



Education Committee

Thursday, February 15, 2018

10:00 AM

Reed Hall

Action Packet

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

Summary:

Education Committee

Thursday February 15, 2018 10:00 am

PCS for CS/HB 827 Favorable With Amendment(s)	Yeas: 19	Nays: 0
Amendment PCS for CSHB 827 a1 Adopted Without Objection		
CS/CS/HJR 1031 Favorable	Yeas: 14	Nays: 2
HB 1035 Favorable With Committee Substitute	Yeas: 14	Nays: 1
Amendment 720077 Adopted		
CS/CS/HB 1091 Favorable	Yeas: 15	Nays: 0

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Michael Bileca (Chair)	X		
Larry Ahern	X		
Bruce Antorie	X		
Robert Asencio			X
Kimberly Daniels	X		
Manny Diaz, Jr.	X		
Byron Donalds	X		
Jay Fant	X		
Jason Fischer	X		
Margaret Good	X		
Shevrin Jones	X		
Chris Latvala	X		
Larry Lee, Jr.	X		
Amber Mariano	X		
Rene Plasencia			X
Mel Ponder	X		
Elizabeth Porter	X		
Jake Raburn	X		
Barrington Russell	X		
Charlie Stone	X		
Jennifer Sullivan	X		
Totals:	19	0	2

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

PCS for CS/HB 827 : Instructional Support

Favorable With Amendment(s)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Bruce Antone	X				
Robert Asencio			X		
Kimberly Daniels	X				
Manny Diaz, Jr.	X				
Byron Donalds	X				
Jay Fant	X				
Jason Fischer	X				
Margaret Good	X				
Shevrin Jones	X				
Chris Latvala	X				
Larry Lee, Jr.	X				
Amber Mariano	X				
Rene Plasencia			X		
Mel Ponder	X				
Elizabeth Porter	X				
Jake Raburn	X				
Barrington Russell	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Michael Bileca (Chair)	X				
Total Yeas: 19		Total Nays: 0			

PCS for CS/HB 827 Amendments

Amendment PCS for CSHB 827 a1

Adopted Without Objection

Appearances:

Flaugh, Keith (General Public) - Information Only
 Florida Citizens Alliance
 Managing Director
 1390 Quintan Court
 Marco Island FL
 Phone: 239-250-3320



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	___	

*Adopted without
objection
2-15-18*

1 Committee/Subcommittee hearing bill: Education Committee
 2 Representative Donalds offered the following:

3
 4 **Amendment**
 5 Remove line 271 and insert:
 6 (b) Instructional materials adopted after July 1, 2018, are
 7 not subject to public

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

CS/CS/HJR 1031 : Limitation on Terms of Office for Members of a District School Board

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Bruce Antone	X				
Robert Asencio			X		
Kimberly Daniels	X				
Manny Diaz, Jr.	X				
Byron Donalds			X		
Jay Fant	X				
Jason Fischer	X				
Margaret Good		X			
Shevrin Jones	X				
Chris Latvala			X		
Larry Lee, Jr.		X			
Amber Mariano			X		
Rene Plasencia			X		
Mel Ponder	X				
Elizabeth Porter	X				
Jake Raburn	X				
Barrington Russell	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Michael Bileca (Chair)	X				
Total Yeas: 14		Total Nays: 2			

Appearances:

Bauza, Rosa (General Public) - Waive In Opposition
 1935 S Conway Rd, E7
 Orlando FL 32812
 Phone: 407-394-6940

Gallegos, Miguel (General Public) - Waive In Opposition
 203 North Dillard Street, #6
 Winter Garden FL 32812
 Phone: 678-656-0490

Haggerty, Leo (General Public) - Waive In Opposition
 16219 Fantasia Drive
 Tampa FL 33624
 Phone: 813-391-4444

Hiley, Katherine (General Public) - Waive In Opposition
 657 Sweetbriar Drive
 Oldsmar FL 34667-4552
 Phone: 813-748-5467

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

CS/CS/HJR 1031 : Limitation on Terms of Office for Members of a District School Board (continued)

