



**Broward County
Public Schools**

**Broward County Public Schools
Legislative Team**

2016 FLORIDA SESSION LEGISLATIVE REVIEW



Robert W. Runcie Superintendent of Schools

Broward County Public Schools champions educational policies that not only impact students within their District, but affects students in every classroom across the state of Florida.

www.BrowardSchools.com/govrelations



**Broward County
Public Schools**

Table of Contents

| | |
|--|--------------|
| Introduction | 1 |
| Passed Legislation Statistical Report | 2 |
| 2016 Session Highlights | 3-4 |
| 2016 Legislation | 5-37 |
| HB 183: Relating to Administrative Procedures | 5 |
| HB 189: Relating to Teacher Certification | 6 |
| HB 229: Relating to Bullying and Harassment Policies in Schools | 7 |
| HB 241: Relating to Child and Youth Cabinet | 8 |
| HB 249: Relating to Culinary Education Programs | 9 |
| HB 273: Relating to Public Records | 10 |
| HB 287: Relating to Principal Autonomy Pilot Program Initiative..... | 11 |
| HB 293: Relating to Public Records/Juvenile Criminal History Records | 12 |
| SB 350: Relating to Procurement Procedures for Educational Institutions | 13 |
| SB 386: Relating to Expunction of Records of Minors..... | 14 |
| HB 499: Relating to Ad Valorem Taxation | 15 |
| HB 545: Relating to Human Trafficking..... | 16 |
| HB 585: Relating to Instruction of Homebound and Hospitalized Students..... | 17 |
| SB 672: Relating to Education Options | 18 |
| HB 701: Relating to Art in the Capitol Competition | 19 |
| HB 719: Relating to Education Personnel | 20 |
| HB 793: Relating to Florida Bright Futures Scholarship Program | 21 |
| HB 799: Relating to Out-of-State Fee Waivers for Active Duty Service Members..... | 22 |
| HB 837: Relating to McKay Scholarship Program | 23 |
| HB 1147: Relating to Character-development Instruction..... | 24 |
| HB 1305: Relating to Student Health | 25 |
| HB 5003: Relating to Implementing the 2016-2017 General Appropriations Act..... | 26 |
| HB 5005: Relating to State-administered Retirement Systems..... | 27 |
| SB 7012: Relating to Death Benefits under the Florida Retirement System..... | 28 |
| SB 7016: Relating to Interstate Compact on Educational Opportunity for Military Children.... | 29 |
| HB 7029: Relating to School Choice | 30-32 |
| SB 7040: Relating to Workforce Development | 33 |
| HB 7053: Relating to Childcare and Development Block Grant Program | 34 |
| HB 7071: Relating to Public Corruption..... | 35 |
| SB 7076: Relating to Legislature | 36 |
| HB 7099: Relating to Taxation..... | 37 |
| 2016 Budget | 38-39 |
| 2016 Budget Review Summary | 38 |
| 2016 FEFP Breakdown: Broward..... | 39 |
| 2017 Policy Forecast | 40 |

Introduction

This document is an overview of legislation passed by the Florida Legislature during the 2016 Regular Legislative Session that affects Broward County Public Schools (BCPS).

Access to all bills, their final action, legislative staff analyses, floor amendments, bill history and Florida Statutes citations are available through the Internet. The Internet address for the Florida Legislature Online Sunshine website is <http://www.leg.state.fl.us>.

FLORIDA LEGISLATURE-REGULAR SESSION-2016

STATISTICS REPORT

| Senate and House Bills | Filed | Passed 1st Chamber | Passed Both Chambers |
|-------------------------------|--------------|--|---------------------------------|
| Concurrent Resolutions | 5 | 2 | 2 |
| Resolutions (1 Chamber) | 98 | 84 | 0 |
| General Bills | 1580 | 332 | 245 |
| Local Bills | 58 | 28 | 27 |
| Joint Resolutions | 43 | 5 | 3 |
| Memorials | 30 | 6 | 2 |
| TOTALS | 1814 | 447 | 279 |



2016 Session Highlights

2016 Regular Legislative Session

Office of Legislative Affairs

POLICY

HB 7029- SCHOOL CHOICE & CAPITAL OUTLAY

Status: PASSED

Summary: This bill became the education “train” bill during the 2016 session. Main highlights include changes to capital funding eligibility for charter schools and spending limits for traditional schools (re: Student Station Caps); allowing public school students to attend any school in the state that has space available with preference given to those residing in the district; increasing financial transparency of charter schools; and finally making changes to FHSAA and allowing high school athletes to transfer schools and have immediate eligibility to participate in sports.

HB 287- PRINCIPAL AUTONOMY PILOT PROGRAM INITIATIVE (PAPPI)

Status: PASSED

Summary: This bill establishes the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education (DOE) in order to provide the principal of a participating school with increased autonomy and authority regarding allocation of resources and staffing to improve student achievement and school management. School district participation in PAPPI is voluntary, and only open to certain school districts, including Broward County Public Schools.

