



Education Committee

Monday, April 24, 2017

2:00 PM

Reed Hall (102 HOB)

Meeting Packet

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Education Committee

Start Date and Time: Monday, April 24, 2017 02:00 pm
End Date and Time: Monday, April 24, 2017 05:00 pm
Location: Reed Hall (102 HOB)
Duration: 3.00 hrs

Consideration of the following bill(s):

CS/HB 265 Computer Coding Instruction by PreK-12 Quality Subcommittee, Porter, Williams
CS/HB 773 K-12 Student Assessments by PreK-12 Appropriations Subcommittee, Diaz, M., Sprowls
CS/HB 907 Florida Endowment for Vocational Rehabilitation by Post-Secondary Education Subcommittee,
Killebrew

NOTICE FINALIZED on 04/21/2017 4:29PM by Jones.Missy

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 265 Computer Coding Instruction
SPONSOR(S): PreK-12 Quality Subcommittee; Porter; Williams and others
TIED BILLS: None **IDEN./SIM. BILLS:** SB 104

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee	14 Y, 0 N, As CS	Brink	Duncan
2) Education Committee		Brink	Hassell

SUMMARY ANALYSIS

The bill promotes student access to education in computer science and related fields by requiring the Articulation Coordinating Committee to develop recommendations that identify, among other things:

- high school courses in computer science, including computer coding and computer programming, which may be used to satisfy state university admissions requirements for math and science;
- gaps in current policy, curricula, programs, and practices that inhibit students from pursuing postsecondary education and careers in computer science and related fields; and
- common definitions for terms such as computer coding and computer programming so that stakeholders at all educational levels can use the terms clearly.

In addition, the bill requires the Commissioner of Education to establish academic standards for computer science, coding, and programming and identify high school-level courses that incorporate the standards in the Course Code Directory.

The bill requires the Department of Education to annually report to the Board of Governors and the Legislature:

- the courses identified in the Course Code Directory by the commissioner in accordance with the bill;
- the number of students, by district, including the Florida Virtual School, who are enrolled in a course identified in the Course Code Directory by the commissioner in accordance with the bill; and
- the number of individuals who hold a valid educator certificate in computer science or a related field.

The bill requires the State Board of Education to work with the Board of Governors and school districts to develop strategies for recruiting and supporting computer science teachers.

The bill does not appear to have a fiscal impact.

The bill takes effect July 1, 2017.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Computer Science and Technology Instruction

Public schools are required to provide students in grades K-12 opportunities for learning computer science including, but not limited to, computer coding and computer programming.¹

Such opportunities may include:²

- instruction regarding computer coding in elementary and middle school;
- instruction to develop computer usage and digital literacy skills in middle school; and
- courses in computer science, computer coding, and computer programming in high school, including opportunities to earn industry certifications related to the courses.

The law allows high schools to provide students opportunities to satisfy certain math and science graduation requirements by taking computer science courses of sufficient rigor and earning a related industry certification.³ To qualify, the course must be in the area of computer science or 3D rapid prototype printing and the Commissioner of Education must identify the course and the related industry certification in the Course Code Directory.⁴

A qualifying computer science course may satisfy up to one mathematics or science course credit, so long as the course is not Algebra I or higher-level mathematics or Biology I or higher-level science. A qualifying 3D rapid prototype printing course may satisfy up to two mathematics course credits, except for Algebra I.⁵

The Southern Regional Education Board recently identified five actions state can take to help address gaps in computer science instruction. The steps are:⁶

- Develop state computer science standards for K-12.
- Lay the groundwork for learning computer science (focus on essential literacy skills and math concepts and skills students need to master grade-appropriate computer science standards).
- Create clear pathways to computing careers by charging a state advisory council with developing pathways that meet identified workforce needs in computing fields.
- Prepare great computer science teachers through special training and certification pathways.
- Educate communities about computer science and computing careers by embedding career advisement and encouraging partnerships with employers.

