the Bill as Amended

None.

Closing on the Bill (Representative Smith)

Waived close.

Outcome

The bill (as amended) was reported favorably.

HB 1031 – Charter Schools (Representative Rodriguez)

The bill revises certain provisions related to charter schools to:

- Allow charter school applications to be received and considered by a sponsor at any time during the calendar year and for a charter school to be opened at a time determined by the applicant.
- Allow a virtual charter school to offer part-time instruction and contract with any public or charter school to provide a course the school does not provide.
- Expand the use of unrestricted current and capital assets to other charter schools within the state, which are operated by a not-for-profit or municipal entity within the state.
- Allow a high-performing charter school to submit two applications at a time instead of two per year so long as each previous charter school application is withdrawn or has commenced operation.

Q&A

None.

Appearance Forms on the Bill

Christian Kumara: Waiving in support.

Natalie King: Waiving in support.

Andriana Figueroa: Waiving in support.

Debate on the Bill

None.

Closing on the Bill (Representative Rodriguez)

Waived close.

Outcome

The bill was reported favorably.

CS/HB 383 – Involuntary Examinations of Minors (Representative Plasencia)

The bill requires a public school principal or designee to attempt notification to a student's parent before the student is transported to a receiving facility for an involuntary examination (Baker Act). The notification applies to a student's removal from school grounds, school transportation, or a school-sponsored activity. The bill does not change the allowable delay in parental notification when suspected child abuse has been reported.

Q&A

None.

Appearance Forms on the Bill

Carrie Boyd, SPALC Action Fund: Waiving in support.

Chaim Messer, Florida Council for Behavioral Healthcare: Waiving in support.

Christian Minor, Florida Juvenile Justice System: Waiving in support.

Nancy Daniels, Florida Public Defender Association: Waiving in support.

Karen Woodall, Florida Center for Fiscal and Economic Policy: Waiving in support.

Eline Joseph: Waiving in support.

Angie Gallow, Alliance for Public Schools: Waiving in support.

Debate on the Bill

Representative Valdes

Thank you for bringing this bill forward. When I read this bill, believe it or not, I had tears in my eyes because as a school board member, I saw so many times in which hands were tied. I can only imagine being a parent of a child being hauled away and not receiving that phone call. Thank you for this bill. I am glad to co-sponsor it and vote up on it.

Closing on the Bill (Representative Plasencia)

It is a horrific experience for a child and a family to go through. If a child gets to the point where the Baker Act is an action that is considered, there are a lot of underlying issues already. This exasperates the issue. We need to figure something out and make this a last resort. I know there are other bills addressing the Baker Act in schools, but this is just one provision. Hopefully, we can get all of those bills through because there is so much more we need to do for our kids surrounding mental health. This is just the start.

Outcome

The bill was reported favorably.

HB 827 – School District Funding (Representative Hawkins)

The Advanced International Certificate of Education (AICE) and the International General Certificate of Secondary Education (pre-AICE) are curricula in which eligible secondary students are enrolled in programs of study offered through the AICE and pre-AICE programs administered by the University of Cambridge Local Examinations Syndicate. The programs are designed to ensure that participating students acquire an in-depth understanding of various subjects and master a broader range of skills critical for success in university study and employment. Both the AICE and the pre-AICE programs are two of the state's statutorily established articulated acceleration mechanisms in which secondary students can shorten the time necessary to complete the requirements associated with attaining a high school diploma and a postsecondary degree. Bonus funding is generated in the Florida Education Finance Program (FEFP) for students who receive a score of E or higher on the AICE examination.

The bill provides additional requirements for school districts' allocation of the AICE bonus funds to school programs and expands these school programs to include those administered by the University of Cambridge Local Examinations Syndicate. The bill also provides a specified bonus for classroom teachers who teach the pre-AICE courses.

The bill has no fiscal impact. Expanding the distribution of the bonus funds to apply to pre-AICE programs and other school programs administered by the University of Cambridge Local Examinations Syndicate will impact how school districts allocate the bonus funds.

Q&A

None.

Appearance Forms on the Bill

James Mosteller, Foundation for Florida's Future: Waiving in support.

Angela Dempsey, Cambridge Assessment International Education: Waiving in support.

Sherry Reach: Waiving in support.

Debate on the Bill

Representative Rizo

Thank you for bringing this forward. This is important, and I heard it was floating around, and I was really scared that it wouldn't make it into this session. This is common on the other side for AP tests. For public schools, it really is a point of pride to be able to give more kids the opportunity for these higher-level courses. AICE has been around now for probably 15-16 years in Florida. It really is a fantastic program, and these funds really are critical. They really are reinvested into the school's program, so I am glad to see this.

Closing on the Bill (Representative Hawkins)

Waived close.

Outcome

The bill was reported favorably.

HB 1279 – Florida Talent Development Council (Representative Melo)

To determine the feasibility of establishing and implementing a Pathways in Technology Early College High School (P-TECH) program, or a similar program, in Florida, the bill requires the Florida Talent Development Council (FTDC) to submit a report by December 1, 2021, addressing implementation.

The bill defines a P-TECH program as one that incorporates secondary and postsecondary education with workforce education and work experience using a flexible 6-year integrated model.

The bill requires the FTDC report to, at a minimum, include: a model program whereby a student earns a high school diploma, an associate degree, and applicable industry certifications and work experience within six years; a funding model that provides the program at no cost to students; recommendations to modify the district and school accountability requirements; an open enrollment policy; courses of study which meet regional workforce demand and support program completion in 4-6 years; school governance and staffing recommendations; implementation timelines; articulation to postsecondary education; recommendations for partnerships with industries and businesses; and a support model for student success.

Q&A

None.

Appearance Forms on the Bill

Deborah Mortham, Foundation for Florida's Future: Waiving in support.

Debate on the Bill

None.

Closing on the Bill (Representative Melo)

Waived close.

Outcome

The bill was reported favorably.

HB 1159 – Educator Preparation and Certification (Representative Busatta Cabrera)

The bill provides additional pathways to certification for teachers. The bill permits applicants for certification to satisfy the mastery of general knowledge requirement through receipt of a master's degree or higher from an institution the Department of Education (DOE) has identified as a quality program. Additionally, the bill permits applicants to satisfy the professional education competence requirement through completion of a DOE approved Educator Preparation Institute (EPI) and receipt of a highly effective rating on their performance evaluation.

The bill requires that the core curricula for teacher preparation programs and EPI competency-based certification programs include instruction on the early identification of students in crisis as well as the use of technology in education and distance learning. The bill permits EPIs to provide instruction and professional development for non-degreed teachers in career programs.

The bill expands the William Cecil Golden Professional Development Program for School Leaders (PD Program) to provide supports to additional school administrators and leaders while focusing on data- and evidence-based training and supports.

Q&A

None.

Appearance Forms on the Bill

Deborah Mortham, Foundation for Florida's Future: Waiving in support.

Eileen Fernandez, Orange County Public Schools: Waiving in support.

Jessica Fowler, Department of Education: Waiving in support.

Debate on the Bill

None.

Closing on the Bill (Representative Cabrera)

Waived close.

Outcome

The bill was reported favorably.

PCS for HB 429 – Purple Star Campuses (Representative Learned)

Students from military families experience academic and social-emotional challenges as they relocate to new schools due to a parent's change in duty station. To assist students from military families with this transition, the bill requires the Department of Education to establish a Purple Star Campus program that identifies schools that provide additional support for military students and their families. Under this program, schools will be recognized as Purple Star Campuses if they meet certain requirements related to services and supports provided to military students and their families.

Q&A

None.

Appearance Forms on the Bill

Michael Barret, Florida Conference for Catholic Bishops: Waiving in support.

James Mosteller, Foundation for Florida's Future: Waiving in support.

Robert Stewart, Hillsborough County Public Schools: Waiving in support.

Angie Gallow: Waiving in support.

Debate on the Bill

Representative Harding

I just wanted to thank you for running this bill. It has been an honor to be in the committee with both of you. Thank you for your service and thank you for this really good bill.

Ranking Member Bush

I want to thank you for bringing this bill forward. I want to thank you for your commitment, dedication, and your sacrifices that were made when you served this great country. I am honored to sit here today and be able to vote yes on this bill.

Representative Robinson

I want to say thank you to both of you as well. This is personal for me because my niece is in the military, and she has a young child. I have already seen the process of having to change schools. This is very important.

Representative Benjamin

Go army; beat navy again.

Representative Woodson

I want to thank you for your service first. Representative Learned, I am very proud to have you as a colleague. I have seen how hard you have worked on this bill and many others. This is a great bill to educate our military families on quality rather than quantity. I look forward to supporting this bill.

Chair McClain

I think I can speak for most of our members when I say thank you for your service to our country. This is a great bill. It took us a little while to get here, but it's fine.

Representative Maney

One quick thing I would add to the excellent exposition of this bill—when Florida did not get the space command this last year, the one thing that Florida was marked as deficient on was education. I think that is because they did not understand how hard our educators work to take care of our students of military families. I think this bill will go a long way to elevate that recognition of Florida's educators and how hard they work. Thank you. I appreciate everyone's support on this bill.

Closing on the Bill (Representative Learned)

Waived close.

Outcome

The bill was reported favorably.

HB 1033 – Certificate of Completion (Representative Borrero)

The bill provides a student who is awarded a Florida high school certificate of completion, eligibility to enroll in programs offered at a school district career center and charter technical career center.

Q&A

Representative Omphroy

Q: How many periods are in your bill?

A: I would have to read the bill and get back to you. I am not a grammar expert, but I can definitely get that information back to you.

Representative Maggard

Q: Did you just say you haven't read the bill yet?

A: I did not say that. I said that I can read through the language of the bill and count how many periods there are...

Appearance Forms on the Bill

Eileen Joseph: Waiving in support.

Debate on the Bill

Representative Woodson

I just want to say that you handle yourself very well, and I look forward to supporting you on this bill.

Representative Valdes

Thank you for bringing forward this bill. Having served on the school board for many years in Hillsborough County, and realizing how many students walked across that stage with a certificate of completion only to find out that they had nowhere to go. This bill provides a pathway for our students to be successful. Thank you for allowing me to be a prime co-sponsor on this bill.

Representative Omphroy

It has been an honor to serve you and I really do love this bill. Congratulations.

Closing on the Bill (Representative Borrero)

Waived close.

Outcome

The bill was reported favorably.

House Education and Employment Committee

Consideration of Bills

Wednesday, March 24, 2021

Meeting packet can be found [here](#).

Summary

The House Education and Employment committee held a meeting to consider CS/HB 131, CS/HB 173, HB 241, CS/HB 519, HB 793, CS/HB 1027.