HB 7043- TEACHER BONUSES BILL

Status: FAILED

Summary: Had it passed, this bill would have enacted the "Best & Brightest" teacher bonus plan that rewards "highly effective" teachers based on high school SAT and ACT scores. **Although the policy did not pass, the funding that complements this policy was included for an additional year in the budget implementing bill (HB 5003). Therefore, the “Best & Brightest” teacher bonus plan funding is available for this upcoming fiscal year, but is not a permanent feature of statute.**

SB 1360- STANDARDIZED TESTING

Status: FAILED

Summary: This bill would have allowed districts and parents to choose alternative standardized tests (e.g. SAT and ACT) for their students in lieu of the FSA.

HB 833/SB 1002- SCHOOL RECESS

Status: FAILED

Summary: This bill would have required elementary schools to offer 20 minutes of recess each school day and 100 minutes weekly.

HB 873- EDUCATION FUNDING

Status: FAILED

Summary: If state funds for charter school capital outlay do not fully fund a predetermined amount, then the school district must share discretionary millage revenues to make up the difference.

HB 887/SB 468- COMPUTER CODING

Status: FAILED

Summary: This bill would have required high schools to allow students to substitute computer-coding classes for a foreign language credit.

HB 1135/SB 1124- SCHOOL GRADES

Status: FAILED

Summary: This bill would have redefined the term "learning gains" that is used in calculating school grades. It also would have required that school grades be labeled as "incomplete" for the 2014/15 school year in order to allow for the first year of the FSA to act as a base-line year.

BUDGET

The House and Senate Education Budget Chair and Vice Chair have stated that this year's funding increase is "historic". The agreement is only a \$54 per student increase over the 2007/08 fiscal year. This may be "historic", but in reality it is an average increase \$6 per year over the last 9 years. A \$6.26 increase was agreed to for the Base Student Allocation (BSA) for the 2016/17 fiscal year. With such small gains, it will be very difficult for districts to provide meaningful raises to teachers.

| | 2015/16 3RD CALCULATION | 2016/17 FINAL BUDGET | \$ CHANGE | % CHANGE |
|---|------------------------------------|---------------------------------|------------------|-----------------|
| Total FEFP Funding: Broward | \$1,888,382,612.00 | \$1,933,189,700.00 | \$44,807,088.00* | 2.37% |
| Total Funds Per FTE: Broward | \$7,074.02 | \$7,146.41 | \$72.39 | 1.02% |
| Adults with Disabilities (AWD) | N/A | \$800,000.00 | N/A | N/A |
| PECO: Statewide | \$50,000,000.00 | \$75,000,000.00 | \$25,000,000.00 | 50.00% |

*However, this increase includes a growth of 3,399 students. The actual increase is approximately \$20 million when the student growth is excluded from the increase.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 183 Relating to Administrative Procedures

Bill Sponsor: Representative Janet Adkins

Effective Date: July 1, 2016

Summary:

The Administrative Procedure Act (APA) provides uniform procedures for the exercise of specified administrative authority. The bill amends provisions of the APA to enhance the opportunities for substantially affected parties to challenge rules.

In addition, the bill specifies that administrative challenges to any proposed regulatory permits related to special events are subject to the APA's summary hearing procedures, with certain exceptions.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 189 Relating to Teacher Certification

Bill Sponsor: Representative Manny Diaz, Jr.

Effective Date: July 1, 2016

Summary:

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 specific requirements, including:

- 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 statewide standardized assessment or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 229 Relating to Bullying and Harassment Policies in Schools

Bill Sponsor: Representative Joe Geller

Effective Date: July 1, 2016

Summary:

The bill revises current law by requiring each district school board to review its anti-bullying and harassment policy every three years. The policy review must involve students, parents, teachers, administrators and other community stakeholders. Each district school board must also authorize a list of prevention programs that provide instruction to community stakeholders on how to identify and respond to bullying or harassment. The bill also clarifies that there must be a procedure for receiving reports of alleged acts of bullying and harassment.

The bill makes each school principal responsible for implementing the district school board's bullying and harassment policy, prevention programs, and reporting procedures.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 241 Relating to Child and Youth Cabinet

Bill Sponsor: Representative Gayle Harrell

Effective Date: July 1, 2016

Summary:

The bill expands the total membership of the Cabinet to 16 by adding a superintendent of schools who is appointed by the Governor. The bill changes the title of the ninth member of the Cabinet from “the director of the Office of Child Abuse Prevention” to “the director of the Office of Adoption and Child Protection”.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 249 Relating to Culinary Education Programs

Bill Sponsor: Representative Jared Moskowitz

Effective Date: July 1, 2016

Summary:

The bill amends the definition of “public food service establishment” to include a culinary education program that offers, prepares, serves, or sells food to the general public, making it subject to the regulation and oversight of the Division of Hotels and Restaurants. Under current law, a culinary education program is subject to the food safety and sanitation regulations of the Department of Health and, under the bill, will remain subject to its regulation.

The bill explicitly provides that the special license does not authorize the culinary education program to conduct any activities that would violate Florida’s Beverage Law, including certain age restrictions, or local law. A culinary education program with a special license may not sell alcoholic beverages by the package for off-premise consumption.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 273 Relating to Public Records
Bill Sponsor: Representative Halsey Beshears
Effective Date: Upon becoming law; signed by Governor Scott on March 8, 2016

Summary:

This bill creates certain posting requirements for a public agency contract for services with a contractor. It repeals the requirement that each contract for services require the contractor to transfer its public records to the public agency upon termination of the contract. Instead, the contract must address whether the contractor will retain the public records or transfer the public records to the public agency upon completion of the contract.

