



**MIXON & ASSOCIATES**

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## **MEMORANDUM**

**Subject: February 15-19, 2016 Legislative Report**

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### 2016 Legislative Session: Week 6 Summary

*This marked the sixth week of the 2016 Florida Legislative Session. Over the past several days, the House and Senate Education committees heard bills and testimony on issues from various stakeholders. Members also met on the floor and voted on legislation. M&A team members have been working hard on the legislative issues that will impact Florida's public education system on your behalf.*

#### **Highlights from the Capitol**

On Thursday of this week, leadership in the House and Senate announced that no budget conferencing would be taking place this weekend (February 20-21). President Gardiner indicated on Thursday that conferencing would not begin until Monday evening at the earliest. Once the budget building begins the focus will increasingly be fiscal items and many policy issues still in play will be put on hold until many of the outstanding budget differences are resolved.

Both the House and Senate held floor sessions this week, with the House taking up the vast majority of education bills on the docket this year. Among the bills that passed were HB 7043 which contains provisions for the Best and Brightest Teacher Program, HB 1003 which clarifies that retired teachers that are hired post-retirement be given a yearly contract and HB 669 requires each district school board to allow parents to seek enrollment in (and transport his or her child) to any public school that has not reached capacity in the district. One bill that was passed by the House this week appears to be dead as Senate Committee Chairman John Legg said Thursday that his committee would not meet next week. House bill 833 requires 100 minutes of unstructured recess each week for grades K-5 was never heard in the Senate Education Committee and therefore is dead for the session. Sen. Legg indicated that his committee would not meet again during the 2016 session, unless Senate leadership requests a meeting for the purpose of ironing out differences with the House or to hear noncontroversial matters. Should the aforementioned situation come to pass, there is speculation that one non-controversial item that may be heard would be Sen. Greg Evers' bill to change the rules for how schools handle the Pledge of Allegiance (SB 1600). The companion to SB 1600 was passed by the House this week (HB 1403).

*Listed below are the committees and events that occurred this week and a brief summary of their activities.*

**Senate Finance and Tax Committee, Chairwoman Sen. Hukill**

The committee considered two education-related bills (descriptions below). The bills were voted on favorably by the committee.

[SB 766](#): Ad Valorem Taxation; Specifying deadlines for value adjustment boards to hear petitions and issue the second tax roll certification; requiring a property appraiser to provide a specified notice to nonhomestead residential property owners who were determined to not be entitled for a certain property assessment limitation; specifying procedures for filing petitions to the value adjustment board; extending the dates for certain counties to hold public hearings and certify non-ad valorem assessment rolls, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect July 1, 2016

[SB 1222](#): Millage Rates; Revising the maximum millage rate that a county, a municipality, a special district dependent to a county or municipality, a municipal service taxing unit, or an independent special district may levy; revising the conditions under which a higher rate may be adopted, etc. Effective Date: 7/1/2016

You can view the meeting in its entirety by accessing the following link:

<http://thefloridachannel.org/videos/21616-senate-committee-finance-tax/>

Meeting documents can be found by accessing this link:

[https://www.flsenate.gov/PublishedContent/Committees/2014-2016/FT/MeetingRecords/MeetingPacket\\_3461.pdf](https://www.flsenate.gov/PublishedContent/Committees/2014-2016/FT/MeetingRecords/MeetingPacket_3461.pdf)

**Senate Community Affairs Committee, Chairman Sen. Simpson**

The committee considered one education-related bill (description below). The bill was voted on favorably by the committee.

[SB 1100](#): Local Tax Referenda; Specifying the times when local government discretionary sales surtax referenda may be held; requiring the approval of a specified percentage of electors voting in a referendum election to adopt or amend a local government discretionary sales surtax, etc. Effective Date: 7/1/2017

You can view the meeting in its entirety by accessing the following link:

<http://thefloridachannel.org/videos/21616-senate-community-affairs-committee/>

Meeting documents can be found by accessing this link:

[https://www.flsenate.gov/PublishedContent/Committees/2014-2016/CA/MeetingRecords/MeetingPacket\\_3458.pdf](https://www.flsenate.gov/PublishedContent/Committees/2014-2016/CA/MeetingRecords/MeetingPacket_3458.pdf)

### **House Appropriations Committee, Chairman Rep. Corcoran**

The committee considered two education-related bills (descriptions below). The bills were voted on favorably by the committee.