CS/HB 173 Individual Education Plan Requirements for Students with Disabilities (Tant)

To facilitate quality planning for a successful transition to postsecondary education and career opportunities for students with disabilities, the bill requires a student's individual education plan (IEP) team to begin the planning process and IEP development when the student is in grade 7 or when the student attains the age of 12, whichever occurs first. The bill requires the IEP team to identify the student's need for transition services before the student enters high school or attains that age of 14, whichever occurs first. The student's IEP must be operational and in place for implementation on the first day of the student's first year of high school. The bill establishes that the planning process and IEP development must include providing the student and parent with information about specific services and programs for students with disabilities and referral forms, links, and technical support for accessing such services and programs. The bill revises the statements that must be included in the student's first IEP, which is in effect when the student enters high school, attains the age of 14, or when determined appropriate by the parent and IEP team, whichever occurs first. The required statements must be updated annually. The bill provides that the statement of the student's intent to pursue a standard high school diploma must document discussion of the process of deferment of a standard high school diploma for a student with a disability who meets the requirements for a standard high school diploma. The IEP in effect at the start of the student's graduation year must include a written statement by the student's parent that documents understanding of the deferment process and identifies whether the student will defer the receipt of a standard high school diploma. The bill requires the Florida Department of Education (DOE) to conduct a review of existing transition services and programs for students with disabilities in order to establish uniform best practices. The DOE must publish the uniform best practices on its website by July 1, 2022.

Amendment 219171 (Tant)

This amendment is a clarifying amendment. Some students do not have parents, they have guardians, so it allows guardians to be involved in the decision-making process. It also clarifies that when a student reaches an age of majority and can make their own decisions, they can do so as well.

The amendment is adopted without objection.

Public Testimony on the Bill as Amended

Jane Johnson, Florida Association of Centers for Independent Living: Waiving in support.

James McFaddin, Autism Speaks, Inc.: Waiving in support.

Debbie Mortham, Foundation for Florida's Future: Waiving in support.

Dr. Danielle Thomas, Florida PTA: Waiving in support.

Debate on the Bill as Amended

Ranking Member Williams

Thank you for bringing this bill forward, it is a great bill. IT shows how we have someone who will speak for those who cannot speak for themselves. I really appreciate you bringing this forward.

Representative Trabulsy

I have really enjoyed our conversations over the past couple of weeks, not just about this bill, but about people with unique abilities. Just learning about deferred graduation was very shocking to me, so this bill is so important and thank you for bringing it forward.

Representative Hunschofsky

Thank you for this great bill. I love how you have taken your personal experience and passion and turned it into amazingly good policy for the state of Florida.

Representative LaMarca

Thank you for spending the time yesterday to talk to me and explain the background of this bill. I never thought 10 years ago that the Chair of the Broward Republican Party and the Florida Democratic Chair could sit down and have a conversation but it's a great bill and I will be supporting it.

Outcome on the Bill as Amended

The bill is reported favorably by the committee, 21-0.

CS/HB 131 Educator Conduct (Duggan)

The bill improves the processes, at the state and local level, by which educational personnel who commit sexual misconduct with a student would be prohibited from further contact with students. Additionally, the bill prohibits employment of such individuals in positions that have direct contact with students in public schools, charter schools, and private schools participating in the state scholarship program. The bill prohibits employment of an individual at these schools if he or she was previously terminated or resigned in lieu of termination for sexual misconduct with a student. If the prohibited conduct occurs while employed, the employer must report the employee and the disqualifying circumstance to the Department of Education (DOE) for inclusion on the disqualification (DQ) list maintained by DOE, which prohibits individuals who have committed sexual misconduct with a student from being employed. Additionally, the bill provides a process for removing individuals from the DQ list. The bill requires the Commissioner of Education to make a probable cause determination within 90 days after receiving a legally sufficient complaint that involves sexual misconduct by any certificate holder (i.e. instructional personnel and administrators). Upon receiving a notification from an employer that the subject of a legally sufficient complaint resigns or is terminated before the conclusion of the investigation, the bill requires the DOE to place the person on the DQ list.

When an employee separates from employment due to termination or resignation in lieu of termination, the bill requires execution of an affidavit of separation explaining the facts and reasons for the separation and specifically a disclosure when the separation is due to sexual misconduct with a student. Before employing an individual in any position that requires direct contact with students, the bill requires the employment history check to include a review of each affidavit of separation from the applicant's previous employers. The bill adds charter schools and private schools, as applicable, to those educational entities law enforcement is required to notify when an employee is charged with a felony or misdemeanor involving the abuse of a minor child or the sale or possession of a controlled substance within 48 hours of the arrest.

Q&A

Ranking Member Williams

Q: Do we have a percentage of employees returning or have had a sexual assault complaint filed against them? How many teachers are we talking?

A: So just to clarify this bill covers more than teachers, it is any school employee who has contact with students. I don't have the answer to that question but I will work with House staff to get that to you.

Amendment 887633 (Ingoglia)

Parents have the right to know where, when, and if, our children have had contact with an alleged pedophile. School districts should not have the option to hide this information from parents. To rectify this, this amendment requires that parents receive notification within 24 hours as to whether a parent with a history of sexual conduct is arrested for charges relating to the abuse of a minor. Parents can use this information to facilitate conversations with their children. It requires the administrator of a public school, charter school, and private school to provide the employee's name and the charge to which he or she was arrested for in the notification.

The amendment is adopted without objected.

Public Testimony on the Bill as Amended

Debbie Mortham, Foundation for Florida's Future: Waiving in support.

Dr. Danielle Thomas, Florida PTA: Waiving in support.

Antonio Verdugo, CFC Florida: Proponent.

Debate on the Bill as Amended

Representative Fine

Thank you for bringing this great bill forward. There are problems with the system if people can do this and then get back into the system. I appreciate what you are trying to do here and hopefully this will make issues end.

Chair Latvala

(the Chair gave numerous examples of teachers and school employees being charged with certain sexual crimes and then going on to work at a different school, either within or outside of the school district they were in.)

Closing on the Bill as Amended

I hope you all find yourself shocked and disappointed that these protections are not already in place for our children. I have run this bill for the past 2 years. It came to me as a passion project during my campaign. My hope is that the third time is the charm and we are going to get it done this year. I ask for your favorable support.

Outcome on the Bill as Amended

The bill is reported favorably by the committee, 21-0.

CS/HB 519 Required Health Education Instruction (Yarborough)

The bill revises the required comprehensive health education curriculum for K-12 public schools to include instruction on the prevention of child sexual abuse, exploitation, and human trafficking. The bill clarifies that the comprehensive health curriculum must be age and developmentally appropriate. The bill limits the existing requirement to provide instruction to all students on abstinence and the consequences of teen pregnancy so that it is only provided to students in grades 6 through 12.

You may see some language related to abstinence education and teenage pregnancy. That is not new language we are just moving it into a different section to make it more appropriate to be taught through grades 6-12.

Closing

About 1 in 10 children will be abused before their 18th birthday. 1 in 7 girls and 1 in 25 boys will be sexually abused before they turn 18. This year, there could be about 400,000 babies born that could become victims of child sexual abuse if we don't do something about it. I would appreciate your favorable consideration and ask for your support.

Outcome

The bill is reported favorably by the committee, 21-0.

CS/HB 1027 High School Athletic Contests (Barnaby)

The bill requires athletic associations, whose memberships include public schools, to adopt bylaws, policies, or procedures that provide schools participating in a high school championship contest or series, under the direction and supervision of the association, an opportunity to make brief opening remarks at the event. If requested by the school, a speaker from the school may give opening remarks, no longer than 2 minutes, using the public address system at the event. Prior to the opening remarks from school speakers, the association must make an announcement that the schools' opening remarks are not endorsed by the association, nor do they reflect the views and opinions of the association. The bill establishes that athletic associations may not control, monitor, or review the content of schools' opening remarks, nor may the associations control the schools' choice of speaker. The bill provides that the decision to allow opening remarks before regular season contests is at the discretion of each school.

Q&A

Ranking Member Williams

Q: Currently at sporting events, don't they already have the right to invite someone out to speak?

A: This bill is necessary because nothing is codified in state law that would allow this to proceed, which is why it is necessary.

Public Testimony

Brooks Bayliss: I appear before you in support of this bill. The First Amendment is the most important Amendment in our Constitution. By passing this bill, the legislature would be protecting that amendment in the state of Florida.

Outcome

The bill is reported favorably by the committee, 15-6.

HB 241 Parents' Bill of Rights (Grall)

HB 241 creates Chapter 1014, Florida Statutes, as the "Parents' Bill of Rights." Chapter 1014, F.S., enumerates parental rights with respect to his or her minor child for education, health care, and criminal justice procedures. The bill prohibits the state, its political subdivision, any other governmental entity or any other institution from infringing upon the fundamental right of a parent to direct the upbringing, education, health care, and mental health of his or her minor child. The bill requires state action that infringes upon this fundamental right to be reviewed with strict scrutiny. For education-related parental rights, the Florida K-20 Education Code currently includes s. 1002.20, F.S., relating to K-12 Student and Parents Rights. This section enumerates 24 rights of students and parents, most of which are duplicated in the bill. The bill requires school districts to adopt policies that govern the plans and procedures by which each school district must promote parental involvement. School districts must also adopt notification procedures for specific parental rights. The bill establishes parental consent requirements for, among other things, the collection of certain identifying information for a minor child. The bill requires parental notification when a state actor suspects a child is the victim of a criminal offense but provides exceptions including when a suspected offense has been reported to law enforcement or the Department of Children and Families. The bill also requires a health care practitioner, or his or her employees, to obtain parental consent before performing health care services on a minor child and subjects health care practitioners and health care facilities to disciplinary action for violation of these parental consent requirements in certain instances.

Public Testimony

Ronald Watson, American Freedom Information Institute, Inc.: Waiving in support.

Carrie Boyd, SPLC Action Fund: Waiving in opposition.

Karen Woodall, Florida Center for Fiscal and Economic Policy: Waiving in opposition.

Ida Eskamani, Florida Rising: Waiving in opposition.

Kara Gross, American Civil Liberties Union of Florida: Waiving in opposition.

AnnaCatherine Hammett, Parental Rights Florida: The fact that we have to codify parental rights is upsetting and disturbing to me. I support this common sense bill. Our parents are the future generation's guardians, teachers, and confidantes wrapped in an amazing package. This bill is necessary and not optional. I urge you to vote yes.

Lakey Love, Florida Coalition for Transgender Liberation and Tallahassee National Organization for Women: We strongly oppose this bill because it would force those in the school administration to out students on the base of sexual orientation and transgender identity. We are worried that LGBTQIA+ history, women's history, and black history will be called out by parents that object to these kind of teachings. We are worried about the undue economic labor burden this will put on the school because of the material request provision.

Jon Harris Mauer, Equality Florida: Our concern remains that this bill could compel outing LGBTQ students in schools. Some LGBTQ parents are not supportive of their children. We want to ensure that this bill has flexibility to consider whether they could be endangering LGBTQ youth by disclosing their sexual and gender identity to their parents. This is also not just about these topics. There could be disclosing of issues such domestic issues, like domestic abuse. We strongly caution you on this bill.

Chair Fine

Q: So you gave an example of this child being left on the side of the road because he found out his son was gay. Isn't that a crime? Isn't that child abuse?

A: I would certainly hope that it is.

Q: It is.

A: But it goes to the point that not all parents are loving and supportive as we would be inclined to expect.

Q: If a child has chosen to keep their sexuality to themselves, how would this bill hurt these children?

A: This bill is based on disclosure in school records, so if a child chooses to express these things with someone at the school, a parent could access those records and there are no safeguards in the bill to stop it from happening.