The bill requires a request for public records relating to a contract for services to be made directly to the contracting public agency. If the public agency determines that it does not possess the records, it must immediately notify the contractor and the contractor must provide the records or allow access to the records within a reasonable time.

The bill provides that if a civil action is filed to compel production of public records, the court must assess and award against the contractor the reasonable costs of enforcement, including attorney fees, if the court determines that a contractor unlawfully refused to comply with the public records request within a reasonable time, and the plaintiff provided written notice of the public records request to the public agency and the contractor. The notice must be sent at least 8 business days before the plaintiff files the civil action. The bill specifies that a contractor who complies with the public records request within 8 business days after the notice is sent is not liable for the reasonable costs of enforcement.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 287 Relating to Principal Autonomy Pilot Program Initiative

Bill Sponsor: Representative Manny Diaz, Jr.

Effective Date: July 1, 2016

Summary:

The bill establishes the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education to provide the principals of participating schools in participating school districts with increased autonomy and authority regarding allocation of resources and staffing. Participation is voluntary, but limited to certain school districts, **including Broward County**. School boards selected for participation in PAPPI are exempt from the K-20 Education Code and State Board of Education rules, with exceptions. Among other exemptions, the class size compliance calculation for participating schools is the school-level average, rather than the individual classroom level.

School districts seeking to participate in PAPPI must submit a principal autonomy proposal to the State Board of Education for approval. Among other things, the proposal must identify three schools that received at least two school grades of "D" or "F" during the previous three school years, describe the areas in which increased autonomy will be granted, and state measurable goals regarding student achievement and operational efficiency. The initial term of the program is three years.

The bill grants the principals of participating schools greater authority regarding staffing decisions, allocation of financial resources, and budgeting. Principals are also awarded a \$10,000 supplement to assist with this program. Among other things, the principal of a participating school is granted greater authority to hire qualified instructional personnel or refuse placement or transfer of such personnel. Before participation in the program may begin, such principals must complete professional development designed to enable them to implement increased autonomy. Each participating school district shall receive \$100,000 from FLDOE for participation in the nationally recognized school turnaround program used for said professional development. Participating school districts must guarantee participating schools at least 90 percent of the funds generated in the Florida Education Finance Program (FEFP) by that school. The current minimum guarantee is 80 percent of such funds.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 293 Relating to Public Records/Juvenile Criminal History Records
Bill Sponsor: Representative Sharon Pritchett
Effective Date: Upon becoming law; signed by Governor Scott on March 24, 2016

Summary:

The bill provides that a public records custodian may choose not to electronically publish on the custodian's website the arrest or booking photographs of certain juveniles' records which are not confidential and exempt. This provision does not restrict public access to records as provided by s. 119.07, F.S.

It also provides that criminal history information relating to a juvenile compiled by the Criminal Justice Information Program from intrastate sources shall be released except for certain exemptions.

Finally, this bill states the "public necessity" that criminal history information of juveniles compiled by the Criminal Justice Information Program be kept confidential and exempt from s. 119.007 (1), F.S. pending certain circumstances. This is due to its negative impact on employability and becoming a contributing member of society.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

SB 350 Relating to Procurement Procedures for Educational Institutions

Bill Sponsor: Senator Bill Montford

Effective Date: July 1, 2016

Summary:

This bill authorizes district school boards, Florida College System institution boards of trustees and university boards of trustees to make purchases through an online procurement system, electronic auction service, or other efficient procurement tool.

In addition, the bill requires each district school board and Florida College System institution board of trustees to review the purchasing agreements and state term contracts available through the Department of Management Services pursuant to s. 287.056, F.S., before purchasing nonacademic commodities and services.

The bill also requires each bid specification for nonacademic commodities and services include a statement that the purchasing agreements and state term contracts have been reviewed, and authorizes each district school board to use the cooperative state purchasing programs managed through the regional consortium service organizations.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

SB 386 Relating to Expunction of Records of Minors

Bill Sponsor: Senator Nancy Detert

Effective Date: July 1, 2016

Summary:

This bill amends s. 943.0515(1)(b), F.S., to require the Florida Department of Law Enforcement (FDLE) to retain the criminal history record for only two years after they turn 19 (until age 21), instead of five years (until age 24), for minors who are not classified as serious or habitual juvenile offenders or who have not been committed to a juvenile correctional facility or juvenile prison. The criminal history record is then automatically expunged.

The bill eliminates the requirement that an application for pre-arrest or post-arrest diversion expunction must be submitted within 12 months after the minor completes the diversion program.

The bill also provides that a minor who is eligible for automatic expunction of criminal history records at age 21 may apply for an expunction any time after reaching 18, but before reaching 21. The only offenses eligible to be expunged are those that the minor committed before reaching the age of 18. In order to qualify for expunction prior to age 21, the minor must apply to the FDLE and meet certain criteria.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 499 Relating to Ad Valorem Taxation

Bill Sponsor: Representative Bryan Avila

Effective Date: July 1, 2016

Summary:

The bill amends various provisions of the Value Adjustment Board (VAB) process.

