



Last Tuesday, state lawmakers opened the 2016 Legislative Session surrounded by family members and celebratory foliage. By Friday it was clear, though, that the effects of three special sessions and last year's regular session – all taking place within a 10-month period – had taken their toll. However, lawmakers were able to pass last week legislation designated as leadership priorities and send them on to the governor.

That priority legislation includes a bill creating personal learning scholarship accounts, to boost educational opportunities for children with unique abilities, and another that encourages state agencies to employ more people with disabilities. A third bill that sets new state water policies also passed the full legislature on Friday. Governor Scott will likely sign these priorities of Senate President Andy Gardiner (R-Orlando) and House Speaker Steve Crisafulli (R-Merritt Island) into law on Thursday.

In his State of the State address that opened the session on Tuesday, Governor Scott's focus was on jobs and his economic priorities, including a \$1 billion tax cut proposal. He made no mention of education in his speech.

Several bills of interest moved through the committee process last week, including proposals amending the preeminence statute (**see related story**), bills that will impact state-approved teacher-preparation programs, and changes to school-choice options. Additional information on these and other proposals is in the **Spotlight on Bills** section of this newsletter.

Meanwhile, the Senate Ethics and Elections Committee recommended confirming the three FSU Trustees up for Senate approval this session. The full Senate must still confirm trustees Billy Buzzett, Bob Sasser and Brent Sembler later in the session.

Yesterday's holiday will make for a more concentrated workweek this week as lawmakers grind through dozens of bills during committee meetings. Additionally, the state university system's Board of Governors will meet on the Florida State campus Wednesday afternoon and Thursday morning. Plus, the governor and cabinet have asked every university president to give a brief presentation Thursday morning on what it would take for each university's two most popular degree programs to achieve 100% employment within a year among their graduates.

You're welcome to follow the legislative action live each day on the Florida Channel, local cable channel 4. As always, please feel free to contact me with questions or concerns, or for copies of bills and their analysis. I can be reached at **(850) 644-4453** or **kdaly@fsu.edu**.

Kathleen

Bills amending the preeminence statute have been filed for the 2016 Legislative Session.

SB 524 by Senator Don Gaetz, (R – Destin) and HB 7043 by Representative Erik Fresen, (R – Miami, FSU Alum), create an “emerging preeminent” category for state universities, as well as create and codify the Board of Governors metrics.

The following is a breakdown of the two bills:

The bills revise **performance funding** by:

- Requiring metrics to include wage thresholds for the state’s investment and institutional investment
- Requiring the BOG to establish minimum performance funding eligibility thresholds for the state’s and the institutional investment
- Prohibiting university that fails to meet the state’s investment threshold from eligibility to receive a share of the state’s investment. Any institution that fails to meet the BOG’s threshold for the institutional investment shall have its entire institutional investment withheld

The bills revise **preeminence** by:

- Aligning required SAT score for incoming freshman with recent changes to the SAT examination scoring rubric
- Specifying that the *US News & World Report* is one of the rankings that should be considered for the Top-50 ranking requirement
- Including the official membership directories maintained by each national academy, in addition to the Top American Research Universities (TARU) annual report as a source for verification of recognition of faculty members in a national academy
- Including professional degrees awarded in medical

and healthcare disciplines in the calculation of the number of doctoral degrees awarded annually.

Additionally, the bills create an **emerging preeminence** program that:

- Requires the BOG to also designate each state university that meets at least **six** of the 12 academic and research excellence standards as an “emerging preeminent state research university.”
- Provides that the BOG may temporarily suspend or rescind the “preeminent” or “emerging preeminent” designation upon petition from a designated institution. The BOG may also revoke either designation of an institution with concurrence of the Governor, President and the Speaker.
- Requires a state university that is designed as “emerging preeminent state research university” to submit to the BOG a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Once approved by the BOG and upon the university meeting the benchmark goals annually, the BOG shall award the university its proportional share of any funds provided annually in the GAA to support the program.
- Funding increases appropriated to support the program must be distributed equally to each designated “preeminent state research university” prior to the designated “emerging preeminent state research university, ” which then shall receive an amount equal to one-half of the total increased amount awarded to each designated “preeminent state research university.”

The Senate Bill is now awaiting a hearing before the full appropriations committee, and the House Bill is waiting to be heard in the Education Appropriations Committee. Neither bill is scheduled to be heard this week.