Q: So you think it is the role of schools to protect children from their parents?

A: It is Equality Florida's position that schools should not be endangering LGBTQ youth.

Kenneth Kniepmann, Florida Conference of Catholic Bishops: We want to thank Representative Grall for her bill. Children need to be raised and represented by their parents, not government officials. Information regarding health, education, or the wellbeing of a child should not be withheld from parents either inadvertently or on purpose.

Dana Hammett, Parental Rights Florida: While we can all agree not all homes are safe, the majority of parents have the best interests of their children in mind. This bill allows parents to make the best decision for their minor children. This is a common sense law. Please put Florida families first today and vote yes on HB 241.

Vallie Osborne, Parental Rights Florida: Please vote yes today to protect our most vulnerable.

Patti Sullivan, Parental Rights Florida: Strong nations begin with strong families. Strong families begin with strong parents in charge of their children. It is shocking that we have to have a law that says that. Common sense says that children belong to parents, not the government. This bill has been 10 years in the making. Please pass this bill.

Antonio Verdugo, Christian Family Coalition: I will be echoing the previous sentiments and I urge you all vote yes on this bill. This is not a partisan bill. We must preserve the rights of parents to make decision for their minor children. Parents are not the problem, parents are the solution. We strongly urge you to vote yes on this bill, parental rights are under attack in this state.

Armando Pomar, Hispanic American Diabetes Foundation: Waiving in support.

Debate

Representative Harding

Thank you for bringing forward this really good bill. The argument against this bill is that a school district should have more authority over a child's life and what they learn than a parent. Parental involvement is the number one tie to success from elementary school until college. Not only do I support the bill, I find it offensive that there are people out there who want school districts to have more say over my child than me. I proudly support this bill.

Representative Fine

It is a sad day that we need a bill like this. It is even sadder that there is opposition to it. We literally heard that it was the role of bureaucrats to protect children from their parents. Had I asked a few more questions I think I would have been able to expose the lunacy of the argument. How on earth is some bureaucrat sitting in a school going to have any idea what is going on with my family. This doesn't mean there are not bad parents out there but when you use a crime as an example to defeat

this bill, it is offensive. A few weeks ago my school district said it was the role of Brevard public schools to raise children and protect them. With this bill we are going to protect parents and children from bureaucrats. I am a proud co-sponsor of this bill and echo you all to support it. We need to send a message that parents are in charge.

Representative Hunschofsky

I understand the intention behind the bill but I would like to take this opportunity to thank the guidance counselors that I have had in my life that were there for me in difficult times. I would like to thank my parents who were very involved and made sure I went to a school where I could be taken care of. I would like to thank every teacher who helps with our children. I trust teachers and the schools. While absolutely parents should be involved, we need to work with those teachers and counselors who are with our children 8 hours a day.

Representative Valdes

I do appreciate your bill and understand where you are coming from. It is very difficult when you see students and kids when they look out in the audience at games, they do not see a parent. A lot of kids are raising themselves. If not for guidance counselors and teachers that are constantly at these school activities, some students would never have people to look up to. It is a shame you have to dictate to adults that you are responsible for these kids. It is a sad day we have to come to this point. At the same token, we need to realize we represent everyone in the state of Florida. Not just the Christians, not just the parents, we represent the children that have no one. This is why I am concerned about the bill. I can't support your bill because I am thinking about all of the children, not just those that have good parents.

Representative Trabusly

Thank you Representative Grall for this bill. I understand your passion. I knew I was going to speak today on behalf of the bill because I have such high respect for you and the bill. Although we may not all be perfect parents, we are our child's keeper and we have the fundamental right to be their keeper. If there are things going on at home with the child, a parent has the right to know and if there are things going on such as abuse, teachers are required to report that, as they should. Thank you for this great bill and you have my support 100%.

Representative Maney

I typically don't speak in committees or make comments. I want to thank all the people who came and testified today but I was extremely moved by the comments of someone in Okaloosa County. I am the proud parent of two and grandparent of six and I think parental rights are absolutely critical. I appreciate this bill and am proud to vote up on it.

Closing

Thank you to those of you who have already co-sponsored the bill. Thank you to those from the democratic caucus who have tried to understand the narrative we have had in committees because as I challenged the last committee, read the bill. Read it specifically to see where your objections lie. This bill is a roadmap for the parents and the bureaucracy so people know how they should interact together. There are different policy positions that schools take across the state about whether or not a teacher is going to report a crime that happens to a child. This bill says, you have an obligation to tell the parents that a crime has been committed against their child if they have not called DCF or law enforcement. Parents should not need a lawyer to get through the bureaucracy of agencies and institutions that interact with our children. There should be an expectation that a parent's involvement is the ultimate to the success of that child and that notion simply does not exist right now. This bill seeks to lay that out and put all families first. We as parents have the best interests of our child at heart, not the institutions, and with that I ask for you favorable support today and if you aren't going to support the bill, I ask for you to give it more consideration before it goes to the floor. My door is always open. I do not believe that the unintended consequences narrative that have been used to scare people about parents' rights have any merit.

Outcome

The bill is reported favorably by the committee, 15-6.

PCB EEC 21-01 School Choice (Fine)

The first thing this bill does is it reduces complexity without consequence. We have multiple school choice programs that do the same thing and create confusion, this will shrink those number of programs with the same funding but fewer entry points. It will also make it easier to remain in the program so that parents do not have to jump through hoops to get renewals every year. Second, it increases the amount of money many students will get in their scholarships from 95% to 100%. Additionally, for what is today called the McKay scholarship, we will not provide all categoricals into the scholarship amounts while grandfathering all students into that program so no student is hurt versus what they have today. Finally, this will dramatically increase the number of children who can enter into the school choice program if their parents choose to. We are going to increase the number of low income, military, and foster children who can gain access to the program without being subjected to a cap.

Q&A

Representative Valdes

Q: In line 565 I have a concern because in the traditional public schools, students that need an IEP, the district has 60 days to complete that IEP and require all the documentation in order to help that child. Here we are giving parents 30 calendar days. For me, that is troublesome in the sense that at that point the parent is requesting a voucher will jump over a kid who has been in the pipeline waiting to receive the IEP service. As you know I am a proponent of school choice but I am concerned with the inequities of that particular section because we are going to have a back log and if you look at the IEP team there is always a shortage of personnel. How do you think that would work with all of the things I have just described and are we going to preference voucher children over children who have been waiting?

Representative Latvala

A: Representative everything you are describing is already current law. Representative Fine if you would like to say more than that you can.

Representative Fine

A: There is nothing about this that would create prioritization of voucher children over non-voucher children. In fact, this is described for all children. We increase the time they need to get them but I am less concerned about workloads on bureaucrats and more concerned about children getting the education they need as quickly as they can.

Representative Valdes

Q: Respectfully, I understand that this is current law but why don't we just say IEPs need to be completed in 30 days regardless of the kid. I'm all for this, I am not against it, but the inequity between the 30 and the 60 still remains so why don't we just make it all 30 days for any child if that is the case?

A: I will look into that issue but I believe if you read the language of the bill it doesn't say the parent of a student with an IEP so I think the concern you have is addressed by the bill.

Representative McCurdy

Q: Does this voucher program allow parents to use the money to fund a prepaid college program?

A: I would encourage you to read line 432 because the answer to the question you just asked is in the line you just referenced.

Q: I just wanted to make clear for those who had reservations that this bill will take funding intended for K-12 students now to be used for future college years down the line.

A: This portion of the bill speaks to the choices parents can make. There is nothing about this bill that diverts funding as it relates to ESA to particular purchase. This is about parents making choices for their children.

Q: Are private schools currently required to provide transportation?

A: No.

Q: Why are they receiving a transportation categorical?

A: We fundamentally believe as a matter of policy that the funds should follow the student, so when we fund a transportation categorical, we are funding it for a child if they qualify to get transportation to school. If that child is no longer being transported, those funds are no longer needed and they will follow the child to the school they choose to go to.

Public Testimony

Phillip Suderman, Americans for Prosperity: Waiving in support.

Debbie Mortham, Foundation for Florida's Future: Waiving in support.

Carrie Boyd, SPLC Action Fund: Waiving in opposition.

Katherine Bane, Florida Education Association: We have many questions about the impact of the bill. On the policy side, the net effect of this bill is to shift over 20,000 students who have been funded through a direct appropriation to the school district's responsibility. There is so much uncertainty with next year's student enrollment now is not the time for such a large re-structuring. This bill is not cost-neutral for students. Our final concern is equitable transparency. As a parent I would want to know that 2/3 of the students that are included in the annual tax credit voucher study are in private schools where the average test scores show negative learning gains. This bill maintains a system bias by requiring different performance methods for private and public schools. We would like to work with the sponsor to make changes to this bill.

Closing

My door will remain open to everyone, there is a Senate bill we are working through as well. The reason the cost is indeterminate is that we don't know how many parents are going to choose this option, and that is how this should be. As for the different performance metrics, I would challenge the previous speaker on that notion. We can make the performance methods for private and public schools the same but it comes at a great risk. Public schools who underperform constantly continue to do so. Private schools who do that go out of business that is the ultimate way we have accountability of private schools. This is the time to make the changes because education is going through a transformative phase across the country. Florida leads in giving parents the ultimate option to decide what is best for their children. The best time is now and I ask for your favorable support.

Outcome

The bill is reported favorably, 18-3.

HB 793 Measurement of Student Performance (Bell)

Teacher performance evaluation ratings, including ratings based on the Value-Added Model (VAM), are used in part to determine teacher assignments at low-performing schools with a turnaround plan. However, VAM data is often released

immediately before or after the start of the school year, making it difficult for school districts to make these instructional assignments in compliance with State Board of Education rule. To assist school districts in timely assigning instructional personnel before the start of the school year, the bill requires the Commissioner of Education to release VAM data to school districts annually by July 31, rather than in August.

Public Testimony

Wendy Dodge, Polk County Schools: Waiving in support.

Angie Gallo, Alliance for Public Schools: Waiving in support.

Dr. Danielle Thomas: Proponent.

Outcome

The bill is reported favorably by the committee, 21-0.

Senate Appropriations Subcommittee on Education

Discussion and Presentation of Bills

Wednesday, March 24, 2021

Meeting packet can be found [here](#).

Summary

The Appropriations Subcommittee on Education met to discuss CS/SB 86, CS/SB 486, SB 1372, and SB 1898.

CS/SB 486 Juvenile Justice Education (Bradley)

CS/SB 486 modifies how juvenile justice education programs are operated and funded. These modifications include how instructional time is defined and how funds are allocated between school districts and educational providers. Specifically, the bill provides for equivalent hours of instruction in the definition of “juvenile justice education programs or schools” for nonresidential programs, requires that at least 95 percent of Florida Education Finance Program (FEFP) funds generated by a student in Department of Juvenile Justice programs or specified education program for juveniles must be spent on instructional costs, requires all contracts between district school boards and juvenile justice education programs to be in writing, requires timely satisfaction of invoices by district school boards, with a penalty for late payments, and specifies that district school boards may not delay payment of funds owed to juvenile justice education programs pending receipt of local funds.

Public Testimony

Jodi Stevens, PACE Center for Girls: Waiving in support.