In 2016, the State Board of Education revised the Next Generation Sunshine State Standards to include K-12 computer science standards.⁷ Currently, courses in computer coding are listed in the Career Technical Education Program and Course Listing section in the Course Code Directory.⁸ As of March 3, 2017, the Florida Department of Education has identified several general education courses

¹ Section 1007.2616(1), F.S.

² Section 1007.2616(1), F.S.

³ Section 1007.2616(3), F.S.

⁴ *Id.*

⁵ *Id.*

⁶ See Southern Regional Education Board, *Executive Summary: Bridging the Computer Science Education Gap: Five Actions States Can Take* (Nov. 2016), available at http://www.sreb.org/sites/main/files/file-attachments/csexec_summary.pdf.

⁷ See rule 6A-1.09401(1)(n), F.A.C.

⁸ Staff of the Florida Department of Education, *Staff Analysis of Senate Bill 468* (2016).

and career and technical education and programs that will incorporate the newly adopted computer science standards, including but not limited to:⁹

- Computer Science Principles;
- Integrated Information Technology;
- Database Application Development and Programming;
- STEM labs K-5; and
- Meteorology Honors for Grade 9-12.

Articulation Coordinating Committee

The Articulation Coordinating Committee is an advisory body appointed by the Commissioner of Education in consultation with the Chancellor of the State University System.¹⁰ The committee makes recommendations related to statewide articulation policies and issues regarding access, quality, and reporting of data to the Higher Education Coordination Council, the State Board of Education, and the Board of Governors of the State University System (BOG).¹¹ The committee comprises one member representing students and two members each representing:

- the State University System (SUS);
- the Florida College System (FCS);
- public career and technical education;
- K-12 Education; and
- nonpublic postsecondary education.¹²

The Office of K-20 Articulation, housed within the Department of Education, provides administrative support for the committee. Pursuant to the law, the committee helps to coordinate ways for students to move easily from one educational institution to another and from one level of education to the next.

Accordingly, the committee must:

- monitor alignment between exit requirements and admissions requirements among education systems;
- propose guidelines for interinstitutional agreements for articulation of students among educational institutions;
- recommend dual enrollment and high school subject area equivalencies for state board and BOG approval;
- review the statewide articulation agreement and recommend revisions;
- review the statewide course numbering system, levels of courses, and the application of transfer credits to identify student transfer and admissions difficulties;
- publish courses that meet common general education and degree program prerequisite requirements;
- foster timely collection and reporting of data to improve the K-20 education performance accountability system;
- recommend roles and responsibilities of public education entities in interfacing with the computer-assisted student advising system; and
- make recommendations on the cost and requirements to develop and implement an online system for collecting and analyzing data relating to requests for transfer of credit by postsecondary education students.¹³

⁹ Florida Department of Education, *Course and CTE Programs that Include the New Computer Science Standards for the 2017-2018 School Year*, Memorandum DPS: 2017-26 (Mar. 3, 2017).

¹⁰ Section 1007.01(3), F.S.

¹¹ *Id.*

¹² *Id.*

¹³ See s. 1008.01(3)(a)-(i), F.S.

Effect of Proposed Changes

The bill amends the law to more closely align state policy to the Southern Regional Education Board's recommendations concerning computer science education.

The bill promotes student access to education in computer science and related fields by requiring the Articulation Coordinating Committee to develop recommendations that identify:

- high school courses in computer science, including computer coding and computer programming, which may be used to satisfy state university admissions requirements for math and science.
- common academic and technical skills needed for students to help meet projected labor market demands in computer science, information technology, and related fields in Florida.
- how middle and high school students, including underrepresented and nontraditional students, can be encouraged to pursue further studies and careers in computer science, information technology, and related fields.
- secondary course sequences which prepare students to succeed in postsecondary educational programs in computer science, information technology, and related fields.
- gaps in current policy, curricula, programs, and practices that inhibit students from pursuing postsecondary education and careers in computer science and related fields.
- appropriate educator qualifications and computer science pedagogy to maintain technologically current instructional knowledge and practices in teacher preparation programs.
- common definitions for terms related to computer science, including terms such as computer coding and computer programming, for consistent use across the Florida K-20 education system.