The bill also permanently extends a process that allows school districts to collect certain unrealized school funds from the prior year, on an estimated basis, in the event the VAB process is delayed in a given year.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 545 Relating to Human Trafficking

Bill Sponsor: Representative Ross Spano

Effective Date: October 1, 2016

Summary:

The bill removes persons under the age of 18 from being prosecuted for prostitution, and makes correlating changes in ch. 39, F.S., relating to the definition of the term “sexual abuse of a child,” to reflect that sexually exploiting a child in prostitution should be viewed as human trafficking. This ensures that children involved in prostitution are viewed as victims, not culprits.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 585 Relating to Instruction of Homebound and Hospitalized Students

Bill Sponsor: Representative Danny Burgess

Effective Date: July 1, 2016

Summary:

The bill provides the State Board of Education express rulemaking authority regarding instruction for homebound and hospitalized students and clarifies that districts must provide instruction to eligible students in accordance with state board rule. The rules must establish, at minimum:

- Criteria for eligibility of K-12 homebound or hospitalized students for specially designed instruction.
- Procedures for determining student eligibility.
- A list of appropriate methods for providing instruction to homebound or hospitalized students.
- Requirements for initiating instructional services for a homebound or hospitalized student once the student is determined to be eligible.

The bill requires the school district in which a children's specialty hospital is located to provide educational instruction to an eligible student until it enters into an agreement with the student's school district of residence.

The bill requires the Department of Education to develop a standard agreement for use by school districts to provide seamless educational instruction to students who transition between school districts while receiving treatment in the children's specialty hospital.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

SB 672 Relating to Education Options

Bill Sponsor: Senator Don Gaetz

Effective Date: July 1, 2016

Summary:

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.

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. Policy requirements include that it 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. It also amends provisions for the Florida Tax Credit (FTC) scholarship program.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 701 Relating to Art in the Capitol Competition

Bill Sponsor: Representative Larry Lee, Jr.

Effective Date: July 1, 2016

Summary:

The bill creates the Art in the Capitol Competition for public, private and home education students in grades 6 through 8. Student submissions will be selected by a committee of art teachers whose students have not submitted artwork for consideration.

Each winning submission must be provided to the legislator of the legislative district in which the student resides no later than 60 days before the start of each regular session. The legislator will then provide the winning submission to the Department of Management Services which will arrange to have it displayed in the Capitol Building during the regular legislative session. Upon adjournment of the legislative session, the legislator shall return the winning submission to the student.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 719 Relating to Education Personnel

Bill Sponsor: Representative Ross Spano

Effective Date: July 1, 2016

Summary:

The bill 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;
- 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; and

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.

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.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 793 Relating to Florida Bright Futures Scholarship Program

Bill Sponsor: Representative Marlene O'Toole

Effective Date: Upon becoming law; signed by Governor Scott on March 24, 2016

Summary:

The bill creates the Florida Gold Seal CAPE Scholars award as an alternative to the current Florida Gold Seal Vocational Scholars award. A student may qualify for the Florida Gold Seal CAPE Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship program and earns a minimum of five postsecondary credits through CAPE industry certifications which articulate for college credit. The new scholarship allows for additional credit hours upon completion of a technical degree in certain instances.

The bill modifies the initial eligibility period for the Florida Bright Futures Scholarship Program for students who are unable to accept an award due to full-time religious or service obligations lasting at least 18 months. Eligible students can defer until the student completes the religious or service obligation. The organization sponsoring the full-time religious or service obligation must be a federal government service organization or satisfy the Internal Revenue Code's requirements for nonprofit status.

The bill modifies student community service work requirements for the Florida Bright Futures Scholarship Program awards.

The bill modifies the requirements by clarifying the definition of community service work and expanding the definition of volunteer service work. It also establishes accountability requirements for student volunteer work.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 799 Relating to Out-of-State Fee Waivers for Active Duty Service Members

Bill Sponsor: Representative Bryan Avila

Effective Date: July 1, 2016

Summary:

The bill creates an out-of-state fee waiver for an active duty member of the United States Armed Forces residing or stationed outside of the state at the time of enrollment at a state university, Florida College System institution, career center, or charter technical career center.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 837 Relating to McKay Scholarship Program

Bill Sponsor: Representative Michael Bileca

Effective Date: July 1, 2016

Summary:

The bill authorizes a private school to establish a transition-to-work program for students participating in the McKay Scholarship Program which will allow students to earn credits while working off-site.

The bill exempts foster children from the prior school year attendance requirement for determining eligibility.

The bill clarifies that McKay Scholarship payments are not subject to the 1.0 FTE cap so that scholarship payments are not reduced when McKay recipients take virtual courses.

Recipients of the McKay Scholarship are reported for funding in the Florida Education Finance Program (FEFP). Funds are then transferred to a private school for payment of the student's scholarship.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 1147 Relating to Character-development Instruction

Bill Sponsor: Representative Chris Latvala

Effective Date: July 1, 2016

Summary:

In addition to current instructional requirements, the bill requires character-development programs in high schools to include instruction on:

- Developing leadership skills, interpersonal skills, organization skills, and research skills;
- Creating a resume;
- Developing and practicing the skills necessary for employment interviews;
- Managing stress and expectations; and
- Developing skills that enable students to become more resilient and self-motivated.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 1305 Relating to Student Health

Bill Sponsor: Representative Dane Eagle

Effective Date: July 1, 2016

Summary:

The bill authorizes public and private schools to enter into an arrangement with a wholesale distributor or a manufacturer to acquire Epinephrine Auto Injectors (EAI) at fair-market, free or reduced prices for use when a student has an anaphylactic reaction.