Appearances: (continued)

Hains, William (General Public) - Waive In Opposition

P O Box 1531
Interlachen FL 32148
Phone: 347-268-1700

Hains, Steve (General Public) - Waive In Opposition

203 Hollender Dr
Interlachen FL 32148
Phone: 352-284-5527

Long, Roy (General Public) - Waive In Opposition

863 Carnation Drive
Winter Park FL 32792
Phone: 407-948-2162

Templin, Rich (Lobbyist) - Opponent

Florida AFL-CIO
135 S. Monroe
Tallahassee FL 32301
Phone: 850-224-6926

Cunningham, Stacy (General Public) - Waive In Support

3495 SE 137 St
Summerfield FL 34491
Phone: 352-572-9963

Abicht, Glenda (General Public) - Waive In Opposition

4305 SW 98 Avenue
Miami FL 33165
Phone: 786-376-1181

Perry, Gail Marie (General Public) - Waive In Opposition

Chair, Communications Workers of America Council of Florida
P O Box 1766
Pompano Beach FL 33061
Phone: 954-850-4055

Cleary, Ronald (General Public) - Waive In Opposition

29900 Coconut Ave
Eustis FL
Phone: 352-357-5962

Hallman, John (Lobbyist) - Waive In Support

Liberty First Network, Inc
Po Box 2349
Bushnell FL 33513-0120
Phone: (352) 200-1530

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

CS/CS/HJR 1031 : Limitation on Terms of Office for Members of a District School Board (continued)

Appearances: (continued)

Ingle, James (General Public) - Waive In Opposition

3509 NW 22nd Dr

Gainesville Fl 32605

Phone: 901-483-4800

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

HB 1035 : Personalized Education

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern			X		
Bruce Antone	X				
Robert Asencio			X		
Kimberly Daniels	X				
Manny Diaz, Jr.	X				
Byron Donalds			X		
Jay Fant	X				
Jason Fischer	X				
Margaret Good		X			
Shevrin Jones	X				
Chris Latvala			X		
Larry Lee, Jr.	X				
Amber Mariano			X		
Rene Plasencia			X		
Mel Ponder	X				
Elizabeth Porter	X				
Jake Raburn	X				
Barrington Russell	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Michael Bileca (Chair)	X				
Total Yeas: 14					
		Total Nays: 1			

HB 1035 Amendments

Amendment 720077

Adopted

Appearances:

Goff, Shan (Lobbyist) - Waive In Support
 Foundation for Florida's Future
 FL Policy Director
 215 S Monroe Street
 Tallahassee FL 32301
 Phone: 850-544-6138

Personalized Education
 Hunt, Brittney (Lobbyist) - Waive In Support
 Florida Chamber of Commerce
 136 S Bronough St
 Tallahassee FL
 Phone: (850) 521-1200

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

HB 1035 : Personalized Education (continued)

Appearances: (continued)

Personalized Education

Watt, Andrew (Lobbyist) - Waive In Support

School District of Palm Beach County, Florida, The

3300 Forest Hill Blvd

West Palm Beach FL 33406

Phone: (561) 649-6895

Personalized Education

Liby-Schoonover, Allison (Lobbyist) - Waive In Support

The School Board of Seminole County, Florida

Po Box 10909

Tallahassee FL 32302-2909

Phone: (850) 205-9000

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	___	

*Adopted
2-15-18*

1 Committee/Subcommittee hearing bill: Education Committee
2 Representative Diaz, M. offered the following:

Amendment (with title amendment)

Between lines 27 and 28, insert:

Section 1. Paragraph (e) of subsection (2), paragraphs (d) and (h) of subsection (5) of section 1002.385, Florida Statutes, are amended, and paragraph (p) is added to subsection (5) of that section, to read:

1002.385 The Gardiner Scholarship.-

(2) DEFINITIONS.-As used in this section, the term:

(e) "Eligible nonprofit scholarship-funding organization" or "organization" means a nonprofit scholarship-funding organization that is approved pursuant to s. 1002.395(15) ~~s. 1002.395(16)~~.