The committee must report its recommendations to the BOG and the Legislature by December 31, 2018.

The bill requires the Commissioner of Education to identify high school-level courses that incorporate the computer science standards in the Course Code Directory by June 30, 2018.

The bill requires the department to annually report to the BOG and the Legislature:

- the courses identified in the Course Code Directory pursuant by the commissioner in accordance with the bill;
- the number of students, by district, including the FLVS, who are enrolled in a course so identified; and
- the number of individuals who hold a valid educator certificate in computer science or a related field.

The bill requires the state board to consult with the BOG and school districts to develop strategies for:

- recruiting qualified teachers to provide computer science instruction;
- updating computer science educator certification requirements;
- providing appropriate professional development to maintain technologically current instructional knowledge and practices in the school districts; and
- identifying and streamlining traditional and alternative pathways toward computer science educator certification.

If a student enrolls in an identified course that satisfies any FCS or SUS admission requirements for mathematics, or science, the student may not know if the course would satisfy similar admission requirements at a private or out-of-state postsecondary institution. Accordingly, the bill requires the school district in such situations to notify the student that he or she should contact any out-of-state or private postsecondary institution to which the student is applying and inquire whether the course credit satisfies any of the institution's admissions requirements.

B. SECTION DIRECTORY:

Section 1. Amends s. 1007.01, F.S., requiring the Articulation Coordinating Committee to make recommendations related to computer science instruction; providing requirements for such recommendations; requiring the committee to report its findings and recommendations to the Board of Governors of the State University System and the Legislature; providing for expiration of certain committee duties.

Section 2. Amends s. 1007.2616, F.S., requiring the Commissioner of Education to develop certain standards and identify certain courses in the Course Code Directory; requiring the Department of Education to annually report certain information to the Board of Governors and the Legislature; requiring the State Board of Education, the Board of Governors, and school districts to develop strategies relating to computer science educator certification and teacher recruitment.

Section 3. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 27, 2017, the House PreK-12 Quality Subcommittee adopted a proposed committee substitute and reported the bill favorably as a committee substitute. The proposed committee substitute differs from the originally filed bill by:

- deleting the bill's requirement that state universities and Florida College System institutions accept certain computer coding courses as satisfying foreign language admissions requirements;
- deleting the bill's provision expressly authorizing the Florida Virtual School to offer computer coding courses;
- requiring the Articulation Coordinating Committee to provide recommendations to the Board of Governors, the State Board of Education, and the Legislature that identify:
 - computer science courses, including computer coding and programming courses, which may be used to satisfy State University System admissions requirements in math and science;
 - common academic and technical skills needed for students to help meet projected labor market demands in computer science, information technology, and related fields in Florida;
 - how middle and high school students, including underrepresented and nontraditional students, can be encouraged to pursue further studies and careers in computer science, information technology, and related fields;
 - secondary course sequences which prepare students to succeed in postsecondary educational programs in computer science, information technology, and related fields;
 - gaps in current policy, curricula, programs, and practices that inhibit students from pursuing postsecondary education and careers in computer science and related fields;
 - appropriate educator qualifications and computer science pedagogy to maintain technologically current instructional knowledge and practices in teacher preparation programs; and
 - common definitions for terms related to computer science, including terms such as computer coding and computer programming, for consistent use across the Florida K-20 education system;
- requiring the Commissioner of Education to identify high school-level courses that incorporate the standards in the Course Code Directory;
- if a student is enrolled in an identified course that satisfies a specified postsecondary admissions requirement in Florida, requiring the school district to notify the student that he or she should contact any out-of-state or private institution to which they are applying to see whether the course satisfies any admissions requirements;
- requiring the Department of Education to annually report the number of individuals who hold a valid educator certificate in computer science or a related field; and
- requiring the State Board of Education to consult with the Board of Governors and school districts to develop strategies for recruiting computer science teachers, update certification requirements, provide professional development, and identify pathways toward computer science certification.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A bill to be entitled
 An act relating to computer coding instruction;
 amending s. 1007.01, F.S.; requiring the Articulation
 Coordinating Committee to develop recommendations
 related to computer science instruction; providing
 requirements for such recommendations; requiring the
 committee to report its findings and recommendations
 to the Board of Governors of the State University
 System, the State Board of Education, and the
 Legislature by a specified date; providing for future
 expiration of certain committee duties; amending s.
 1007.2616, F.S.; requiring the Commissioner of
 Education to include certain courses in the Course
 Code Directory; requiring a school district to notify
 students if enrolled in any such courses; requiring
 the Department of Education to annually report certain
 information to the Board of Governors and the
 Legislature; requiring the State Board of Education,
 in consultation with the Board of Governors and school
 districts, to develop strategies relating to computer
 science educator certification requirements and
 teacher recruitment; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