[HB 117](#): Education Funding: Prohibits school district with specified student population from receiving sparsity wealth adjustment. Effective Date: July 1, 2016

[HB 499](#): Ad Valorem Taxation: Revises provisions related to value adjustment board proceedings; revises provisions related to appointments & selection of special magistrates; revises dates in computing school district required local effort; provides statement of important state interest. Effective Date: July 1, 2016

You can view the meeting in its entirety by accessing the following link:

<http://thefloridachannel.org/videos/21616-house-appropriations-committee/>

Meeting documents can be found by accessing this link:

<http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2827&Session=2016&DocumentType=Meeting%20Packets&FileName=apc%202-16-16%204th%20REVISED.pdf>

### **House Education Committee, Chairwoman Rep. O'Toole**

The committee considered seven bills (descriptions below). Each of the bills were voted on favorably by the committee.

[HB 0343](#): Public K-12 Education: Provides short title for ch. 2010-217, Laws of Florida, relating to requirements for health education curricula & district school board policies on teen dating violence & abuse. Effective Date: July 1, 2016

[HB 0873](#): Education Funding: Revises provisions relating to capital outlay funding to charter schools, Special Facility Construction Account relating to receipt of funds, criteria for requests, preapplication review, consultants, & repayment of school district's share of project costs; revises provisions relating to use of certain funds for certain education plant space construction, & calculation of total cost per student station; requires DOE to conduct study & provide report. Effective Date: July 1, 2016

[HB 0887](#): Computer Coding Instruction: Requires Higher Education Coordinating Council to make recommendations related to computer science instruction & provide report; requires Commissioner of Education to develop certain standards & identify certain courses in Course Code Directory; requires students have access to computer science courses through various means; requires DOE to report certain information to certain entities; requires certain entities to develop strategies relating to computer science educator certification & teacher recruitment; provides appropriation & authorizes a position. Effective Date: July 1, 2016

[HB 1147](#): Character-development Instruction: Requires character-development programs to provide certain instruction to students in grades 9-12. Effective Date: July 1, 2016

[HB 1349](#): Specialty License Plates/Specified Sororities & Fraternities: Directs DHSMV to develop certain sorority & fraternity specialty license plates; establishes annual use fee for plates; provides for distribution & use of fees collected from sale of plates. Effective Date: October 1, 2016

[HB 1359](#): Vocational Rehabilitation: Requires Division of Vocational Rehabilitation to initiate, by specified date, performance improvement plan designed to achieve specified goals; requires division to submit performance report annually to Governor & Legislature which includes specified information. Effective Date: July 1, 2016

[HB 1403](#): Pledge of Allegiance: Requires written notice of student's right not to participate in the pledge of allegiance to be included in specific publication; provides student may be excused from certain actions associated with pledge; requires unexcused students to show full respect to flag during pledge. Effective Date: July 1, 2016

You can view the meeting in its entirety by accessing the following link:

<http://thefloridachannel.org/videos/21716-house-education-committee/>

Meeting documents can be found by accessing this link:

<http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2848&Session=2016&DocumentType=Meeting%20Packets&FileName=edc%202-17-16.pdf>

### **Senate Education Appropriations Subcommittee, Chairman Sen. Gaetz**

The committee considered nine bills (descriptions below). Each of the bills was voted on favorably by the committee. Two bills were temporarily postponed by the committee; SB 1356 which clarifies that retired teachers who are hired by a school district post-retirement be given a yearly contract and SB 1462, which requires character-development programs to include instruction on developing life and career-related skills. The committee is slated to meet during the seventh week of session, and therefore could be heard at that time.

[SB 0432](#): Teacher Certification; Providing alternative requirements for earning a professional educator certificate that covers certain grades, etc. Effective Date: 7/1/2016

[SB 0442](#): Educational Facilities; Providing for school district construction flexibility; authorizing exceptions to educational facilities construction requirements under certain circumstances, etc. Effective Date: 7/1/2016

[SB 0944](#): Out-of-state Fee Waivers for Active Duty Service Members; Requiring state universities, Florida College System institutions, and certain centers to waive out-of-state fees for active duty members of the United States Armed Forces residing or stationed outside of this state; prohibiting tuition and fees charged to such students from exceeding a specified amount, etc. Effective Date: 7/1/2016