(5) AUTHORIZED USES OF PROGRAM FUNDS.-Program funds must



Amendment No. 1

17 be used to meet the individual educational needs of an eligible
18 student and may be spent for the following purposes:

19 (d) ~~Enrollment in, or~~ Tuition or fees associated with
20 full-time or part-time enrollment in, a home education program,
21 an eligible private school, an eligible postsecondary
22 educational institution or a program offered by the
23 postsecondary institution, a private tutoring program authorized
24 under s. 1002.43, a virtual program offered by a department-
25 approved private online provider that meets the provider
26 qualifications specified in s. 1002.45(2)(a), the Florida
27 Virtual School as a private paying student, or an approved
28 online course offered pursuant to s. 1003.499 or s. 1004.0961.

29 (h) Tuition and fees for part-time tutoring services
30 provided by a person who holds a valid Florida educator's
31 certificate pursuant to s. 1012.56; a person who holds an
32 adjunct teaching certificate pursuant to s. 1012.57; a person
33 who has a bachelor's degree or a graduate degree in the subject
34 area in which instruction is given; or a person who has
35 demonstrated a mastery of subject area knowledge pursuant to s.
36 1012.56(5). As used in this paragraph, the term "part-time
37 tutoring services" does not qualify as regular school attendance
38 as defined in s. 1003.01(13)(e).

39 (p) Tuition or fees associated with enrollment in a
40 nationally or internationally recognized research-based training
41 program for a child with a neurological disorder or brain



Amendment No. 1

42 damage.

43

44 A provider of any services receiving payments pursuant to this
45 subsection may not share, refund, or rebate any moneys from the
46 Gardiner Scholarship with the parent or participating student in
47 any manner. A parent, student, or provider of any services may
48 not bill an insurance company, Medicaid, or any other agency for
49 the same services that are paid for using Gardiner Scholarship
50 funds.

51 Section 2. Section 1002.411, Florida Statutes, is created
52 to read:

53 1002.411 Reading scholarship accounts.—

54 (1) READING SCHOLARSHIP ACCOUNTS.—Reading scholarship
55 accounts are established to provide educational options for
56 students.

57 (2) ELIGIBILITY.—Contingent upon available funds, and on a
58 first-come, first-served basis, each student in grades 3 through
59 5 who is enrolled in a Florida public school is eligible for a
60 reading scholarship account if the student scored below a Level
61 3 on the grade 3 or grade 4 statewide, standardized English
62 Language Arts (ELA) assessment in the prior school year. An
63 eligible student who is classified as an English Learner and is
64 enrolled in a program or receiving services that are
65 specifically designed to meet the instructional needs of English
66 Learner students shall receive priority.

720077 - h1035-line 27.docx

Published On: 2/14/2018 6:03:54 PM



Amendment No. 1

67 (3) PARENT AND STUDENT RESPONSIBILITIES FOR
68 PARTICIPATION.-

69 (a) For an eligible student to receive a reading
70 scholarship account, the student's parent must:

71 1. Submit an application to an eligible nonprofit
72 scholarship-funding organization by the deadline established by
73 such organization; and

74 2. Submit eligible expenses to the eligible nonprofit
75 scholarship-funding organization for reimbursement of qualifying
76 expenditures, which may include:

77 a. Instructional materials.

78 b. Curriculum. As used in this sub-subparagraph, the term
79 "curriculum" means a complete course of study for a particular
80 content area or grade level, including any required supplemental
81 materials and associated online instruction.

82 c. Tuition and fees for part-time tutoring services
83 provided by a person who holds a valid Florida educator's
84 certificate pursuant to s. 1012.56; a person who holds a
85 baccalaureate or graduate degree in the subject area; a person
86 who holds an adjunct teaching certificate pursuant to s.
87 1012.57; or a person who has demonstrated a mastery of subject
88 area knowledge pursuant to s. 1012.56(5).

89 d. Fees for summer education programs.

90 e. Fees for after-school education programs.