SPOTLIGHT ON **BILLS**

CS/SB 468 – Computer Coding Instruction by Senator Jeremy Ring (D – Margate), adds computer science and technology instruction-related responsibilities for high schools and district school boards, and establishes alternative means to demonstrate foreign language competency. Specifically:

- High schools must provide opportunities for students to substitute two credits in computer coding courses of sufficient rigor, as identified by the Commissioner of Education (Commissioner), and a related industry certification for two credits in sequential foreign language instruction. Such computer coding courses, including the courses taken to earn the related industry certification, must be identified in the Course Code Directory (CCD).
- Each district school board must develop a plan for offering a computer-coding curriculum, which must be submitted to the Commissioner, President of the Senate, and Speaker of the House of Representatives by January 1, 2017.

Additionally, the bill requires Florida College System (FCS) institutions and state universities to recognize the computer coding course credits as foreign language credits.

The bill passed the Senate Appropriations Subcommittee on Education last week and is now in the Senate Appropriations Committee. The identical bill in the House **HB 887 by Representative Janet Adkins (R –**

Fernandina Beach) will receive its first hearing in the K-12 Subcommittee on Wednesday.

CS HB 7029 – School Choice by Representative Bob Cortes (R – Maitland), creates the Florida Institute for Charter School Innovation to provide technical assistance and support to charter school applicants and sponsors; conduct research on policy and practice related to charter school authorizing, accountability, instructional practices, finance, management, and operations; approve replication of high-performing charter schools to contract with district school boards and provide opportunities for aspiring teachers to experience teaching in schools of choice.

The bill strengthens charter school accountability and student access to quality charter schools by:

- Clarifying that a sponsor shall consider a charter school applicant's, governing board member's, and any education services provider's past performance operating charter schools when deciding to approve or deny an application.
- Authorizing a charter school that has been granted a charter to defer opening for up to two years to conduct facilities planning.
- Requiring charter schools to begin submitting monthly financial statements upon approval of the charter contract to enable the sponsor to begin monitoring the school's financial health earlier in time.

- Clarifying that charter schools that earn two consecutive grades of "F" are automatically terminated.
- Removing the limit on replication of high-performing charter schools if the charter school is created to serve high-need areas or school district needs.
- Prohibiting a charter school with financial emergency conditions noted in its most recent annual audit from receiving capital outlay funding.
- Creating a High-Impact Charter Network status for charter operators serving educationally disadvantaged students, defining eligibility criteria, and providing incentives for qualifying operators.
- Authorizing a high-performing charter school to submit an application to the Florida Institute for Charter School Innovation for review and authorization. The Institute is created by this legislation, but its location is yet to be determined.

The bill revises charter school funding provisions to:

- Clarify that charter schools do not have to adopt the school district's research-based reading plan in order to receive the research-based reading allocation.
- Specify the amount and distribution of Florida Education Finance Program (FEFP) funds based on projected and actual enrollment in a charter school.
- Authorize a nonprofit organization or municipality that operates a charter school to use unrestricted sur-

plus or unrestricted net assets for K-12 educational purposes for other schools they operate in the district.

- Prohibit the sponsor from delaying payments to charter schools based upon the timing of receipt of local funds.

The bill passed out of the House Education Appropriations Subcommittee last week and is now in the House Education Committee. A comparable bill in the Senate, **SB 830 by Senator Kelli Stargel, (R – Lakeland)** has been referred to the Education Pre-K – 12, the Appropriations Subcommittee on Education and the Appropriations Committee.

CS SB 520 – Bright Futures Scholarship Program by Senator Tom Lee (R – Brandon),

modifies the permissible activities in which a student can participate to meet the service work requirements for Florida Bright Futures Scholarship Program awards, allows an eligible student to defer the award while participating in a full-time religious or service obligation, repeals the higher SAT or ACT score requirement for home education students, and creates the Florida Gold Seal CAPE-Vocational Scholars award as an alternative to the current Florida Gold Seal Vocational award. The bill passed the Fiscal Policy committee last week and is awaiting a hearing by the full Senate. A similar bill in the House, **HB 793 by Representative Marlene O'Toole (R – The Villages)** is awaiting a hearing in Education Appropriations Subcommittee, but does not appear on this week's agenda.

SB 672 – Education Options by Senator Don Gaetz (R – Destin), incorporates into the Florida Statutes on July 1, 2016, and modifies educational choice program provisions affected by the 2015-2016 Gen-

eral Appropriations Act and Implementing Bill in four policy areas.