Outcome

The bill is reported favorably by the committee.

SB 1372 Literacy Improvement (Burgess)

SB 1372 establishes the New Worlds Reading Initiative to improve literacy skills and instill a love of reading by providing high-quality free books to students in kindergarten through grade 5 who are reading below grade level. The bill requires the Department of Education or a contracted third party to administer the program using state funds to pay for half of the cost to provide free books to students, authorizes school districts, and charter schools in nonparticipating school districts, to provide for free monthly book delivery to students in kindergarten through grade 5 who exhibit a substantial deficiency in reading and choose to participate in the program, requires participating school districts or charter schools to partner with a nonprofit organization to implement the initiative and to provide half the cost of the program from local funding sources, and requires the administrator to annually report to the Legislature and the Commissioner of Education on the performance of the program.

Public Testimony

Debbie Mortham, Foundation for Florida’s Future: Waiving in support.

Dr. Danielle Thomas: Waiving in support.

Outcome

The bill is reported favorably by the committee.

Appropriations Subcommittee on Education Budget for the 2021-2022 Fiscal Year

Senator Broxson

The total appropriation for education excluding local funding is \$22.9 billion. The proposed FEFP provides 22.1 billion to public schools, maintains a total funds per FTE at the current level is \$7,786, it maintains the BSA at the current level of \$4,319, and maintains the local millage rate at 3.720. The Senate has placed \$350 million in reserves on the back of the budget to provide additional funds for student enrollment counts that exceeds the enrollment estimate used to propose this budget. This is in case an extra 48,000 students show up in the fall. Other issues proposed in the FEFP includes \$500 million for the for the teacher salary increase allocation to help districts raise the minimum salary to classroom teachers. There will be \$100 million allocated towards mental health assistance to address youth mental illness and health issues in school. There is \$180 million allocated towards safe schools to help districts pay the cost for safety initiative. The proposed budget provides other funding for critical issues, specifically, it provides \$6.5 million for a guardian program, \$30 million reduction in recurring funds for the School of Hope program. There will be \$189 million allocated towards Gardiner scholarships, \$14.5 million to implement the school district intensive reading pilot program, \$34 million to support local initiatives to enhance PreK-12 opportunities across the state. Members, that \$34 million reflects the projects you came to me with and we made every effort to fund those. It is worth noting Congress has allocated approximately \$10 billion in Corona relief funding which is called CARES for K-12 education to help set off the cost of education related to corona protocols and other measures.

I will now highlight some of the issues funded by the proposed the higher education budget. The Florida College budget transfers \$30 million in prior performance earnings into the base of each college and provides an additional \$25 million in funds for a new performance earning through the student success incentive fund. In addition, the proposed budget provides \$21 million for colleges and universities to support the Florida integrated library system established pursuant to SB 1436. For student financial aid, proposed budget funds maintain Bright Futures student awards at the current law. In addition, it provides funding for two new financial and aid grants. We have \$305,000 for the McCoy scholarship program to provide up to 50 scholarships for the descendants of victims of the Ocoee Election Day riots in November of 1920 and for the current African American residents of Ocoee. We want to thank Senator Bracy for bringing this to our attention and helping us do the right thing. There will be \$33 million for the dual enrollment scholarship program. Finally, the proposed budget provides a \$26 million increase for EASE and ABLE to fund student workload and to increase the student award level from \$2,841 to \$3,500 per student.

Comment and Q&A on the Budget

Senator Bracy

Thank you for making this Ocoee scholarship fund happen. It is a passion project. Thank you, Chairman, and thank you members for supporting this.

Senator Gibson

Q: What did you say the FEFP was?

A: \$7,786, the same as last year.

Q: On the public radio and public television, does this mean that all of the funding for these things is deleted?

A: No, it is only a percentage deleted. And keep in mind, we had to make cuts. Most of the studios are on campuses. We know they receive significant CARES dollars and they have the ability to back bill some of those shortfalls.

Q: What about some of the ones not on campuses? I just want to raise this issue because we are not yet out of COVID and I know the content of information they produce is extremely valuable and goes along with the literacy bill we just passed so hopefully we can have a look at that.

A: Senator that is a point well-taken. I think you can see in our budget that we put an emphasis on students and make sure we properly funded every student that deserves and education in the state.

Senator Hutson

Q: I just want to get it on the record time and time again because now it is time to discuss Bright Futures. How many budget cuts did we make to BF just so everyone watching can hear?

A: Zero.

Q: Just so our media friends can know this... we are fully funding BF?

A: Yes, we are indeed.

Senator Polsky

Q: Can you explain how we calculate teacher's salaries? Is there any bump for them like we had last year?

A: Senator what we have done is set aside \$500 million to increase their salaries to \$47,500. That is a very difficult formula in some of the counties so we made an effort to see that we had a program in each county to get that up to that point. It is a work in progress but we are doing our part. So we continue even in COVID year to continue funding at the level we funded it last year.

The budget is accepted.

SB 1898 Student Literacy (Senator Rodriguez)

SB 1898 includes requirements to identify student deficiencies in literacy and intervene as early as PreK, supports students in transitioning to Kindergarten, and monitors student progress. The bill establishes a coordinated screening and monitoring process system for students enrolled in the VPK program and students enrolled in public schools in Kindergarten through grade 8.

Public Testimony

Debbie Mortham, Foundation for Florida's Future: Waiving in support.

Dr. Danielle Thomas: Waiving in opposition.

Jodie Stevens, PACE Center for Girls: Waiving in support.

Outcome

The bill is reported favorably by the committee.

House PreK-12 Appropriations Subcommittee

Consideration of PCB PKA 21-01 – Education Funding Overview of Chair’s Budget Proposal for FY 2021-2022

Thursday, March 25, 2021

Chair’s Budget Proposal FY 2021-22 can be found [here](#).

Meeting packet with PCB PKA 21-01 can be found [here](#).

FY 2021-22 PreK-12 Budget Recommendation

Pg. 1 is a summary by budget entity. The total budget is \$19.4 billion, which is an increase of \$2.7 billion over the current base year budget, the largest education funding increase we believe in Florida history. Almost the entirety of this increase is attributable to the appropriation of the second round of federal ESSER funds; that is an important thing that we’ll be highlighting repeatedly in this budget, we’re reverting to the traditional separation of powers model that we’ve used for many years where the legislature receives the money and appropriates it and then the executive branch spends it. So we will be taking in and appropriating all of that second round extra money and affect the money that was that was voted on by the federal government in December.

Pages 2-3 are the funding recommendations for the early learning services budget entity. Some highlights include:

- We’ve eliminated four positions that have been vacant for 180 days or more, but we’re appropriating the full amount of the office of early learning’s second round of coronavirus response and relief supplemental funds, which is almost \$635 million, that’s money we have received from the federal government and then we’re going to appropriate it in a lump sum which will require the office of early learning to submit budget amendments that include detailed spending plans that comply with all federal requirements. (line 16B)
- \$100 million in child care development block grant trust funds for school readiness rate increases based on the plan submitted this fiscal year. (line 25C)

Page 4 is the FEFP summary (Pg. 13 of the packet is the detailed FEFP)

- We are budgeting assuming it’s a decline of 48,263 students, based on projections that have been made, so we believe that we will have fewer students than we have had and we are reverting to the model of funding education based on actual attendance, not phantom attendance.
- The total FEFP is \$22.6 billion, which is an increase of \$139.7 million over the current year. It is important to note though that \$334 million is now allocated to a new student reserve allocation, this is something that we have created in case the 48,263 number is wrong and students come back, it can be distributed to school districts if either the October or February FTE surveys include an increase in FTE over the appropriated number of FTE.
- The base student allocation in this budget increases by \$52.11, at the bottom there are two lines for total funds per student, there’s a \$181.38 increase in total funds per student calculated if we include the \$334 million reserve, and it’s \$63.73 if we do not include that amount.
- Some other changes that I would focus on is we’re proposing increasing the mental health assistance allocation by \$20 million. We are also proposing eliminating several categorical’s, the largest of which are the \$68 million funding compression and hold harmless allocation that turn around supplemental services allocation, and then there’s a little one for virtual education contribution, those funds have been moved up into the into the base student allocation funds.
- In addition, we’ve added \$265.5 million for the supplemental academic instruction allocation, this increase is to be used exclusively by school districts to assist in the acquisition or provision of additional academic resources or

services needed to remediate student learning loss. (That is in addition to a lot of the federal money as well, which we will be getting to a little bit later but lots of money to help schools make sure kids are caught up).

- Finally, we are making a reduction to the class size allocation to align with the compliance requirements which we have not been doing, we have been funding it in an amount greater than we needed to, we're going to move it in terms in to be in compliance and that would reduce this allocation by \$334.4 million.

Pages 5-8 are the State Grants/Non-FEFP, where the funding for the 32 out of 95 appropriations project bills proposed to the committee. I'm also recommending to restore the non-recurring funds for the seed school in Miami and redirect the \$7.6 million that is presently in the reading scholarship accounts program to HB 3, in the conforming bill we will be proposing eliminating that program and the new worlds reading initiative (line 61A). We're going to restore the 42 million in school hardening grants (line 88D). There is also a \$21 million increase in Gardner scholarships to provide funds for eligible students on the wait list.

Page 9 are the federal grants. Recommendations for the appropriation of \$1.8 billion of the \$2.8 billion of the round two ESSER funds. We are going to require that \$112.3 million of the round two ESSER funds be used exclusively by school districts to locate and evaluate the well-being of any unaccounted for students (line 5A). The superintendents all agreed that there was learning loss with e-learning and COVID, so of the federal funds were going to appropriate \$561.6 million specifically earmarked for FY21-22 (line 5B). In addition, we're going to appropriate \$140.4 million of the round two ESSER funds on the acquisition of educational technology (line 5C). The balance \$993.8 million will be appropriated to a lump sum appropriation category, school districts will be required to submit detailed spending plans that comply with all federal requirements, not just sort of slush fund.

Page 10 is Educational Media & Technology Services, which includes the Florida Channel. There are no proposed changes from last year.

Page 11-12 is the recommended budget for the State Board of Education. It includes a reduction of about \$5.3 million associated with cutting 91 positions that have been vacant for 180 days or more, funds associated with two bills that we heard and unanimously passed in our subcommittee, HB 3 and HB 7011 (lines 17B and 25C). In addition, we're going to use some backfilling on top of the \$2.8 billion that school districts were sent by the federal government, money was also spent for the DOE and we're going to shift about \$84.6 million from general revenue funds to federal ESSER funds and use those federal ESSER funds to backfill some of that with the balance of the department's round two ESSER, which totals about \$173.6 million appropriated in a lump sum appropriation category, with release contingent again upon submission of detailed spending plans that comply with all federal requirements.

The next step for this budget is the Appropriations meeting on Wednesday March 30. The most recent third round of Federal money is not accounted for in this proposal since we did not know about it at the time, so this budget will be revisited.

Questions

Representative Williams

Q: How were the programs funded chosen in general?

A: We funded 32 out of 95 requests. I used my judgment. We funded about half of the projects that we heard. I had a limited amount of money to use, and I used my judgment.

Q: What is the purpose of us putting in projects if they will not be funded? What determines a project being funded versus not?