91



Amendment No. 1

92 A provider of any services receiving payments pursuant to this
93 subparagraph may not share any moneys from the reading
94 scholarship with, or provide a refund or rebate of any moneys
95 from such scholarship to, the parent or participating student in
96 any manner. A parent, student, or provider of any services may
97 not bill an insurance company, Medicaid, or any other agency for
98 the same services that are paid for using reading scholarship
99 funds.

100 (b) The parent is responsible for the payment of all
101 eligible expenses in excess of the amount in the account in
102 accordance with the terms agreed to between the parent and any
103 providers and may not receive any refund or rebate of any
104 expenditures made in accordance with paragraph (a).

105 (4) ADMINISTRATION.—An eligible nonprofit scholarship-
106 funding organization participating in the Florida Tax Credit
107 Scholarship Program established by s. 1002.395 may establish
108 reading scholarship accounts for eligible students in accordance
109 with the requirements of eligible nonprofit scholarship-funding
110 organizations under this chapter.

111 (5) DEPARTMENT OBLIGATIONS.—The department shall have the
112 same duties imposed by this chapter upon the department
113 regarding oversight of scholarship programs administered by an
114 eligible nonprofit scholarship-funding organization.

115 (6) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—By
116 September 30, the school district shall notify the parent of



Amendment No. 1

117 each student in grades 3 through 5 who scored below a level 3 on
118 the statewide, standardized ELA assessment in the prior school
119 year of the process to request and receive a reading
120 scholarship, subject to available funds.

121 (7) ACCOUNT FUNDING AND PAYMENT.—

122 (a) For the 2018-2019 school year, the amount of the
123 scholarship shall be \$500 per eligible student. Thereafter, the
124 maximum amount awarded an eligible student shall be provided in
125 the General Appropriations Act.

126 (b) One hundred percent of the funds appropriated for the
127 reading scholarship accounts shall be released to the department
128 at the beginning of the first quarter of each fiscal year.

129 (c) Upon notification from the eligible nonprofit
130 scholarship-funding organization that a student has been
131 determined eligible for a reading scholarship, the department
132 shall release the student's scholarship funds to such
133 organization to be deposited into the student's account.

134 (d) Accrued interest in the student's account is in
135 addition to, and not part of, the awarded funds. Account funds
136 include both the awarded funds and accrued interest.

137 (e) The eligible nonprofit scholarship-funding
138 organization may develop a system for payment of scholarship
139 funds by funds transfer, including, but not limited to, debit
140 cards, electronic payment cards, or any other means of payment
141 that the department deems to be commercially viable or cost-

720077 - h1035-line 27.docx

Published On: 2/14/2018 6:03:54 PM



Amendment No. 1

142 effective. A student's scholarship award may not be reduced for
143 debit card or electronic payment fees. Commodities or services
144 related to the development of such a system shall be procured by
145 competitive solicitation unless they are purchased from a state
146 term contract pursuant to s. 287.056.

147 (f) Payment of the scholarship shall be made by the
148 eligible nonprofit scholarship-funding organization no less
149 frequently than on a quarterly basis.

150 (g) In addition to funds appropriated for scholarships and
151 subject to a separate, specific legislative appropriation, an
152 organization may receive an amount equivalent to not more than 3
153 percent of the amount of each scholarship from state funds for
154 administrative expenses if the organization has operated as a
155 nonprofit entity for at least the preceding 3 fiscal years and
156 did not have any findings of material weakness or material
157 noncompliance in its most recent audit under s. 1002.395. Such
158 administrative expenses must be reasonable and necessary for the
159 organization's management and distribution of scholarships under
160 this section. Funds authorized under this paragraph may not be
161 used for lobbying or political activity or expenses related to
162 lobbying or political activity. An organization may not charge
163 an application fee for a scholarship. Administrative expenses
164 may not be deducted from funds appropriated for scholarships.

165 (h) Moneys received pursuant to this section do not
166 constitute taxable income to the qualified student or his or her



Amendment No. 1

167 parent.