The bill removes the requirement that schools maintain EAI in a locked location. However, the bill requires that EAI must be maintained in a secure location.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 5003 Relating to Implementing the 2016-2017 General Appropriations Act

Bill Sponsor: Appropriations Committee

Effective Date: July 1, 2016

Summary:

This bill implements specific appropriations of the General Appropriations Act for the 2016-2017 fiscal year, including “Best and Brightest” Teacher funding. Although the policy associated with it did not pass, this bill included funding for an additional year. Therefore, the “Best & Brightest” teacher bonus plan is available for this upcoming fiscal year, but is not a permanent feature of statute.

Additionally, this bill requires the Department of Education (DOE) to administer an educator liability insurance program, which provides a minimum \$2 million in liability coverage for all full-time public school instructional personnel.

For instructional materials, this bill authorizes the purchasing of instructional content as well as electronic devices and technology equipment and infrastructure. Prior to the release of funds by DOE, school districts must certify an expenditure plan for the purchase of instructional content and technology.

This bill amends statute to provide that the funds for the ESE Guarantee that are allocated for each school district will be recalculated once during the year based on the October FTE survey. Once recalculated, if the generated allocation exceeds the amount provided by the General Appropriations Act, then the total will be prorated based on each district’s share of the total recalculated amount.

This bill also provides that the list for the 300 lowest-performing elementary schools will be based off the 2015-2016 state reading assessment. Similarly, the amount will be recalculated and funds prorated based on the October FTE survey.

With respect to VPK programs, the bill provides that for the 2014-15 and 2015-16 VPK program years, the Office of Early Learning may not adopt a kindergarten readiness rate. Any public school that was on probation for the 2013-14 program year will remain on probation for the 2016-17 program year.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 5005 Relating to State Administered Retirement Systems

Bill Sponsor: Appropriations Committee

Effective Date: July 1, 2016

Summary:

This bill revises Florida Statute to adjust the employer contribution rates for the FRS based on the 2015 Actuarial Valuation. It also revises statute to increase the employer contribution for FRS administrative and educational expenses to the following:

| Required Employer Retirement Contribution Rates | | |
|--|---------------------------------------|---------------------------------------|
| FRS Membership Class: | 2015 Percentage of Gross Compensation | 2016 Percentage of Gross Compensation |
| Regular Class | 2.91% | 2.97% |
| Special Risk Administrative Support Class | 3.71% | 3.87% |
| Elected Officers' Class-County Elected Officers | 8.48% | 8.55% |
| Senior Management Class | 4.32% | 4.38% |
| DROP | 4.10% | 4.17% |

| Required Employer Retirement Contribution Rates: To Address Unfunded Actuarial Liabilities of the System | | |
|---|---------------------------------------|---------------------------------------|
| FRS Membership Class: | 2015 Percentage of Gross Compensation | 2016 Percentage of Gross Compensation |
| Regular Class | 2.65% | 2.83% |
| Special Risk Class | 8.99% | 8.92% |
| Special Risk Administrative Support Class | 27.54% | 22.47% |
| Elected Officers' Class-County Elected Officers | 32.09% | 32.20% |
| Senior Management Service Class | 15.41% | 15.67% |
| DROP | 7.12% | 7.10% |



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

SB 7012 Relating to Death Benefits under the Florida Retirement System

Bill Sponsor: Governmental Oversight and Accountability Committee

Effective Date: July 1, 2016

Summary:

SB 7012 primarily makes two changes to the Florida Retirement System (FRS). First, the bill increases the monthly survivor benefits available to the spouses and children of FRS pension plan members in the Special Risk Class when killed in the line of duty from 50 percent of the member's monthly salary at the time of death to 100 percent of the member's monthly salary at the time of death. These new benefits are funded through additional employer-paid contributions relating to the FRS pension plan.

Second, the bill permits the surviving spouse or children of an investment plan member in the Special Risk Class when killed in the line of duty to opt into the FRS investment plan survivor benefits program in lieu of receiving normal retirement benefits under the FRS investment plan. By participating in the survivor benefits program, the surviving spouse and children are eligible to receive annuitized benefits much like the survivor benefits (described above) afforded to Special Risk Class members of the FRS pension plan. The investment plan survivor benefits program is funded by additional employer-paid contributions to the survivor benefits account of the FRS Trust Fund.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

SB 7016 Relating to Interstate Compact on Educational Opportunity for Military Children

Bill Sponsor: Governmental Oversight and Accountability Committee

Effective Date: Upon becoming law; signed by Governor Scott on April 9, 2016

Summary:

SB 7016 reenacts provisions of law establishing and implementing the Interstate Compact on Educational Opportunity for Military Children and provides for future legislative review and repeal of the compact on July 1, 2019.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 7029 Relating to School Choice
Bill Sponsor: Choice & Innovation Subcommittee
Effective Date: July 1, 2016

Summary:

The bill amends several pieces of education statute, such as K-12 education policy and funding, school choice, and school construction. Specifically the bill affects:

SCHOOL BOARD/SCHOOL DISTRICTS:

- Permits the proration of dues paid to membership associations, authorizes school board members to visit schools in their districts, and allows returning retirees to be rehired in the same manner as new teachers are employed.
- Expands options pertaining to the credit acceleration program (CAP), provides options to meet online graduation requirements, and updates terminologies to reflect the current ACT test, ACT Aspire, which has replaced the Preliminary ACT (PLAN) test.
- Provides district school boards with responsibility to determine student eligibility requirements and subsequent disciplinary actions through suspension and expulsion policies; enables students to be immediately eligible to try out for athletic activities under certain conditions; specifies restrictions for same sport participation in a subsequent school; and revises the FHSAA's burden of proof from "clear and convincing" to a "preponderance of the evidence."
- Revises minimum term school funding provisions to prorate FTE for schools that provide less than 900 hours of instruction (e.g., public schools, double-session schools, experimental calendar schools, and emergency conditions); authorizes recalculation of the Exceptional Student education (ESE) guaranteed amount for school districts; provides funds to school districts for federally connected students, authorizes performance funding for certain Career and Professional Education (CAPE) industry certifications; increases teacher bonuses for CAPE industry certifications; and requires a school district to add 4 special consideration points to the calculation of a matrix of services for a student who is deaf and enrolled in an auditory-oral education program.
- Creates, re-enacts and amends various education and funding and scholarship programs.
 - Removes the sunset provision for the Adults with Disabilities Workforce Education Program.

- Revises school district efforts and participation requirements pertaining to projects funded through the Special Facilities Construction Account.
- Requires school district accountability on school construction costs from all funding sources with sanctions for those districts exceeding the established cost per student station. Also, the Office of Economic and Demographic Research and Office of Program Policy and Government Accountability (OPPAGA) are authorized to study the cost per student station and current State Requirements for Educational Facilities (SREF) provisions. The OPPAGA Report would be due to the Governor, Senate President, and Speaker of the House by January 31, 2017.
- Clarifies that a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station which equals more than a specific amount.
- Any new construction initiated on or after July 1, 2017, that exceeds statutory caps is subject to sanctions unless otherwise determined by the Auditor General
- Authorizes a district school board to adopt, by supermajority vote, a resolution to implement SREF exceptions.
- Creates the Seal of Biliteracy Program to recognize high school graduates who attain a high level of competency in foreign languages.
- Requires fiscal transparency by creating a provision to require that a school financial report be provided to parents. It must indicate the average amount of money expended per student in the school and must also be included in the student handbook or a similar publication.
- Requires school districts to report out-of-field teachers on their website within 30 days before the beginning of each semester; parents may request a transfer of a student from an out-of-field to in-field teacher
- Removes a provision for FTE adjustment for failure to pass an EOC exam required for a high school diploma

PARENTS

- Enables a parent to request a different classroom teacher for his or her child.
- Allows a parent to defer enrollment in a Voluntary Prekindergarten (VPK) Education Program for one year.

STUDENTS

- Clarifies student notification requirements pertaining to the pledge of allegiance.
- Enables students, beginning in the 2017-2018 school year, to attend any public school in the state, including charter schools, subject to maximum class size requirements, capacity and other specified provisions.
- Clarifies existing law to provide that the written notice informing students they have the right not to participate in the pledge of allegiance may be placed in the student handbook or similar publication

STATE

- Directs the Office of Early Learning to not adopt a kindergarten readiness rate for the 2014-2015 or the 2015-2016 VPK program years.
- Requires the Department of Education (DOE) to develop a list of approved suicide awareness and prevention training materials that may be used for training; allows a school the option to incorporate 2 hours of such training for instructional personnel; creates a new designation of “Suicide Prevention Certified School” for schools that incorporate such training; and requires a school participating in the training to report its participation to the DOE.
- Requires the Division of Vocational Rehabilitation to develop and implement a performance improvement plan to achieve specified goals and elevate the state VR program to one of the top 10 in the nation.

CHARTER SCHOOLS

- Expands options pertaining to charter school accountability and flexibility.
 - Accountability: Requires specific information in the application process; allows a sponsor to consider an applicant’s past academic and financial performance during application review; requires monthly financial statements upon execution of the charter contract; prohibits charter schools from basing admission or dismissal on a student’s academic performance; creates requirements when a charter school voluntarily closes; automatically terminates double-F charter schools; requires annually a specified number of charter school meetings to be held in the school district where the charter school is located; provides that a charter school must be located in Florida to be eligible to receive Public Education capital Outlay (PECO); and revises reading requirements to shift to evidence-based reading and provide parents with information concerning reading deficiencies.
 - Flexibility: Authorizes charter schools to seek an injunction to enforce existing requirements for local governments to treat charter schools equitably as compared to public schools; authorizes charter school governing board members to attend meetings via communications media technology; revises first quarter funding methods for charter schools, with specified payment times and amounts; prohibits districts from delaying the issuance of funds, including local funds; clarifies that an existing charter school that is seeking to become a virtual charter school must amend its application or submit a new application; provides that a charter school may defer opening for up to two years and provide written notice of its intent to defer; and expands charter school in a municipality enrollment preferences to employees of the municipality.
- Authorizes charter schools to offer education competency and professional preparation for instructional personnel.
- Amends the process and criteria for charter schools capital outlay funding.
 - Removes the priority preference for charter schools capital outlay funding.
 - Clarifies the financial stability requirements for charter schools.
 - Establishes weighted funding model for state charter school capital outlay funds.
- Requires high-performing charter schools to continually meet the same requirements for initial eligibility and annual continuing eligibility.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