A: This is just the first step in the process, these are not final numbers. I was given a certain allocation; no project was funded for any amount more than 50%. I chose based on what I thought about the projects. I also took into consideration how much the requests were for, I treated smaller requests more favorably.

Representative Valdes

Q: Are we using any non-recurring dollars (like ESSER) for recurring funds?

A: No, we are not.

Q: Do you think some of the member projects that are not on going may have another reconsideration?

A: I funded a third of the requests, half of the ones we heard, none more than 50%. So, I am proud of what we did. If we use ESSER dollars for projects than we are taking dollars away from home rule.

Ranking Member Willhite

Q: Are we using calculations from December's revenues to predict our budget currently? Moving forward will there be new revenues estimated and the budget reevaluated?

A: We have to use the most recent revenues, which was December. This is the first step in a long process. There will be more data that comes in and changes things, such as these federal dollars that we didn't know of a week ago. This proposed budget is by far the largest budget we have ever put forth.

Q: As we go forward do you potentially have a second round of member projects?

A: Generally, I will revisit member projects when we go to conference.

Q: For the money allocated for finding students, when the schools get to a certain number of students can the remaining money be reallocated? I do not expect to get down to zero, but what about when they find 80% of students.

A: The money is not just for finding students, it is for things after they are found.

Q: Is some of the salary increase going to be used for overtime?

A: Local politicians decide teacher pay, not us.

Q: Is it going to be the same process for requesting the next round of CARES Act money?

A: It is 51%, only 7 counties have spent more than 80%. The process will be slightly different because now we are appropriating the money out, which was not the case with the first round.

Representative Aloupis

Q: In totality what is coming into our state with the stimulus programs?

A: I believe about \$12 billion.

Q: Do we have any idea how these dollars will be used?

A: We have work to do there, I am willing to look into this with you.

Representative McClain

Q: How will line 45A, pg. 6 be funded in the future?

A: The benefit for that line is to the school board, so if it is worth it to them they can fund it.

Representative Bartleman

Q: I am concerned with the projections we are using, and then what happens if there is an influx of students?

A: I know 48,000 sounds like a big number, but across the state it is only 2% of students. So, I do not think there will be massive issues even if our projections are wrong.

Ranking Member Willhite

Q: Are we using calculations of people moving to Florida per day, to see how our numbers could be increasing? Or just past numbers?

A: I do not make the estimates. These numbers come from the revenue estimating conference and they are professional predictors. I am sure they factor in those numbers.

Representative Valdes

Q: How can we continue to support children in schools with failing performance? I feel like there might be an equity problem. These kids at failing schools need more support.

A: We are going to trust school board members to make these decisions. We are not eliminating the funds to the program; we are just passing it onto the districts for home rule decision.

FY 2020-21 PreK-12 Budget Reversions

This is money that's in the current year that we're going to capture and bring back, this includes my recommendation. So state agencies at governor DeSantis's order held back 6% of their current fiscal year budget as a result of the coronavirus, we're going to claim that 6% that he set aside and so those are reductions, and then there are other appropriations that are unlikely to be spent before the current year; so for example things like \$70 million for kids who didn't go to VPK, we're taking \$150 million from the schools of hope carry forwards that are not being used for the schools of hope, and then we're going to take \$1 billion of the \$2.8 billion of ESSER and use it to supplant state funding for the current year. So, we will be taking \$1.252 billion from the current year and bringing that that funding forward to this year.

PCB PKA 21-01

The bill conforms applicable statutes to the appropriations provided in the House proposed General Appropriations Act for prekindergarten through grade 12 education for Fiscal Year 2021-2022. The bill:

- Modifies the calculation methodology used to determine the amount of state funds the Florida Virtual School (FLVS) receives in the Florida Education Finance Program (FEFP) to include the Mental Health Assistance Allocation.
- Modifies the virtual instruction program offered by K-12 public schools by:
 - Requiring all school districts, regardless of whether the district qualifies for the sparsity supplemental in the FEFP, to offer at least one option for part-time and full-time virtual instruction for students within the school district.
 - Requiring a school district to expend any difference in funds provided for a virtual full-time equivalent (FTE) student and the amount paid to either the FLVS or approved virtual instruction provider on computer and device hardware and associated operating software that complies with the requirements established in s. 1001.20(4)(a)1.b., Florida Statutes.
 - Limiting the enrollment of virtual FTE students residing outside of the school district providing the virtual instruction to no more than 50 percent of the total enrolled virtual FTE students residing inside the school district providing the virtual instruction.
- Modifies the FEFP by:
 - Eliminating the requirement that the 300 lowest performing elementary schools on the state reading assessment must use their portion of the Supplemental Academic Instruction Allocation on an additional hour per day of reading instruction.
 - Repealing the Decline in Full-Time Equivalent Students Allocation, the Virtual Education Contribution, and the Turnaround School Supplemental Services Allocation.
 - Not reenacting the Funding Compression and Hold Harmless Allocation.
- Repeals the Reading Scholarship Accounts Program.
- Specifies the annual percent increase to the minimum base salary of instructional personnel on the performance salary schedule and specifies the annual percent increase to the salary adjustment of an employee on the performance salary schedule rated as highly effective.
- Requires school districts to use a specified portion of their Elementary and Secondary School Emergency Relief Funds – Nonenrollment Assistance to locate unaccounted students within their school districts.

- Requires school districts to use a specified portion of their Elementary and Secondary School Emergency Relief Funds – Academic Acceleration to remediate the learning loss among kindergarten through grade 12 students.

Questions

Representative Bartleman

Q: Are we getting rid of the lowest 300?

A: We are getting rid of the requirement because it is a requirement in another allocation, it is basically a duplicate. It will still be a requirement in another allocation.

Q: How are you planning to help and create equity in the neediest schools?

A: We are leaving this up to home rule.

Ranking Member Willhite

Q: How will people that are specifically in need of reading for their child, get the help they need if we are eliminating the scholarship?

A: We are just eliminating this specific program. It is not a very popular program, up to 80% of the funding was not used. We are just taking that money and using it for other reading literacy programs. Two new programs are being created just from this funding.

Representative Williams

Q: On pg. 27, are you putting that in the hands of local officials?

A: Yes, they chose the salaries.

Debate

Representative Fetterhoff: I have 7 of these 300 schools that do take advantage of this, it has not worked in the past giving the deference to home rule. I have concerns about us taking this money away. Their reading concerns are not being addressed at home, so sending them home with books but no instruction will not work. I have an issue with us taking a program away before seeing if it even works yet.

Representative Aloupis: I think there is a fundamental disconnect between all the different programs at all the different levels. We need to finally look at this from a strategic approach to see what works best and bring awareness to these programs.

Representative Valdes: We have a large percentage of schools that are trying to turnaround, I am really concerned about the equity aspect.

Representative Willhite: Lets fix this and make it better. These at-risk students need training and help, not just books sent home with them.

Outcome

This PCB passed 14-1 and was reported favorably by the committee.

MOVING BILLS OF INTEREST

HB 0003 Home Book Delivery for Elementary Students (Trabulsy)

Establishes New Worlds Reading Initiative under DOE; provides duties & responsibilities of administrator; provides requirements & procedures for participating entities; establishes student eligibility requirements & options relating to book selection; requires books be delivered at no cost to families; authorizes DOE to contract with third-party entity. Effective Date: July 1, 2021.

HB 0005 Civic Education Curriculum (Zika)

Revises social studies high school graduation credit requirement; requires DOE to develop or approve integrated civic education curriculum that meets certain requirements; requires department to curate oral history resources to be used with such curriculum; requires department to approve civic education curricula submitted by school districts & charter schools. Effective Date: July 1, 2021.

HB 0007 Civil Liability for Damages Relating to COVID-19 (McClure)

Provides requirements for civil action based on COVID-19-related claim; provides that plaintiff has burden of proof in such action; provides statute of limitations; provides retroactive applicability. Effective Date: upon becoming a law.

HB 0015 Sales and Use Tax (Clemons)

Revises conditions for certain dealers subject to sales tax; deletes exemption for certain dealers from collecting local option surtaxes; provides certain marketplace providers are subject to registration, collection, & remittance requirements for sales taxes; requires marketplace providers to provide certification to marketplace sellers; specifies requirements for marketplace sellers; requires marketplace providers to allow DOR to audit books & records; provides that marketplace seller is liable for sales tax collection & remittance; authorizes marketplace providers & marketplace sellers to enter into agreements to recover certain taxes, interest, & penalties; grants DOR settlement & compromise authority for marketplace sales; removes authority of DOR to negotiate collection allowance with certain dealers. Effective Date: July 1, 2021.

HB 0035 Legal Notices (Fine)

Provides for website publication of legal notices; provides criteria for such publication; authorizes fiscally constrained county to use publicly accessible website to publish legally required advertisements and public notices; requires government agency to provide specified notice to residents concerning alternative methods of receiving legal notices. Effective Date: July 1, 2022.

SB 0048 Educational Scholarship Programs (Diaz)

Requiring the Auditor General to conduct certain audits at least every 3 years instead of annually; adding certain students to those whom district school boards must provide preferential treatment in the controlled open enrollment process; establishing the McKay-Gardiner Scholarship Program; prohibiting a student from participating in the program under certain circumstances; providing that program funding for specified children constitutes their full funding under part V of ch. 1002; providing commissioner authority and obligations relating to suspending or revoking program participation, etc. Effective Date: July 1, 2021.

HB 0051 Charter Schools (McClain)

Authorizes state universities & Florida College System institutions to sponsor charter schools; revises reporting & accountability requirements & populations for which charter school is authorized to limit enrollment process; provides for funding; authorizes career & professional academy to be offered by charter school. Effective Date: July 1, 2021.

SB 0052 Postsecondary Education (Rodrigues (R))

Clarifying fee exemptions for the Department of Children and Families; establishing the Dual Enrollment Scholarship Program; requiring students participating in dual enrollment programs to meet specified minimum eligibility requirements in order for institutions to receive reimbursements; authorizing university boards of trustees to implement a bonus scheme for state university system employees based on awards for work performance or employee recruitment and retention, etc. Effective Date: July 1, 2021.

SB 0072 Civil Liability for Damages Relating to COVID-19 (Brandes)

Providing requirements for a civil action based on a COVID-19-related claim; providing that the plaintiff has the burden of proof in such action; providing a statute of limitations; providing severability; providing retroactive applicability, etc. Effective Date: This act shall take effect upon becoming a law and shall apply retroactively. However, the provisions of this act shall not apply in a civil action against a particularly named defendant which is commenced before the effective date of this act.

SB 0078 Dues and Uniform Assessments (Rodrigues (R))

Requiring that a public employee who desires to join an employee organization sign a membership authorization form; requiring an employee organization to revoke an employee's membership upon receipt of the employee's request for revocation; providing that certain deductions commence upon the employer's receipt and confirmation of the employee's signed deduction authorization form; specifying the time period that an employee's authorization to deduct dues and uniform assessments remains in effect, etc. Effective Date: Upon becoming a law.

