



MIXON & ASSOCIATES

MEMORANDUM

Subject: February 8-12, 2016 Legislative Report

2016 Legislative Session: Week 5 Summary

This marked the fifth week of the 2016 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

This week, Governor Scott hosted the "Florida First for Education" reception at the Governor's Mansion. In attendance were stakeholders in Florida's education system. The Mixon team was honored to be asked to attend. The Governor urged all in attendance to influence lawmakers to focus on our state's education system and avoid funding special projects that will take away from education funding in the state. He also shared some of the many successes of our state's education system.

Typically, as session progresses, attention shifts from policy to fiscal issues. This year is no different. Both the House and the Senate passed their respective budgets this week, putting them in the position to begin the conferencing process. Despite the fact that they are poised to begin conferencing, the process is unlikely to begin this early. Should they begin developing the budget, many of the bills that are important to members would be stalled. As a result, they likely won't begin true budget development for another week or so.

The House and the Senate's education budgets are not dramatically different. One fiscal area in which there are major differences is the area of Capital Outlay funding for traditional public and charter schools. The House Appropriations Committee voted on their proposal in committee this week and the Senate Education Appropriations Committee unveiled theirs as well. A report detailing these proposals was sent out Friday morning. Links to both proposals can be found below. This will likely be a major battle between the chambers, as the disparities in the proposals are striking.

House Capital Outlay Proposal:

[HB 0873](#): Special Facility Construction Account: Revises provisions of Special Facility Construction Account relating to receipt of funds, criteria for requests, preapplication review, consultants, & repayment of school district's share of project costs. Effective Date: July 1, 2016

Senate Capital Outlay Proposal (begins on page 196 of the document):

https://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3447.pdf

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

House Education Appropriations Subcommittee, Chairman Rep. Fresen

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

[HB 0793](#): Florida Bright Futures Scholarship Program: Provides that initial award period & renewal period for students who are unable to accept initial award immediately after high school due to specific obligations begins upon completion of obligation; requires student, as prerequisite for certain awards, to identify social or civic issue or professional area of interest & develop specified plan; creates Florida Gold Seal CAPE Scholars award; provides appropriation. Effective Date: upon becoming a law

[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 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/2916-house-education-appropriations-subcommittee/>

Meeting documents can be found by accessing this link:

<http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2830&Session=2016&DocumentType=Meeting%20Packets&FileName=edas%202-9-16.pdf>

House Local and Federal Affairs Committee, Chairman Rep. Baxley

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

[HB 0791](#): Local Tax Referenda: Prohibits local government discretionary sales surtax referenda from being held during special elections; specifies varying percentage of electors voting in referendum which is required, depending on type of election at which referendum is held, to adopt or amend local government discretionary sales surtax. Effective Date: July 1, 2017

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

<http://thefloridachannel.org/videos/2916-house-local-federal-affairs-committee/>

Meeting documents can be found by accessing this link:

<http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2833&Session=2016&DocumentType=Meeting%20Packets&FileName=lfac%202-9-16%20REVISED.pdf>

House Education Committee, Chairwoman Rep. O'Toole

The committee considered nine bills (descriptions below). Each of the bills were voted on favorably by the committee. An amendment was added to [HB 669](#) which requires that the parent of each public school student in grades 6-12 must be provided, for each course offered at the school in which the student is enrolled, a course syllabus with a complete listing by title of the instructional materials to be used in the course and note any material containing mature or adult content. The amendment also requires that that the parent be notified of the procedures for objecting to his or her child's use of a specific instructional material. We will work with members of the House and the Senate to share the work that is already being done in school districts to address this issue.

[HB 0669](#): 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. Effective Date: July 1, 2016

[HB 0705](#): 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: July 1, 2016

[HB 0759](#): Statewide Charter School Authorizer: Proposes amendment to State Constitution to require SBE to establish statewide charter school authorizer to authorize, operate, control, & supervise charter schools. Effective Date: Not Specified

[HB 0799](#): Out-of-State Fee Waivers for Active Duty Servicemembers: Provides that active duty members of Armed Forces of U.S. residing or stationed outside of this state may receive out-of-state fee waivers; requires tuition & fees charged to such students to be below specified amount & for annual report of all out-of-state fee waivers for such individuals. Effective Date: July 1, 2016

[HB 0833](#): 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: July 1, 2016

[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

[HB 1157](#): Postsecondary Education for Veterans: Directs DOE to award postsecondary course credit for specified training, education, examinations & tests; revises residency requirement for certain tuition waivers for recipients of specified military decorations; provides that specified programs & test scores meet certain educator certification requirements. Effective Date: July 1, 2016

[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: July 1, 2016

[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: July 1, 2016

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

<http://thefloridachannel.org/videos/2916-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%202-9-16%20REVISED.pdf>

House Appropriations Committee, Chairman Rep. Corcoran

The committee considered one education-related bill (description below). After testimony from Superintendents and education related-groups opposing an amendment offered to the bill by Rep. Fresen, the bill as amended was voted on favorably by the committee.