26 Section 1. Paragraph (j) is added to subsection (3) of
 27 section 1007.01, Florida Statutes, to read:

28 1007.01 Articulation; legislative intent; purpose; role of
 29 the State Board of Education and the Board of Governors;
 30 Articulation Coordinating Committee.—

31 (3) The Commissioner of Education, in consultation with
 32 the Chancellor of the State University System, shall establish
 33 the Articulation Coordinating Committee, which shall make
 34 recommendations related to statewide articulation policies and
 35 issues regarding access, quality, and reporting of data
 36 maintained by the K-20 data warehouse, established pursuant to
 37 ss. 1001.10 and 1008.31, to the Higher Education Coordination
 38 Council, the State Board of Education, and the Board of
 39 Governors. The committee shall consist of two members each
 40 representing the State University System, the Florida College
 41 System, public career and technical education, K-12 education,
 42 and nonpublic postsecondary education and one member
 43 representing students. The chair shall be elected from the
 44 membership. The Office of K-20 Articulation shall provide
 45 administrative support for the committee. The committee shall:

46 (j) Develop recommendations to prepare students for
 47 successful postsecondary education and careers in computer
 48 science, information technology, and related fields. In
 49 developing the recommendations, the committee shall consider
 50 policies and practices that are designed to increase access to

51 high-quality educational experiences that help more students
 52 obtain careers in such fields.

53 1. The committee's recommendations must identify:

54 a. High school courses in computer science, including
 55 computer coding and computer programming, identified by
 56 university faculty as having sufficient rigor that satisfies
 57 specified State University System admissions requirements,
 58 including requirements for mathematics and science.

59 b. Common academic and technical skills needed for
 60 students to meet projected labor market demands in computer
 61 science, information technology, and related fields in the
 62 state.

63 c. How middle and high school students, including
 64 underrepresented and nontraditional students, can be encouraged
 65 to pursue further studies and careers in computer science,
 66 information technology, and related fields.

67 d. Secondary course sequences that prepare students to
 68 succeed in postsecondary educational programs in computer
 69 science, information technology, and related fields.

70 e. Gaps in current policy, curricula, programs, and
 71 practices at the state, school district, and postsecondary
 72 levels which inhibit students from pursuing advanced studies and
 73 careers in computer science, information technology, and related
 74 fields.

75 f. Appropriate educator qualifications and computer

76 science pedagogy to maintain technologically current
 77 instructional knowledge and practices in teacher preparation
 78 programs.

79 g. Common definitions for terms related to computer
 80 science, including terms such as "computer coding" and "computer
 81 programming," for consistent use across the Florida K-20
 82 education system.

83 2. By December 31, 2018, the committee shall report its
 84 recommendations to the Board of Governors of the State
 85 University System, the State Board of Education, and the
 86 Legislature.

87 3. This paragraph expires January 1, 2019.

88 Section 2. Subsection (4) of section 1007.2616, Florida
 89 Statutes, is renumbered as subsection (5), and a new subsection
 90 (4) is added to that section to read:

91 1007.2616 Computer science and technology instruction.-

92 (4) (a) By June 30, 2018, the commissioner shall include in
 93 the Course Code Directory high school-level courses that
 94 incorporate computer science standards and prepare students for
 95 postsecondary success in computer science, information
 96 technology, and related fields.