The bill establishes mechanisms for the approval of unique postsecondary education programs tailored to the needs of students with intellectual disabilities and the statewide coordination of information about programs for students with disabilities. Specifically, the bill includes two key components:

- A process through which postsecondary institutions in Florida can voluntarily seek approval to offer a Florida Postsecondary Comprehensive Transition Program (FPCTP) for students with intellectual disabilities; and
- A Florida Center for Students with Unique Abilities (statewide coordinating center) for statewide coordination of information regarding programs and services for students with disabilities and their parents.

The bill awards incentive payments to school districts and charter schools that implement districtwide or schoolwide, standard student attire policies applicable to students in kindergarten through grade 8. Each school district or charter school qualifies for a minimum award of \$10 per student if it implements a policy that:

- Prohibits certain types or styles of clothing, while requiring solid-colored clothing and fabrics and short- or long-sleeved shirts with collars; and
- Allows reasonable accommodations based on a student's religion, disability, or medical condition.

The bill amends a number of provisions of the Florida Personal Learning Scholarship Account (PLSA) program. The provisions increase student access, tighten accountability, and streamline administration.

The bill amends provisions for the Florida Tax Credit (FTC) scholar-

ship program to prohibit Scholarship Funding Organizations from charging application fees, etc.

The bill passed the legislature last week and was sent to the Governor for signature.

HB 189 – Teacher Certification by Representative Manny Diaz (R – Hialeah Gardens),

provides alternative route that an expert in a field who holds a temporary teacher certificate to obtain a professional educator certificate.

To make a professional certificate more attainable for individuals with expertise in STEM fields, the bill allows an individual to earn a professional certificate for grades 6 through 12 in a STEM subject without having to complete additional coursework if the individual:

- Meets the general certification requirements;
- Holds a master's or higher degree in the area of science, technology, engineering, or mathematics;
- Passes the subject area examination for the correlating certificate;
- Passes the professional education competency examination required by state board rule;
- Teaches a high school course in the subject of the advanced degree; and
- Is rated highly effective under the school district's performance evaluation system, based in part on student performance as measured by a state wide standardized assessment or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination.

The bill passed the Education Committee last week and is waiting to be heard by the full House. The Senate companion, **SB 432 by Senator Travis Hutson (R – Palm Coast)** is on the Education Pre-K – 12 Subcommittee agenda on Wednesday.

CS HB 719 – Education Personnel by Representative Ross Spano (R – Riverview, FSU Alum), revises several provisions related to education personnel. With respect to educator discipline, the bill:

- Revises the membership of the Education Practices Commission to include membership opportunities for school administrators employed by virtual schools; former charter school governing board members; and former district school superintendents, assistant superintendents, or deputy superintendents.
- Requires all commission members to be Florida residents and authorizes the appointment of emeritus members.
- Authorizes the Commissioner of Education to issue a letter of guidance to a certified educator upon finding that probable cause to prosecute a complaint does not exist.
- Authorizes the Department of Children and Families to disclose child abandonment, abuse, or neglect records to Department of

Education (DOE) employees who investigate or prosecute misconduct by certified educators.

In addition, the bill eliminates the July 1, 2016, expiration date for the educator liability insurance program, which provides liability coverage for all full-time public school instructional personnel. The bill also **prohibits postsecondary educational institutions and school districts from requiring a student participating in a clinical field experience to purchase liability insurance as a condition of participation.**

To provide additional support for activities related to educator certification, including education practices and professional practices, the bill exempts the Educator Certification and Service Trust Fund from the 8 percent General Revenue service charge.

With respect to teacher recruitment, the bill authorizes, rather than requires, DOE to sponsor a centrally located job fair to help match educators with teaching opportunities in the state. The bill requires DOE to

coordinate a best practice community to help school districts recruit and perform other human resources functions with up-to-date knowledge.

The bill also promotes effective school leadership by providing standards for approval of school leader preparation programs.

The bill reported favorably by the K-12 Subcommittee last week and is now in the Education Appropriations Subcommittee. A similar bill in the Senate, **SB 894 by Senator Nancy Detert (R – Venice)**, is scheduled to be heard in the Education Pre-K-12 Subcommittee later this week.

SESSION SCHEDULE

SENATE SESSION

THURSDAY, **JANUARY 21**, 1:00 p.m.
to 4:00 p.m.

HOUSE SESSION

The House will not convene in formal Session this week.



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