[SB 1076](#): Education; Prohibiting a district school board from limiting the number of public school students who may enroll in a structured high school acceleration program; revising the purpose of the Credit Acceleration Program; requiring an academically high-performing school district to execute a contract to establish a structured high school acceleration program, etc. Effective Date: 7/1/2016

[SB 1126](#): Auditory-oral Education Programs; Requiring a school district to add a specified number of points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program, etc. Effective Date: 7/1/2016

[SB 1196](#): Emergency Allergy Treatment in Schools; Authorizing a public school and a private school, respectively, to enter into certain arrangements with wholesale distributors or manufacturers for epinephrine auto-injectors, etc. Effective Date: 7/1/2016

[SB 1418](#): Supplemental Academic Instruction; Requiring supplemental academic instruction categorical funds and research-based reading instruction allocation funds to be used by a school district that has one or more of the lowest-performing elementary schools for additional intensive reading instruction at the school during the summer program in addition to instruction during the school year, etc. Effective Date: 7/1/2016

[SB 1670](#): Apprenticeships; Creating the Florida Apprenticeship Grant Program within the Department of Education to provide grants to Florida College System institutions for the creation of new apprenticeship programs or the expansion of existing apprenticeship programs; requiring the Division of Career and Adult Education to administer the program; creating the Rapid Response Grant Program, etc. Effective Date: 7/1/2016

[SB 1714](#): Competency-based Innovation Pilot Program; Establishing a competency-based innovation pilot program within the Department of Education; authorizing certain schools to apply to the department for approval of a competency-based innovation pilot program; providing for expiration of the pilot program, etc. Effective Date: 7/1/2016

You can view the meeting in its entirety by accessing the following link:

<http://thefloridachannel.org/videos/21716-senate-appropriations-subcommittee-education/>

Meeting documents can be found by accessing this link:

[https://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket\\_3470.pdf](https://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3470.pdf)

### **Senate Transportation Committee, Chairman Sen. Brandes**

The committee considered one education-related bill (description below). The bill was voted on favorably by the committee.

**SB 1570:** School Bus Stop Safety; Citing this act as the “Gabby’s Law for School Bus Stop Safety”; revising the terms of violation and the penalties for failure to stop a vehicle upon approaching a school bus that displays a stop signal; authorizing school districts to use cameras and video recording devices under certain circumstances, etc. Effective Date: 10/1/2016

You can view the meeting in its entirety by accessing the following link:

<http://thefloridachannel.org/videos/21716-senate-transportation-committee/>

Meeting documents can be found by accessing this link:

[https://www.flsenate.gov/PublishedContent/Committees/2014-2016/TR/MeetingRecords/MeetingPacket\\_3463\\_2.pdf](https://www.flsenate.gov/PublishedContent/Committees/2014-2016/TR/MeetingRecords/MeetingPacket_3463_2.pdf)

### **Senate Appropriations Committee, Chairman Sen. Lee**

The committee considered six education-related bills (descriptions below). The bills were voted on favorably by the committee.

**SB 684:** Choice in Sports; Revising public school choice options available to students to include CAPE digital tools, CAPE industry certifications, and collegiate high school programs; requiring each district school board and charter school governing board to authorize a parent to have his or her child participate in controlled open enrollment; requiring the Florida High School Athletic Association to allow a private school to maintain full membership in the association or to join by sport, etc. Effective Date: 7/1/2016

**SB 1026:** High School Athletics; Requiring the Florida High School Athletic Association (FHSAA) to allow a private school to join the association as a full-time member or to join by sport; authorizing the FHSAA to allow a public school to apply for consideration to join another athletic association; providing a process for resolving student eligibility disputes, etc. Effective Date: 7/1/2016

[SB 806](#): Instruction for Homebound and Hospitalized Students; Requiring school districts to provide instruction to homebound or hospitalized students; requiring the State Board of Education to adopt rules related to student eligibility, methods of providing instruction to homebound or hospitalized students, and the initiation of services; requiring each school district to enter into an agreement with certain hospitals within its district by a specified date, etc. Effective Date: 7/1/2016

[SB 834](#): Minimum Term School Funding; Revising the term “full-time student” to delete references to membership in a double-session school or a school that uses a specified experimental calendar; clarifying how “full time equivalency” is calculated for students in schools that operate for less than the minimum term, etc. Effective Date: Upon becoming a law