[HB 0873](#): Special Facility Construction Account: Revises provisions of Special Facility Construction Account relating to receipt of funds, criteria for requests, preapplication review, consultants, & repayment of school district's share of project costs. Effective Date: July 1, 2016

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

<http://thefloridachannel.org/videos/2916-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%202-9-16%203rd%20REVISED.pdf>

Senate Education Appropriations Subcommittee, Chairman Sen. Gaetz

The committee considered eight bills (descriptions below). Each of the bills was voted on favorably by the committee. [SB 1068](#), which is the Senate version of the House's reading bill, was temporarily postponed by the committee. This is a signal that this bill will likely be one that will be a negotiation item for the Senate; as it was developed by the House K-12 committee and does not appear to be a priority for the Senate committee.

[SB 0268](#): Bullying and Harassment Policies in Schools; Requiring school districts to revise their bullying and harassment policy at specified intervals; requiring the policy to include mandatory reporting procedures and a list of authorized programs that provide bullying and harassment identification, prevention, and response instruction, etc. Effective Date: 7/1/2016

[SB 0800](#): Private Postsecondary Education; Requiring certain institutions to provide a student with a written disclosure of all fees and costs that the student will incur to complete his or her program; revising the membership of the Commission for Independent Education; revising the criteria for licensure by means of accreditation; revising the institutions included in the Student Protection Fund to include licensed institutions, etc. Effective Date: 7/1/2016

[SB 0834](#): 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 0836](#): Rapid Response Education and Training Program; Establishing the Rapid Response Education and Training Program within the Complete Florida Plus Program; requiring the Complete Florida Plus Program to work with Enterprise Florida, Inc., to offer certain education and training commitments to businesses; requiring the Division of Career and Adult Education within the Department of Education to conduct an analysis and assessment of the effectiveness of the education and training programs, etc. Effective Date: 7/1/2016

[SB 0894](#): 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 1026](#): High School Athletics; Providing requirements regarding fees and contest receipts collected by the Florida High School Athletic Association (FHSAA); requiring the FHSAA to allow a school to join the FHSAA as a full-time member or on a per-sport basis; providing a process for resolving student eligibility disputes, etc. Effective Date: 7/1/2016

[SB 1360](#): Student Assessments; Authorizing a district school board to choose to implement certain rigorous alternative assessment options by a certain school year; requiring each school district to annually notify students and parents of standard high school diploma requirements by a specified date; requiring a classroom teacher’s performance evaluation to be based on the performance of certain students, etc. Effective Date: Upon becoming a law

[SB 1638](#): Postsecondary Education for Veterans; Directing the Department of Education to award postsecondary course credit for specified examinations and tests; providing that specified programs and test scores meet certain educator certification requirements, etc. Effective Date: 7/1/2016

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

<http://thefloridachannel.org/videos/21116-senate-appropriations-subcommittee-education/>

Meeting documents can be found by accessing this link:

https://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_3447.pdf

Senate Session

[SB 500](#): Children and Youth Cabinet; Revising the membership of the cabinet, etc. Effective

Date: 7/1/2016

Passed (Vote: 40 Yeas / 0 Nays)

House Session

[HB 7015](#): Property Tax Assessments: Proposes amendment to State Constitution to allow Legislature to limit growth in assessed value of homestead & specified nonhomestead property to growth rate in just value & to prohibit increases in assessed value of homestead & specified nonhomestead property if just value of property decreases. Effective Date: Not Specified

Passed (Vote: 88 Yeas / 25 Nays)

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 Six – February 15-19, 2016

Monday

No education-related events

Tuesday

House Education Appropriations Subcommittee

Wednesday

House Education Committee

Senate Education Appropriations Subcommittee

House Session

Senate Education PreK-12 Committee

Thursday

State Board of Education Meeting

Senate Session

House Session

Friday

No education-related events