97 (b) If a student is enrolled in an identified course that
 98 satisfies a mathematics or science admissions requirement for
 99 the Florida College System or the State University System, the
 100 school district must notify the student that he or she should

101 contact any out-of-state or private postsecondary institution to
 102 which the student is applying and inquire whether the course
 103 credit satisfies any of the institution's admissions
 104 requirements.

105 (c) The Department of Education shall annually report to
 106 the Board of Governors and the Legislature:

107 1. The courses identified in the Course Code Directory
 108 that meet the academic standards for computer science.

109 2. The number of students, by district, including the
 110 Florida Virtual School, who are enrolled in a course identified
 111 in the Course Code Directory that meets the academic standards
 112 for computer science.

113 3. The number of individuals who hold a valid educator
 114 certificate in computer science or a related field.

115 (d) The State Board of Education shall consult with the
 116 Board of Governors and school districts to develop strategies
 117 for recruiting qualified teachers to provide computer science
 118 instruction, updating computer science educator certification
 119 requirements, providing appropriate professional development to
 120 maintain technologically current instructional knowledge and
 121 practices in the school districts, and identifying and
 122 streamlining traditional and alternative pathways toward
 123 obtaining computer science educator certification.

124 Section 3. This act shall take effect July 1, 2017.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 773 K-12 Student Assessments

SPONSOR(S): PreK-12 Appropriations Subcommittee; Diaz, Jr; Sprowls and others

TIED BILLS: None **IDEN./SIM. BILLS:** CS/SB 926

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee	14 Y, 0 N	Brink	Duncan
2) PreK-12 Appropriations Subcommittee	10 Y, 5 N, As CS	Seifert	Potvin
3) Education Committee		Brink	Hassell

SUMMARY ANALYSIS

The bill revises requirements relating to the statewide assessment program as follows:

- Beginning with the 2017-2018 school year, the statewide, standardized English language arts (ELA) assessment in grades 3 through 10 and mathematics assessment in grades 3 through 8 must be administered no earlier than the last 3 weeks of the school year.
- The bill exempts the “grade 3 Reading assessment” from the new testing window.
- The results from the statewide, standardized ELA and mathematics assessments must be reported to the student’s current teacher and to the student’s teacher for the subsequent school year before the start of the school year. It must contain information related to the student’s performance, including:
 - identification of areas of strength and areas in need of improvement;
 - ways the student’s parent can assist his or her child based on the results;
 - if available, longitudinal data based on the student’s previous performance;
 - a comparison of the student’s score with other students in the school district, state, and, if available, other states; and
 - predictive information on how the student might perform on college entrance assessments.

The bill requires that any new contract for the statewide, standardized ELA and mathematics assessments must define a Level 3 achievement score as “proficient.”

The bill requires the Commissioner of Education to review the SAT and ACT to determine their alignment with Florida’s academic standards for ELA and mathematics. The commissioner must submit a report with the review’s findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2017.

The bill also requires school districts to provide results from a district-required local assessment to a student’s teacher within 7 days after the assessment is administered.

This bill has a fiscal impact of \$339,611 in nonrecurring General Revenue funds to implement the assessment study and \$1,247,251 in recurring General Revenue funds to implement the provisions relating to the student performance report.

The bill takes effect July 1, 2017.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Statewide Assessment Program

Present Situation

Assessments and Assessment Schedules

As of the beginning of the 2016-2017 school year, Florida's statewide accountability system is comprised of the following:

- **Rigorous academic standards** that establish what knowledge and skills students in kindergarten through grade 12 need to learn.¹
- **Statewide, standardized assessments** to measure student achievement of the standards in specified subject areas and grade levels.²
- **School and district grades** based on student achievement of the standards and other indicators of school and district quality as well as school improvement ratings based on student learning growth.³
- **School recognition** funds that award schools for improving or achieving high levels of performance.⁴
- **Performance evaluation criteria** for teachers and administrators based in part on student achievement of the standards.⁵
- **Public reporting** of school, district, and teacher performance.⁶
- **School improvement** requirements to help struggling schools incorporate best practices and, when needed, to fundamentally restructure schools that continue to fail.⁷