[SB 894](#): Education Personnel; Authorizing certain information to be used for educator certification discipline and review; authorizing certain employees or agents of the Department of Education to have access to certain reports and records; authorizing rather than requiring the Department of Education to sponsor a job fair meeting certain criteria; providing requirements regarding liability insurance for students performing clinical field experience, etc. Effective Date: 7/1/2016

[SB 1426](#): Membership Associations; Requiring membership associations to file an annual report with the Legislature; prohibiting a membership association from using public funds for certain litigation; requiring the Auditor General to conduct certain audits annually, etc. Effective Date: Upon becoming a law

You can view the meeting in its entirety by accessing the following link:

<http://thefloridachannel.org/videos/21816-senate-appropriations-committee/>

Meeting documents can be found by accessing this link:

[https://www.flsenate.gov/PublishedContent/Committees/2014-2016/AP/MeetingRecords/MeetingPacket\\_3473.pdf](https://www.flsenate.gov/PublishedContent/Committees/2014-2016/AP/MeetingRecords/MeetingPacket_3473.pdf)

### **Senate Session**

No education-related bills were considered.

### **House Session**

[HB 7017](#): Career and Adult Education: Revises provisions relating to apprenticeships & job-training programs, high school equivalency programs, Higher Education Coordinating Council, applied technology diploma programs, adult general education programs, CAPE digital tool certificates, & career centers; creates Florida Apprenticeship Grant (FLAG) & Rapid Response Grant programs; provides an appropriation. Effective Date: July 1, 2016

**Passed (YEAS 111, NAYS 0)**

[HB 7019](#): Postsecondary Access and Affordability: Specifies that instructional material costs are not included in tuition for certain online programs; requires BOG & SBE to submit annual report on college affordability; revises provisions relating to textbook & instructional materials affordability; requires certain universities & institutions to provide public notice relating to tuition and fees; & revises provisions relating to tuition differential. Effective Date: July 1, 2016  
**Passed (YEAS 110, NAYS 1)**

[HB 7043](#): Education: Creates Florida College System Performance-based Incentive for Florida College System institutions & Florida Best and Brightest Teacher Scholarship Program; revises provisions relating to preeminent state research universities program, state university system performance-based incentives, & teacher liability insurance. Effective Date: July 1, 2016  
**Passed (YEAS 81, NAYS 31)**

[SB 0576](#): Public Educational Facilities; Authorizing certain Florida College System institutions to construct dormitories for up to 300 beds for students; prohibiting the use of state funds and tuition and fee revenues for construction, debt service payments, maintenance, or operation of such dormitories, etc. Effective Date: 7/1/2016  
**Passed (YEAS 114 NAYS 0)**

[HB 0119](#): Educational Facilities; Provides for school district construction flexibility; authorizes exceptions to educational facilities construction requirements under certain circumstances. Effective Date: 7/1/2016  
**Passed (YEAS 111 NAYS 1)**

SB 7016: Interstate Compact on Educational Opportunity for Military Children: Providing for payment of annual dues for the compact; repealing s. 2 of chapter 2013-20, Laws of Florida; abrogating the future repeal of provisions relating to the compact; providing for contingent retroactive operation, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect April 9, 2016, or if this act fails to become law until after that date, it shall take effect upon becoming a law and operate retroactively to April 9, 2016  
**Passed (YEAS 113, NAYS 0)**

[HB 7029](#): School Choice; Revises provisions relating to charter schools, virtual education, Credit Acceleration Program, FEEP, educator professional development, & charter school capital outlay funding; creates High Impact Charter Network & Florida Institute for Charter School Innovation. Effective Date: 7/1/2016  
**Passed (YEAS 79 NAYS 35)**

[HB 669](#): Educational Choice; Provides additional duties of internal auditor for school districts; revises list of public & private educational choice options available to students; requires certain syllabi be provided to parents & contain certain information; requires school districts to provide & publish certain information; revises controlled open enrollment process; requires school district to establish process for parent to request that his or her child be transferred to another

classroom teacher; revises components of Credit Acceleration Program; requires DOE to contract with FPU for certain purposes; provides appropriation. APPROPRIATION: \$200,000.00  
Effective Date: 7/1/2016

**Passed (YEAS 79 NAYS 34)**

[HB 837](#): John M. McKay Scholarships for Students with Disabilities Program; Provides certain students enrolled in John M. McKay Scholarships for Students with Disabilities Program are exempt from specific provisions & scholarship awards are not subject to specified funding calculations; creates transition-to-work program for specific students enrolled in program; provides for requirements & participation. Effective Date: 7/1/2016