SB 0084 Retirement (Rodrigues (R))

Providing for compulsory membership in the Florida Retirement System Investment Plan for employees initially enrolled on or after a specified date; modifying provisions governing participation in the investment plan for individuals who are eligible to participate in the State University System Optional Retirement Program to conform to changes made by the act; modifying provisions governing the administration of the investment plan to reflect compulsory membership for specified employees, etc. Effective Date: July 1, 2021.

SB 0086 Student Financial Aid (Baxley)

Requiring that eligibility for state financial aid awards and tuition assistance grants be reevaluated each term and identify students' program of study; revising the formula for calculating how Florida Public Student Assistance Grant Program funds are distributed; authorizing a Bright Futures Scholarship recipient to apply the unused portion of a Florida Academic Scholars award or Florida Medallion Scholars award toward graduate study for a specified academic year; establishing the Florida Bright Opportunities Grant Program; establishing the Florida Endeavor Scholarship Program, etc. Effective Date: July 1, 2021.

SB 0098 Workforce Related Programs and Services (Albritton)

Renaming the Workforce Estimating Conference as the Labor Market Estimating Conference; removing authority for a local board to review a decision by the department to deny a contract; requiring certain standards and policies established by the Department of Education to include a specified requirement for training providers; requiring that middle grades career and professional academies and career-themed courses lead to careers in occupations aligned with the CAPE Industry Certification Funding List, etc. Effective Date: July 1, 2021.

HB 0099 Use of Epinephrine Auto-injectors on Public K-20 Campuses (Gottlieb)

Provides that state universities & FCS institutions are considered authorized entities for specified purposes relating to emergency use of epinephrine auto-injectors; requires, rather than authorizes, public schools to purchase or acquire supply

of epinephrine auto-injectors for specified purposes; requires such epinephrine auto-injectors be maintained in specified location; requires state universities & FCS institutions to purchase or acquire supply of epinephrine auto-injectors for specified purposes; provides requirements for such supplies of epinephrine auto-injectors; requires state universities & FCS institutions to develop specified protocols; provides liability for use of such epinephrine auto-injectors. Effective Date: July 1, 2021.

HB 0131 Educator Conduct (Duggan)

Requiring DOE to maintain a disqualification list of individuals; revises provisions relating to employment & termination of public school & private school employees; revises duties of DOE, Commissioner of Education, & school districts relating to employee conduct & employment & termination of public school & private school employees. Effective Date: July 1, 2021.

SB 0146 Civic Education (Brandes)

Requiring the Commissioner of Education to develop minimum criteria for a nonpartisan civic literacy practicum for high school students, beginning with a specified school year; authorizing students to apply the hours they devote to practicum activities to certain community service requirements; requiring school districts accept nonpartisan civic literacy practicum activities and hours in requirements for certain awards; requiring the State Board of Education to designate certain high schools as Freedom Schools, etc. Effective Date: July 1, 2021.

HB 0149 Students with Disabilities in Public Schools (DuBose)

Prohibits use of seclusion on students; revises provisions relating to use of restraint on certain students; provides DOE, school district, school, & personnel requirements; provides for placement of video camera in specified classrooms; provides requirements for such placement; requires continuing education & inservice training for teaching students with emotional or behavioral disabilities. Effective Date: July 1, 2021.

HB 0173 Individual Education Plan Requirements for Students with Disabilities (Tant)

Revises timeline for development & implementation of individual education plan (IEP) for transition services for student with disabilities to postsecondary education & career opportunities; revises requirements for IEP for transitions to postsecondary education & career opportunities. Effective Date: July 1, 2021.

SB 0188 Solar Energy Systems Located On the Property of an Educational Facility (Berman)

Prohibiting costs associated with such systems from being included in the calculation of total cost per student station for the purpose of a limit imposed on such costs for certain new construction, etc. Effective Date: July 1, 2021.

SB 192 Students with Disabilities in Public Schools (Book)

Requiring school districts to prohibit the use of seclusion on students with disabilities in public schools; requiring school districts to adopt positive behavior interventions and supports and certain policies and procedures; creating the Video Cameras in Public School Classrooms Pilot Program; requiring continuing education and inservice training for instructional personnel teaching students with emotional or behavioral disabilities, etc. Effective Date: July 1, 2021.

SB 0200 Student Retention (Berman)

Authorizing a parent to request that his or her student be retained in a grade level for a specified school year; clarifying that specified students may qualify for midyear promotion; authorizing a parent to request such promotion or to request that his or her student continue to be retained, etc. Effective Date: Upon becoming a law.

HB 0241 Parents' Bill of Rights (Grall)

Provides parental rights relating to a minor child's education, upbringing, & health care; provides school district, health care practitioner, hospital requirements, and specified penalties. Effective Date: July 1, 2021.

SB 0258 Internship Tax Credit Program (Jones)

Internship Tax Credit Program; Designating the "Florida Internship Tax Credit Program"; providing a corporate income tax credit for qualified businesses employing degree-seeking student interns if certain criteria are met; specifying the amount of the credit a qualified business may claim per student intern, etc. Effective Date: July 1, 2021.

SB 0259 Safety of Religious Institutions (Byrd)

Authorizes, for specified purposes, concealed weapons or firearms licensee to carry firearm on certain property of church, synagogue, or any other religious institution. Effective Date: upon becoming a law.

SB 0274 Juvenile Diversion Program Expunction (Perry)

Requiring the Department of Law Enforcement to expunge the nonjudicial arrest record of certain minors who have successfully completed a diversion program for any offense, rather than only a misdemeanor offense; authorizing a minor who successfully completes a diversion program for any offense, rather than only for a first-time misdemeanor offense, to lawfully deny or fail to acknowledge certain information, etc. Effective Date: July 1, 2021.

SB 0280 Cardiopulmonary Resuscitation Training in Public Schools (Baxley)

Providing that school districts are encouraged to provide basic training in first aid, including cardiopulmonary resuscitation, in specified grades; requiring school districts to provide basic training in first aid, including cardiopulmonary resuscitation, in specified grades; revising requirements for instruction in cardiopulmonary resuscitation, etc. Effective Date: July 1, 2021.

HB 0281 Postsecondary Education Financial Matters (Duggan)

Establishes Dual Enrollment Scholarship Program; provides eligibility requirements for program; authorizes university boards of trustees to implement bonus scheme for state university system employees. Effective Date: July 1, 2021.

SB 0282 Moments of Silence in Public Schools (Baxley)

Providing legislative findings; requiring that public school principals require certain teachers to set aside time for a moment of silence at the beginning of each school day; prohibiting teachers from making suggestions as to the nature of any reflection that a student may engage in during the moment of silence; deleting a provision authorizing district school boards to provide a brief period of silent prayer or meditation; requiring certain teachers to encourage parents or guardians to discuss the moment of silence with their children and to make suggestions as to the best use of this time, etc. Effective Date: July 1, 2021.

HB 0337 Impact Fees (DiCeglie)

Specifies instances when local government or special district may collect impact fee; requires local governments & special districts to credit against collection of impact fee any contribution related to public facilities; provides annual limitations on impact fee increases; requires school districts to report specified items regarding impact fees; requires specified entities to file affidavit attesting that impact fees were appropriately collected & expended. Effective Date: July 1, 2021.

HB 0355 The Florida High School Athletic Association (Beltran)

Requires FHSAA to allow certain schools & cooperatives to maintain full membership or to join by sport; prohibits FHSAA from discouraging simultaneously membership in other athletic associations; requires FHSAA to allow public schools to join

other athletic associations; prohibits FHSAA from taking actions against member schools that join other athletic associations; prohibits the FHSAA from taking certain actions against specified entities that choose not to participate in the association. Effective Date: July 1, 2021.

SB 0366 Apprenticeship and Preapprenticeship Training (Hutson)

Revising the general duties of the Department of Education with regard to apprenticeship and preapprenticeship programs; revising the membership of the State Apprenticeship Advisory Council; providing that apprenticeship or preapprenticeship program sponsors are responsible for the selection and training of certain personnel, as approved by the department; encouraging state university boards of trustees and apprenticeship program sponsors to cooperate in developing and establishing apprenticeship and preapprenticeship programs that include career instruction, etc. Effective Date: July 1, 2021.

HB 383 - Involuntary Examinations of Minors (Plasencia)

Revises certain notification requirements that must be met before removing minor from school, school transportation, or school-sponsored activity for involuntary examination. Effective Date: July 1, 2021.

SB 0402 Public Notice and Voting Rights Restoration Database (Rodrigues)

Authorizing legal notifications in certain cases to be published on a website established by the Supreme Court, in lieu of newspaper publication; specifying that website publication constitutes proof of publication, unless otherwise determined by a court; authorizing a county to publish such legal notifications in a newspaper, subject to certain limitations, etc. Effective Date: July 1, 2021.

SB 410 Materials Harmful to Minors (Rodriguez (A))

Prohibiting a person from selling or renting specified materials to a minor for monetary consideration; providing that a public school student may be exposed to certain teaching only in accordance with a specified procedure; requiring school districts or specified schools to notify and request the written consent of parents before the teaching of reproductive health or any sexually transmitted disease; authorizing a student's parent or a county resident to contest on specified grounds a district school board's adoption of certain instructional material, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2021.

HB 0419 Early Learning and Early Grade Success (Grall)

Deletes Office of Early Learning; creates Division of Early Learning within DOE; revises provisions relating to early learning coalitions; VPK & school readiness programs; & DOE responsibilities & duties relating to early learning and Gold Seal Quality Care Program. Effective Date: upon becoming a law.

HB 429 - Purple Star Schools (Learned)

Requires DOE to establish Purple Star School Program; requires department to adopt certain procedures; requires department, in consultation with certain entities, to adopt program criteria; specifying minimum criteria; requires annual reporting. Effective Date: July 1, 2021.

SB 0486 Juvenile Justice Education Programs (Bradley)

Increasing the percentage of certain funds that must be spent on specified costs; requiring that contracts between district school boards and juvenile justice education programs be in writing; requiring the Department of Education to provide mediation services for certain disputes; prohibiting school boards from delaying certain payments pending receipt of local funds, etc. Effective Date: July 1, 2021.

HB 0489 Student Identification Cards (Daley)

Requires school principals to ensure that crisis prevention hotline & text line and behavioral health hotline & text line numbers are printed on back of student ID cards. Effective Date: July 1, 2021.

SB 0498 Safety of Religious Institutions (Gruters)

Authorizing, for specified purposes, a concealed weapons or firearms licensee to carry a firearm on certain property of a church, a synagogue, or any other religious institution, etc. Effective Date: Upon becoming a law.

HB 0507 Education (Rizo)

Revises provisions relating to DOE powers & duties, the statewide assessment program, and postsecondary civics education. Effective Date: July 1, 2021.

HB 0519 Required Health Education (Yarborough)

Provides additional requirements for health education; revises grades when students receive certain health education instruction; requires health education instruction include prevention of specified harms. Effective Date: July 1, 2021.

HB 0529 Moments of Silence in Public Schools (Fine)

Requires principals to require teachers to set aside time for moment of silence; prohibits teachers from making suggestions to nature of any reflection during moment of silence; deletes provision authorizing district school boards to provide brief period of silent prayer or meditation; requires certain teachers encourage parents or guardians to discuss moment of silence & make suggestions as to the best use of this time. Effective Date: July 1, 2021.