SB 7040 Relating to Workforce Development

Bill Sponsor: Commerce & Tourism Committee

Effective Date: July 1, 2016

Summary:

The bill requires the Florida Department of Education to enter into a memorandum of understanding with CareerSource in order to ensure compliance with federal law. A local workforce development board is required to enter into a memorandum of understanding with each one-stop delivery partner regarding sharing of infrastructure costs by July 1, 2017. The Governor is authorized to establish policy guidelines to allocate infrastructure costs when an agreement cannot be reached between a local workforce development board and a one-stop delivery partner.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 7053 Relating to Childcare and Development Block Grant Program

Bill Sponsor: Education Committee

Effective Date: July 1, 2016

Summary:

The bill implements the requirements of the Child Care and Development Block Grant (CCDBG) Act of 2014 by requiring that parents and the general public be provided better information about available child care choices and establishes health and safety requirements for school readiness program providers. It will do so by:

- Increasing public information on, and background screening of, child care providers;
- Aligning eligibility requirements with the grant;
- Requiring inspection of, and standards for emergency preparedness plans for, school readiness program providers; and
- Requiring pre-service and in-service training for personnel of School Readiness program providers.

It also requires the Department of Health to develop and implement a comprehensive information clearinghouse to educate health care providers, inform parents, and increase public awareness.

It creates multiple programs in the Department of Health, such as the Early Steps Program to serve infants and toddlers who are at risk of developmental disabilities; the Blind Babies Program to provide services to enhance the development of infants and toddlers with disabilities and delays.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 7071 Relating to Public Corruption
Bill Sponsor: Rules, Calendar & Ethics Committee
Effective Date: October 1, 2016

Summary:

The bill expands the applicability of offenses in ch. 838, F.S., to officers and employees of a public entity created or authorized by law. Also, the bill makes public contractors eligible for prosecution of official misconduct. The bill defines public contractors as any person, or any officer or employee of a person, who has entered into a contract with a governmental entity. Additionally, the bill widens the scope of bid tampering to include public servants and public contractors who have contracted with a governmental entity to assist in a competitive procurement.

The bill also revises the level of intent for offenses under ch. 838, F.S., from “corruptly” or “with corrupt intent” to “knowingly and intentionally.”



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

SB 7076 Relating to Legislature

Bill Sponsor: Ethics & Elections Committee

Effective Date: Upon becoming law

Summary:

SB 7076 requires the Legislature to convene in Regular Session on January 9, 2018.



2016 Legislative Review

2016 Regular Legislative Session

Office of Legislative Affairs

HB 7099 Relating to Taxation
Bill Sponsor: Finance & Tax Committee
Effective Date: July 1, 2016

Summary:

The bill provides for a wide range of tax reductions and modifications designed to directly impact both households and businesses, and to improve tax administration.

Sales Tax

The bill includes a permanent extension of the sales tax exemption for certain manufacturing machinery and equipment and expands the exemption to include machinery and equipment used for certain agricultural postharvest activities and metals recycling. The bill phases out over three years the current per ton tax on asphalt used for government public works projects. The bill includes a **three-day “back-to-school” holiday** from August 5-7, 2016, for clothing and footwear priced at \$60 or less, and school supplies priced at \$15 or less.

Property Tax

The bill clarifies that for a limited period, current local option economic development tax exemptions can be granted in areas which were designated enterprise zones as of December 30, 2015. The bill also specifies that replacement equipment for a data center qualifies for the exemption and provides that the exemption shall remain in effect for 20 years for a data center (as opposed to 10 years for other facilities under current law).

Corporate Income Tax

To maintain the linkage between Florida’s corporate income tax code and that of the federal government, the bill updates references to the Internal Revenue Code as in effect on January 1, 2016, with some exceptions. Also, some filing dates are changed to conform with federal filing date changes.



2016 Budget Review

2016 Regular Legislative Session

Office of Legislative Affairs

SUMMARY:

The House and Senate Education Budget Chair and Vice Chair have stated that this year’s funding increase is “historic”. The agreement is only a \$54 per student increase over the 2007/08 fiscal year. This may be “historic”, but in reality it is an average increase \$6 per year over the last 9 years. A \$6.26 increase was agreed to for the Base Student Allocation (BSA) for the 2016/17 fiscal year. With such small gains, it will be very difficult for districts to provide meaningful raises to teachers.

| | 2015/16 3RD CALCULATION | 2016/17 FINAL BUDGET | \$ CHANGE | % CHANGE |
|---------------------------------------|----------------------------|-------------------------|----------------|----------|
| Total FEFP Funding: Broward | 1,888,382,612.00 | 1,933,189,700.00 | 44,807,088.00* | 2.37% |
| Total Funds Per FTE: Broward | 7,074.02 | 7,146.41 | 72.39 | 1.02% |
| Adults with Disabilities (AWD) | N/A | 800,000 | N/A | N/A |
| PECO: Statewide | 50,000,000.00 | 75,000,000 | 25,000,000.00 | 50.00% |

*However, this increase includes a growth of 3,399 students. The actual increase is approximately \$20 million when the student growth is excluded from the increase.