**Passed (YEAS 112 NAYS 0)**

[HB 1305](#): Emergency Allergy Treatment in Schools; Authorizes public school & private school, respectively, to enter into certain arrangements with wholesale distributors or manufacturers for epinephrine auto-injectors. Effective Date: 7/1/2016

**Passed (YEAS 114 NAYS 0)**

[HB 249](#): Culinary Education Programs; Provides for applicability of DOH sanitation rules to licensed culinary education program; permits culinary education program with public food service establishment license to obtain alcoholic beverage license under certain conditions. Effective Date: 7/1/2016

**Passed (YEAS 114 NAYS 0)**

[HB 287](#): Principal Autonomy Pilot Program Initiative; Creates Principal Autonomy Pilot Program Initiative; provides requirements for participation, exemptions, professional development, funding, rulemaking, & reporting; provides authorization period for participation in program; provides for renewal or revocation of authorization to participate in program; requires district school boards participating in program to provide certain funding allocations; provides additional authority & responsibilities of principal of participating school; provides appropriation. APPROPRIATION: \$910,000.00 Effective Date: 7/1/2016

**Passed (YEAS 97 NAYS 17)**

[HB 1155](#): Membership Associations; Defines "membership association"; requires membership association to file annual report with Legislature; specifies contents of report; prohibits membership association from expending public funds on litigation against state; requires Auditor General to audit membership associations. Effective Date: upon becoming a law

**Passed (YEAS 78 NAYS 36)**

[HB 1003](#): Employment After Retirement of School District Personnel; Revises provisions relating to reemployment of retirees as instructional personnel on contractual basis. Effective Date: upon becoming a law

**Passed (YEAS 114 NAYS 0)**

[HB 189](#): Teacher Certification; Provides alternative requirements for earning professional educator certificate covering certain grades. Effective Date: 7/1/2016

**Passed (YEAS 100 NAYS 11)**

[HB 1365](#): Competency-Based Education Pilot Program; Creates Competency-Based Education Pilot Program; provides for program participation, application requirements, exemption from specified rules, student funding, & duties of DOE. Effective Date: 7/1/2016

**Passed as amended (YEAS 100 NAYS 13)**

[HB 719](#): Education Personnel; Revises provisions relating to mandatory reports of child abuse, abandonment, & abuse, confidentiality of reports & records in cases of child abuse or neglect, teacher recruitment & retention, educator liability insurance, Education Practices Commission, & complaints against teachers & administrators; requires DOE to approve school leader preparation programs; provides program requirements. Effective Date: 7/1/2016

**Passed (YEAS 91 NAYS 22)**

[HB 835](#): Education; Revises provisions relating to home education programs, nonenrollment & nonattendance cases, dual enrollment programs, & Florida Gold Seal Vocational Scholars award. APPROPRIATION: \$1,000,000.00 Effective Date: 7/1/2016

**Passed as amended (YEAS 112 NAYS 0)**

[HB 833](#): Public School Recess; Requires district school board to provide students in certain grades with certain amount of free-play recess per day; provides that free-play recess may not be withheld for specified reasons. Effective Date: 7/1/2016

**Passed (YEAS 112 NAYS 2)**

[HB 705](#): Qualifications for Educational Interpreters; Requires SBE to establish standards for educational interpreters & school districts to notify parents if an individual providing interpreter services does not meet SBE standards & report to DOE information regarding individuals providing interpreter services. Effective Date: 7/1/2016

**House - Placed on 3rd reading**

*The Mixon and Associates team will continue to follow all developments and will keep you informed of all actions taken by the various branches of government that will impact public education. We hope this information is helpful. If you have any suggestions or questions, please feel free to contact Jessica or Corinne at (850) 222-2591. Thank you for all you do for Florida's public schools!*

## **Legislative Session Week Seven – February 22-26, 2016**

**\*\*Budget conferencing is likely to begin this week but has yet to be scheduled\*\***

### ***Monday***

House Appropriations

### ***Tuesday***

House Session

Senate Session

### ***Wednesday***

House Session

Senate Education Appropriations

Senate Session

### ***Thursday***

Senate Appropriations

### ***Friday***

No education-related meetings