SB 0532 Workforce Education (Burgess)

Revising the workforce education programs that school district career centers are authorized to conduct, etc. Effective Date: July 1, 2021.

SB 0538 Use of Epinephrine Auto-Injectors on Public K-20 Campuses (Polsky)

Providing that state universities and Florida College System institutions are considered authorized entities for specified purposes relating to the emergency use of epinephrine auto-injectors; requiring, rather than authorizing, public schools to purchase or acquire a supply of epinephrine auto-injectors for specified purposes; requiring state universities and Florida College System institutions to purchase or acquire a supply of epinephrine auto-injectors for specified purposes, etc. Effective Date: July 1, 2021.

HB 0545 Materials Harmful to Minors (Chaney)

Provides that public school student may be exposed to certain teaching only after student's parents have opportunity to review curriculum; requires school districts or specified schools to notify & obtain written parental consent before teaching about reproductive health or sexually transmitted disease; prohibits schools from allowing students to be exposed to such teaching without written parental consent; prohibits penalizing student whose parent does not give written consent. Effective Date: July 1, 2021.

HB 559 Computer Science Instruction in Elementary Schools (Hawkins)

Requires, rather than authorizes, certain computer science skills be taught in elementary school; revises computer science skills to be taught in elementary school. Effective Date: July 1, 2021.

HB 0575 The Gold Seal Quality Care Program (Omphroy)

Revises Gold Seal Quality Care program requirements; requires State Board of Education to adopt specified rules; specifies requirements for accrediting entity, rather than accrediting association, to be approved for participation in such program; requires DOE to establish verification process & provides requirements therefor; authorizes DOE to recommend maintenance of Gold Seal Quality Care designation for certain child care facilities; provides exemption from ad valorem taxation & rate differentials for certain child care facilities; provides for type two transfer of such program within DCF to DOE within specified time period; provides for continuation of certain contracts & agreements. Effective Date: upon becoming a law.

SB 0582 Parental Rights (Rodrigues (R))

Creating the “Parents’ Bill of Rights”; prohibiting the state, its political subdivisions, other governmental entities, or other institutions from infringing on parental rights unless specified conditions are met; requiring each district school board to develop and adopt a policy to promote parental involvement in the public school system; prohibiting health care practitioners and their employees from providing health care services or prescribing medicinal drugs to a minor child without a parent’s written consent, etc. Effective Date: July 1, 2021.

SB 0590 Involuntary Examinations of Minors (Harrell)

Revising parent, guardian, or caregiver notification requirements that must be met before an involuntary examination of a minor; revising parent and guardian notification requirements that must be met before conducting an involuntary examination of a minor who is removed from school, school transportation, or a school-sponsored activity; creating reporting requirements for schools relating to involuntary examinations of minors; requiring that certain plans include procedures to assist certain mental and behavioral health providers in attempts to verbally deescalate certain crisis situations before initiating an involuntary examination, etc. Effective Date: July 1, 2021.

SB 0598 Back-to-school Sales Tax Holiday (Perry)

Back-to-school Sales Tax Holiday; Providing exemptions from the sales and use tax on the retail sale of certain clothing, wallets, bags, school supplies, personal computers, and personal computer-related accessories during a specified timeframe; defining terms; specifying locations where the exemptions do not apply; authorizing certain dealers to opt out of participating in the tax holiday, subject to certain requirements, etc. APPROPRIATION: \$237,000 Effective Date: Upon becoming a law.

HB 0611 Civic Literacy Education (Diamond)

Requires Commissioner of Education to develop criteria for civic literacy practicum that meets certain goals; provides purpose & requirements; authorizes time spent on specified civic engagement activities to count toward requirements for certain scholarships & academic awards. Effective Date: July 1, 2021.

HB 0723 Juvenile Justice Education Programs (Massullo, Jr.)

Increases percentage of certain funds that must be spent on specified costs; requires contracts between district school boards & juvenile justice education programs be in writing; requires DOE provide mediation services for certain disputes; prohibits school boards from delaying certain payments pending receipt of local funds. Effective Date: July 1, 2021.

SB 0726 Individual Education Plan Requirements for Students with Disabilities (Taddeo)

Revising the timeline for the development and implementation of an individual education plan (IEP) for a student with disabilities to transition to postsecondary education and career opportunities; revising the requirements for an IEP for the

transitions to a postsecondary education or career opportunities; requiring the Department of Education to conduct a review of specified services and programs, etc. Effective Date: July 1, 2021.

SB 0760 Florida High School Athletic Association (Burgess)

Requiring the FHSAA to allow certain schools and home education cooperatives to maintain full membership in the association or to join by sport; prohibiting the FHSAA from discouraging such school or cooperative from simultaneously maintaining membership in another athletic association; requiring, rather than authorizing, the FHSAA to allow public schools to join other athletic associations, etc. Effective Date: July 1, 2021.

HB 0791 Workforce and Postsecondary Education (Harding)

Revises and provides DOE rulemaking authority; requires uniform minimum requirements to be uniform across all occupations; revises & expands department's duties; provides requirements for State Apprenticeship Advisory Council; provides requirements for apprenticeship and preapprenticeship; removes provisions relating to on-the-job training programs; requires statewide articulation agreement to establish certain mathematics pathways for students; provides requirements for admissions counseling; revises requirements for admission to associate degree programs & dual enrollment; requires BOE to adopt certain rules; provides requirements for FCS institutions & Commissioner of Education; provides for appropriations. Effective Date: July 1, 2021.

HB 0793 Measurement of Student Performance (Bell)

Requires Commissioner of Education to annually provide specified results to school districts by certain date.

HB 0827 School District Funding (Hawkins)

Requires school districts allocate certain amount of specified funds to programs that prepare students to enroll in AICE courses; requires such funds be spent on specified costs; requires school districts to distribute specified bonuses to certain teachers providing pre-AICE instruction; requires bonuses based on student's score on AICE examination to be paid to all AICE teachers. Effective Date: July 1, 2021.

HB 0835 Employee Organizations (Byrd)

Revises registration renewal application requirements for certain employee organizations; requires employee organizations to petition PERC for recertification; authorizes PERC to conduct investigations; requires personnel & employees to submit specified form to school districts; provides acknowledgment language for such form; prohibits district school boards from deducting certain dues or assessments; requires school districts to receive confirmation before making deduction; requires school districts to adopt policies. Effective Date: July 1, 2021.

HB 0849 School Absence Due to Sickness or Injury (Valdes)

Specifies types of sickness or injury included under certain exemption to attendance policy. Effective Date: July 1, 2021.

SB 0880 Florida High School Athletic Association (Rodriguez (A))

Requiring the Florida High School Athletic Association to adopt specified bylaws or policies, etc. Effective Date: July 1, 2021.

SB 0886 COVID-19 Impact on School Accountability (Thurston, Jr.)

Prohibiting a school from being required to select and implement a turnaround option in the 2021-2022 school year based on the school's 2020-2021 school grade or improvement rating; prohibiting a school or an approved provider from being subject to sanctions or penalties as a result of its 2020-2021 school grade or improvement rating; prohibiting student

performance results from the 2020-2021 statewide, standardized assessments from being used for determining grade 3 retention or high school graduation or for calculating student performance measurement and evaluating personnel, etc. Effective Date: Upon becoming a law.

HB 0889 Nonprofit Property Tax Exemptions (Borrero)

Specifies conditions under which exempt property, upon receipt of specified types of revenues, retains its exemption from ad valorem taxation. Effective Date: July 1, 2021.

SB 0918 Education (Bradley)

Requiring school districts to allocate a certain amount of specified funds to certain programs that prepare prospective students to enroll in Advanced International Certificate of Education courses; requiring such funds to be spent on specified costs; requiring school districts to distribute specified bonuses to certain classroom teachers providing International General Certificate of Secondary Education instruction, etc. Effective Date: July 1, 2021.

SB 0934 Education (Wright)

Requiring additional specified strategies to be included in rules establishing uniform core curricula for each state-approved teacher preparation program; expanding the instruction that an educator preparation institute may provide to include instruction and professional development for part-time and full-time nondegreed teachers of career programs; providing that the William Cecil Golden Professional Development Program for School Leaders must consist of a network of specified entities, etc. Effective Date: July 1, 2021.

SB 0938 Purple Star Campuses (Wright)

Requiring the Department of Education to establish the Purple Star Campus program; specifying program criteria for participating schools; authorizing the department to establish additional program eligibility criteria; authorizing schools to partner with school districts to meet such criteria; requiring the State Board of Education to adopt rules, etc. Effective Date: July 1, 2021.

HB 0947 Dues and Uniform Assessments (Plakon)

Requires that public employee who desires to join employee organization sign membership authorization form; requires that form include specified acknowledgement; requires employee organization to revoke employee's membership upon receipt of request for revocation; requires employees to provide specified notice to employer to revoke deductions; provides revocation form may not require employee to state reason for revocation; provides deductions commence upon employer's receipt & confirmation of employee's signed deduction authorization form; requires confirmation within specified time; specifies time period that employee's authorization to deduct dues & uniform assessments remains in effect. Effective Date: upon becoming a law.

SB 1014 Employee Organizations (Baxley)

Requiring employee organizations that have been certified as the bargaining agent for educational support employees to include specified information in applications for renewal of registration; revising the information that employee organizations certified as the bargaining agent for a unit of instructional personnel or educational support employees must report in applications for renewal of registration; requiring that an employee organization whose full dues-paying membership as of a specified date is less than 50 percent of eligible employees to petition the Public Employees Relations Commission for recertification, etc. Effective Date: July 1, 2021.

HB 1027 Opening Remarks at High School Athletic Events (Barnaby)

Requires FHSAA to provide schools participating in certain FHSAA events opportunity for opening remarks; provides requirements for such opening remarks; requires certain announcements before such opening remarks; provides that opening remarks at regular season events are at discretion of FHSAA member schools. Effective Date: July 1, 2021.

SB 1028 Charter Schools (Hutson)

Authorizing state universities and Florida College System institutions to solicit applications and sponsor charter schools under certain circumstances; requiring the board of trustees of a state university or Florida College System institution that is sponsoring a charter school to serve as the local educational agency for such school; prohibiting certain charter school students from being included in specified school district grade calculations; authorizing a career and professional academy to be offered by a charter school, etc. Effective Date: July 1, 2021.

HB 1031 Charter Schools (Rodriguez (Ant))

Revises provisions relating to charter school applications, use of specified assets, opening of additional high-performing charter schools, and virtual charter schools. Effective Date: July 1, 2021.

HB 1033 Certificate of Completion (Borrero)

Specifies students who have been awarded certificates of completion are eligible to enroll in certain programs. Effective Date: July 1, 2021.

HB 1061 Schools of Hope (Smith (D))

Adds certain hope operators to entities required to perform annual financial audit & provide financial statements; revises definition of "persistently low-performing school"; revises student reporting for schools of hope; revises provisions related to the list of specified facilities; revises time certain funds may be carried forward; requires certain school of hope personnel undergo background screening. Effective Date: July 1, 2021.

SB 1094 Required Health Education Instruction (Bean)

Providing additional requirements for health education; revising the grade levels when students receive certain health education instruction; requiring health education instruction to include prevention of specified harms, etc. Effective Date: July 1, 2021.