168 (i) A student's scholarship account must be closed and any
169 remaining funds shall revert to the state after:

170 1. Denial or revocation of scholarship eligibility by the
171 commissioner for fraud or abuse, including, but not limited to,
172 the student or student's parent accepting any payment, refund,
173 or rebate, in any manner, from a provider of any services
174 received pursuant to subsection (3); or

175 2. Three consecutive fiscal years in which an account has
176 been inactive.

177 (8) LIABILITY.—No liability shall arise on the part of the
178 state based on the award or use of a reading scholarship
179 account.

180 Section 3. Contingent upon CS/HB 7055 or similar
181 legislation in the 2018 Regular Session of the Legislature or an
182 extension thereof failing to become law, for the 2018-2019
183 fiscal year, the sum of \$9,700,000 in recurring funds from the
184 General Revenue Fund shall be used to fund reading scholarship
185 accounts pursuant to s. 1002.411, Florida Statutes, and \$300,000
186 in recurring funds from the General Revenue Fund shall be
187 provided as an administrative fee pursuant to s. 1002.411(7)(g),
188 Florida Statutes.

189

190

191 T I T L E A M E N D M E N T



Amendment No. 1

192 Remove line 3 and insert:
193 1002.385, F.S.; revising eligible expenditures for the Gardiner
194 Scholarship Program; creating s. 1002.411, F.S.; establishing
195 reading scholarship accounts for specified purposes; providing
196 for eligibility for scholarships; providing for administration;
197 providing duties of the Department of Education; providing
198 school district obligations; specifying options for parents;
199 providing that maximum funding shall be specified in the General
200 Appropriations Act; providing for payment of funds; specifying
201 that no state liability arises from the award or use of such an
202 account; providing an appropriation; 1003.436, F.S.; authorizing
203 a district school board

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

CS/CS/HB 1091 : Early Learning

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern			X		
Bruce Antone	X				
Robert Asencio			X		
Kimberly Daniels	X				
Manny Diaz, Jr.	X				
Byron Donalds			X		
Jay Fant	X				
Jason Fischer	X				
Margaret Good	X				
Shevrin Jones	X				
Chris Latvala			X		
Larry Lee, Jr.	X				
Amber Mariano			X		
Rene Plasencia			X		
Mel Ponder	X				
Elizabeth Porter	X				
Jake Raburn	X				
Barrington Russell	X				
Charlie Stone	X				
Jennifer Sullivan	X				
Michael Bileca (Chair)	X				
Total Yeas: 15		Total Nays: 0			

Appearances:

Grass, Saralyn (General Public) - Waive In Support
 Association of Early Learning Coalitions
 Executive Director
 206 M South Monroe Street
 Tallahassee FL 32301
 Phone: 904-651-5959

Scher, Jessica (Lobbyist) - Waive In Support
 United Way of Miami-Dade
 United Way of Miami-Dade 3250 SW 3rd Ave
 Miami FL 33129
 Phone: (305) 646-7093

Reid, Tara (Lobbyist) - Waive In Support
 Children's Movement of Florida
 200 W College Ave, Suite 202
 Tallahassee FL 32301
 Phone: 386-530-0426

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM

COMMITTEE MEETING REPORT

Education Committee

2/15/2018 10:00AM

Location: Reed Hall (102 HOB)

CS/CS/HB 1091 : Early Learning (continued)

Appearances: (continued)

Goff, Shan (Lobbyist) - Waive In Support

Foundation for Florida's Future

FL Policy Director

215 S Monroe Street

Tallahassee FL 32301

Phone: 850-544-6138

Kalifeh, Phyllis (Lobbyist) - Waive In Support

Children's Forum

President and CEO

2807 Remington Green Cir

Tallahassee FL 32308-3752

Phone: (850) 322-8053

Birken, Brittany (Lobbyist) - Proponent

Florida Children's Council

111 N Gadsden St Ste 300

Tallahassee FL 32301

Phone: (850) 921-4494 x301

Poekert, Philip (State Employee) - Waive In Support

University of Florida Lastinger Center

Assistant Director

G315 Norman Hall

Gainesville FL 32611

Phone: 352-273-4103

Committee meeting was reported out: Thursday, February 15, 2018 12:39PM