2016 Budget Review

2016 Regular Legislative Session

Office of Legislative Affairs

| | 2015/16 3RD CALCULATION: BROWARD | 2016/17 FINAL CONFERENCE: BROWARD | % CHANGE |
|--|--|---|-------------|
| Major FEFP Formula Components | | | |
| Unweighted FTE | 266,946.14 | 270,511.90 | 1.34% |
| Weighted FTE | 289,483.55 | 292,746.00 | 1.13% |
| Required Local Effort Millage | 4.694 | 4.694 | 0.00% |
| Discretionary Millage | 0.748 | 0.748 | 0.00% |
| FEFP Detail | | | |
| WFTE _{BSA} xDCD (Base FEFP) | 1,233,192,115 | 1,249,578,218 | 1.33% |
| Declining Enrollment Allocation | - | - | 0.00% |
| Sparsity Supplement | - | - | 0.00% |
| State Funded Discretionary Contribution | - | - | 0.00% |
| .748 Mill Compression | - | - | 0.00% |
| Safe Schools | 5,895,923 | 5,897,465 | 0.03% |
| Supplemental Academic Instruction | 53,972,820 | 62,019,415 | 14.91% |
| Reading Instruction Allocation | 12,085,611 | 12,105,593 | 0.17% |
| ESE Guaranteed Allocation | 86,668,960 | 95,108,001 | 9.74% |
| DJJ Supplemental Allocation | 455,506 | 456,390 | 0.19% |
| Transportation | 30,716,215 | 31,081,470 | 1.19% |
| Instructional Materials | 21,564,020 | 21,888,514 | 1.50% |
| Teachers' Classroom Supply Asst. Prgm. | 4,412,188 | 4,414,136 | 0.04% |
| Virtual Education Contribution | 17,396 | 11,334 | -34.85% |
| Digital Classrooms Allocation | 4,316,148 | 4,739,980 | 9.82% |
| Federally-Connected Student Supplement | - | - | 0.00% |
| Total FEFP | 1,453,296,902 | 1,487,300,516 | 2.34% |
| ADJUSTMENTS | (596,694) | | 100.00% |
| Required Local Effort Taxes | 778,620,118 | 759,605,469 | -2.44% |
| Net State FEFP Funds | 674,676,784 | 727,695,047 | 7.86% |
| State Categorical Programs | | | |
| Discretionary Lottery/School Recognition | 13,091,844 | 13,093,481 | 0.01% |
| Class Size Reduction Allocation | 303,738,465 | 308,954,184 | 1.72% |
| Total State Funding | 991,507,093 | 1,049,742,712 | 5.87% |
| Local Funding | | | |
| Total Required Local Effort | 778,620,118 | 759,605,469 | -2.44% |
| .748 Mill Discretionary Local Effort | 118,255,401 | 123,841,519 | 4.72% |
| Total Local Funding | 896,875,519 | 883,446,988 | -1.50% |
| Total Funding | 1,888,382,612.00 | 1,933,189,700.00 | 2.37% |
| Total Funds Per FTE | 7,074.02 | 7,146.41 | 1.02% |

Courtesy of: Broward County Public Schools



2017 Policy Forecast

2016 Regular Legislative Session

Office of Legislative Affairs

SUMMARY

The majority of submitted bills failed during the 2016 Regular Legislative Session. However, it is common practice to “revive” bills from year to year in order to continue the pursuit of policy change. Below are some bills from 2016 whose areas of policy concern may reappear in 2017.

HB 7043- TEACHER BONUSES BILL

Status: FAILED

Summary: Had it passed, this bill would have enacted the "Best & Brightest" teacher bonus plan that rewards "highly effective" teachers based on high school SAT and ACT scores. Although the policy did not pass, the funding that complements this policy was included for an additional year in the budget implementing bill (HB 5003). **Therefore, the “Best & Brightest” teacher bonus plan funding is available for this upcoming fiscal year, but is not a permanent feature of statute.**

HB 833/SB 1002- SCHOOL RECESS

Status: FAILED

Summary: This bill would have required elementary schools to offer 20 minutes of recess each school day and 100 minutes weekly.

HB 873- EDUCATION FUNDING

Status: FAILED

Summary: This bill creates requirements for education fixed capital outlay funding for school districts and public charter schools. Specifically the bill replaces the existing eligibility criteria for charter school outlay funding. Additionally, the bill eliminates provisions granting priority for funding to charter schools that received capital outlay funding in FY 2005-06. If state funds for charter school capital outlay do not fully fund 1/40th of the cost per student station or the amount of per student funding generated by the district school board’s discretionary ad valorem tax levy for capital outlay, whichever is less, then the school district must share discretionary millage revenues to make up the difference.

HB 887/SB 468- COMPUTER CODING

Status: FAILED

Summary: This bill would have required high schools to allow students to substitute computer-coding classes for a foreign language credit.