SB 1108 Education (Diaz)

Authorizing the Department of Education to hold patents, copyrights, trademarks, and service marks; requiring certain students to take a specified assessment relating to civic literacy; requiring certain postsecondary students to complete a civic literacy course and pass a specified assessment to demonstrate competency in civic literacy; requiring school districts to provide the SAT or ACT to grade 11 students beginning in a specified school year; revising the tests that are included under test administration and security rules, etc. Effective Date: July 1, 2021.

HB 1119 Water Safety and Swimming Certification for K-12 Students (Daley)

Requires district school boards & governing authorities of private schools to ask if certain children have completed a water safety education course and swim lessons; provides that schools may ask for specified certification; requires schools offer document containing specified information to certain children; requires school districts to maintain certain records; provides liability exemption for specified injuries. Effective Date: July 1, 2021.

HB 1159 Educator Preparation and Certification (Busatta Cabrera)

Revises provisions relating to state-approved teacher preparation programs, career programs, educator certification, & William Cecil Golden Professional Development Program for School Leaders. Effective Date: July 1, 2021.

SB 1214 Nonprofit Taxation (Gruters)

Specifying conditions for retaining an ad valorem tax exemption for certain property used for certain purposes; defining the term "incidental use", etc. Effective Date: July 1, 2021.

SB 1266 Marjory Stoneman Douglas High School Memorial Day (Book)

Recognizing February 14, 2022, and each February 14 thereafter, as "Marjory Stoneman Douglas High School Memorial Day" in Florida, a day of remembrance for all of those who lost their lives, or whose lives were forever changed, as a result of the mass shooting at Marjory Stoneman Douglas High School in Parkland, etc.

SB 1279 Florida Talent Development Council (Melo)

Requires council to submit to specified entities a report that includes recommendations on feasibility of establishing and implementing Pathways in Technology Early College High School program or similar program; provides requirements for report. Effective Date: upon becoming a law.

SB 1282 Early Learning and Early Grade Success (Harrell)

Deleting the Office of Early Learning from within the Office of Independent Education and Parental Choice of the Department of Education; establishing the Division of Early Learning within the department; revising approved child care or early education settings for the placement of certain children; requiring each parent who enrolls his or her child in the Voluntary Prekindergarten Education Program to allow his or her child to participate in a specified screening and progress monitoring program; revising the performance standards for the Voluntary Prekindergarten Education Program; authorizing certain students who enrolled in the Voluntary Prekindergarten Education Program to receive intensive reading interventions using specified funds, etc. APPROPRIATION: \$3,865,759 Effective Date: Upon becoming a law.

SB 1372 Literacy Improvement (Burgess)

Establishing the New Worlds Reading Initiative under the Department of Education; requiring the administrator, in consultation with a specified entity, to develop a selection of books; requiring the administrator to coordinate monthly book distribution to certain students; requiring the administrator to assist with local implementation of the initiative; requiring that a certain notification include information about the initiative, etc. Effective Date: July 1, 2021.

HB 1401 Applied Behavior in Analysis Services (Plasencia)

Revises definition of "clinic" to exempt certain groups of individuals providing applied behavior analysis services from health care clinic licensure requirements; revises definition of "private instructional personnel" to include certain registered behavior technicians. Effective Date: July 1, 2021.

SB 1450 Civic Education Curriculum (Rodriguez (A))

Revising the social studies high school graduation credit requirement; requiring the Department of Education to develop or approve an integrated civic education curriculum that meets certain requirements; requiring the department to curate oral history resources to be used along with such curriculum; designating the "Portraits in Patriotism Act", etc. Effective Date: July 1, 2021.

HB 1461 Prohibition on Compensation for Members of a District School Board (Garrison)

Proposing amendments to State Constitution to prohibit compensation for members of district school board.

HB 1475 Sex-Specific Student Athletic Teams or Sports (Tuck)

Requires that certain athletic teams or sports sponsored by certain educational institutions be designated on basis of students' biological sex; prohibits athletic teams or sports designated for female students to be open to male students; requires that student's school or institution, as applicable, resolve disputes regarding student's sex; requires State Board of Education to adopt certain rules; provides for civil remedies & damages; provides statute of limitation. Effective Date: July 1, 2021.

HB 1505 Workforce Programs and Services (Melo)

Requires DOE & DCF, in consultation with DEO, to implement automated consumer-first workforce system; requires DEO to develop training for specified partners; requires certain DOE standards & policies to include specified requirement for training providers; provides criteria for work-based learning opportunity; requires that certain resources be used in career & education planning courses & character development curriculum; provides requirements for certain student career service centers & courses for digital credential. Effective Date: July 1, 2021.

HB 1507 Workforce Related Programs and Services (Yarborough)

Creates Office of Reimagining Education and Career Help; creates & revises provisions relating to workforce services including the Labor Market Estimating Conference, workforce opportunity portal, state board composition, Credentials Review Committee, state plan requirements, waivers, local workforce development boards, Master Credentials List, CAPE Industry Certification Funding List, industry certifications, SEAS program, workforce development metrics, Florida Talent Development Council, Open Door Grant Program, preapprenticeship & apprenticeship program grants, & Money-back Guarantee Program. Effective Date: July 1, 2021.

HB 1585 Government Accountability (Barnaby)

Creates Florida Integrity Office under Auditor General; provides duties & powers of Florida Integrity Officer, Auditor General, Chief Inspector General, & agency inspectors general; provides requirements for awards given to employees who report under Whistle-blower's Act; revises requirements for public agency contracts; requires Office of Inspector General of DOE to conduct investigations relating to waste, fraud, abuse, or mismanagement against district school board or Florida College System institution. Effective Date: July 1, 2021.

HB 1635 Hernando County School District, Hernando County (Ingoglia)

Repeals resolution of School Board of Hernando County providing for appointed superintendent of schools; provides for an elected superintendent of schools & referendum. Effective Date: upon becoming a law.

SB 1898 Student Literacy (Rodriguez (A))

Revising and providing duties for the Just Read, Florida! Office within the Department of Education; requiring the Department of Education, in consultation with the Office of Early Learning, to implement a coordinated screening and progress monitoring system for students in the Voluntary Prekindergarten Education Program through grade 8; requiring certain students to participate in a certain coordinated screening and progress monitoring system; creating the "Reading Achievement Initiative for Scholastic Excellence Act", etc. Effective Date: July 1, 2021.

SB 2012 Promoting Equality of Athletic Opportunity (Stargel)

Citing this section as the "Promoting Equality of Athletic Opportunity Act"; requiring that certain athletic teams or sports sponsored by certain educational institutions be designated on the basis of students' biological sex; prohibiting athletic teams or sports designated for female students from being open to male students; specifying conditions under which persons who transition from male to female are eligible to compete in the female category; requiring a student that fails to comply with certain conditions to be suspended from female competition for 12 months; requiring the Board of Governors of the State University System to adopt regulations and the State Board of Education to adopt rules regarding the resolution of disputes, etc. Effective Date: July 1, 2021.

SB 2032 Education and Sharing Day (Pizzo)

Recognizing March 24, 2021, as "Education and Sharing Day" in Florida, etc.

HB 02051 English as a Second Language through Arts Integration (Morales)

English as a Second Language through Arts Integration: Provides an appropriation for the English as a Second Language through Arts Integration. Effective Date: July 1, 2021.

HB 3685 Manatee Schools STEM Career Pathways Pilot (Robinson, W)

Provides an appropriation for the Manatee Schools STEM Career Pathways Pilot. Effective Date: July 1, 2021.

HB 7011 Student Literacy (Aloupis, Jr.)

Provides and revises requirements relating to improvement of student literacy skills; requires DOE, in consultation with Office of Early Learning, to implement coordinated screening and progress monitoring system for VPK program through grade 8; establishes Reading Achievement Initiative for Scholastic Excellence Program within DOE; revises requirements relating to specified reading instruction allocation; revises requirements for certain instructional personnel & professional development program. Effective Date: July 1, 2021.

HB 7033 Task Force on Closing the Achievement Gap for Boys Early Learning & Elementary Education Subcommittee (Koster - Replaces ELE2)

Creates Task Force on Closing the Achievement Gap for Boys; provides task force purpose, membership, meetings, & future expiration; requires DOE to provide support & data & information to assist the task force; requires task force submit report; provides for future expiration of task force. Effective Date: upon becoming a law.

HB 7035 School Safety Early Learning & Elementary Education Subcommittee (LaMarca)

Requires DCF to analyze specified data; provides penalties relating to Fortify FL reporting tool; revises membership of Marjory Stoneman Douglas High School Public Safety Commission; provides requirements for Commissioner of Education & Office of Safe Schools; provides requirements for codes of student conduct; requires district school boards to establish policies & provide timely notifications; provides training requirements for safe-school officers; revises requirements for mental health assistance allocation. Effective Date: July 1, 2021.

HB 7045 School Choice Education & Employment Committee, Fine

Repeals Gardiner Scholarship; revises requirements & funding under specified scholarship programs. Effective Date: July 1, 2021.

SB 7052 Florida K-12 Education Tax Credit Program Trust Fund/Department of Education (Senate Appropriations)

Creating the Florida K-12 Education Tax Credit Program Trust Fund within the Department of Education; providing the purpose of the trust fund and the source of funds; exempting the trust fund from the general revenue service charge; requiring any balance in the trust fund at the end of any fiscal year to remain in the trust fund and be available for carrying out the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund, etc. Effective Date: On the same date that SB 48 or similar legislation takes effect, if such legislation is enacted in the same legislative session or an extension thereof and becomes a law.

PKA1 PCB Bill (PreK-12 Appropriations Subcommittee)

Education Funding.

YOUR GRAYROBINSON TEAM



**Dean Cannon, President and Chief Executive Officer
Chair of Government Affairs**

dean.cannon@gray-robinson.com

Dean served in the Florida House of Representatives from 2004 until 2012. During his eight-year tenure, he played pivotal roles in property tax reform, growth management reform, health care and Medicaid reform, and major transportation infrastructure policy initiatives, among many others. He was selected by his peers to become Speaker of the House for the 2010 to 2012 term and is credited with leading the Florida House effectively during a time of great economic and political challenge.



Kim McDougal, Ph.D., Senior Government Affairs Consultant

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Kim brings almost three decades of education policy knowledge and experience to the firm's lobbying practice, having served in multiple leadership roles at the Department of Education, including governmental relations director and senior policy advisor for several commissioners of education. Most recently, Kim served as chief of staff to Florida Governor Rick Scott. In this role, she was responsible for directly serving and advising the Governor on issues pertaining to 100,000 plus executive branch employees and administered an \$83 billion state budget. She also served as Governor Scott's deputy chief of staff, legislative affairs director, education policy coordinator and as policy advisor during his successful re-election campaign.



Carlecia Collins, Government Consultant

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Carlecia has more than a decade of experience working in Florida politics. Her experience includes serving as a special assistant to the Speaker of the Florida House of Representatives and in several leadership roles within the Florida Senate President's office. In her most recent position, Carlecia served as a senior legislative assistant for Florida Senate President Bill Galvano, where she handled statewide appointments to boards, commissions, and taskforces for the Florida Senate.