The statewide assessment program for Florida's public schools includes statewide, standardized assessments for English language arts (ELA) for grades 3-10 and mathematics for grades 3-8; end-of-course (EOC) assessments for Algebra I, Algebra II, Geometry, Biology I, Civics, and U.S. History; and the Statewide Science Assessment for grades 5 and 8.⁸ The assessments measure the extent to which students have mastered Florida's academic content standards, the Next-Generation Sunshine State Standards (NGSSS) and Florida Standards.⁹ The grade-level ELA and math assessments and Algebra I, Geometry, and Algebra II EOC assessments are referred to as the Florida Standards Assessments (FSA). EOC assessments count as 30 percent of a student's final course grade.¹⁰ Results from the assessments are used to calculate school grades and school improvement ratings¹¹ and determine student readiness for promotion to 4th grade and high school graduation.¹² In addition, school districts

¹ Section 1003.41, F.S.; rule 6a-1.09401, F.A.C.

² Section 1008.22(3), F.S.

³ Section 1008.34, F.S.; alternative schools may receive a school improvement rating pursuant to s. 1008.341, F.S.; exceptional student education centers may receive a school improvement rating pursuant to s. 1008.3415, F.S.

⁴ Section 1008.36, F.S.

⁵ Section 1012.34, F.S.

⁶ See ss. 1001.42(18), 1002.20(16), 1008.22(11), 1008.341(1), and 1012.34(1)(c), F.S.

⁷ Section 1008.33, F.S.; rule 6A-1.099811, F.A.C.

⁸ Sections 1008.22(3), 1003.4156, and 1003.4282, F.S. Retake administrations are offered for the Grade 10 FSA ELA and Algebra I EOC assessment. Florida Department of Education, *ESEA Flexibility Request*, Memorandum (August 1, 2016), available at <http://info.fldoe.org/docushare/dsweb/Get/Document-7699/dps-2016-125.pdf>.

⁹ See Florida Department of Education, *ESEA Flexibility Request* (August 21, 2015) at 98, available at

<http://www.fldoe.org/core/fileparse.php/5637/urlt/15WaiverRenewalESEA.pdf> [hereinafter referred to as *ESEA Flexibility Request*].

¹⁰ Sections 1003.4156(1)(c)-(d) and 1003.4282(3), F.S.

¹¹ See ss. 1008.34 and 1008.341, F.S.

¹² See ss. 1008.25(5) and 1003.4282(3)(a) and (b), F.S.

use student performance data from the assessments in the performance evaluations for instructional personnel and school administrators.¹³

By August of each year, the Commissioner of Education must publish a uniform assessment calendar on the Department of Education (DOE) website that includes assessment and reporting schedules for the next 2 school years.¹⁴ Results for all statewide, standardized assessments, including EOC assessments, must be made available no later than the week of June 8. School districts must administer the assessments in accordance with the assessment schedule established by the commissioner.¹⁵

The assessment calendar consists of testing windows, or the range of dates during which districts and schools may choose to administer a given assessment.¹⁶ Inside of the state window, districts establish their own windows during which the district will administer a given assessment.

Spring 2017 Assessments (Regular Administration)¹⁷	
February 27-March 3, 2017	Grades 4-7 English Language Arts – Writing
February 27-March 10, 2017	Grades 8-10 English Language Arts – Writing
March 27-April 7, 2017	Grade 3 English Language Arts – Reading
April 10-May 12, 2017	Grades 4-10 English Language Arts – Reading Grades 3-8 Mathematics
April 17-May 12, 2017	Algebra I, Geometry, Algebra II EOC Assessments
April 17-May 19, 2017	Biology I, Civics, U.S. History EOC Assessments
May 1-5, 2017	Grades 5 & 8 Science

The law has required the gradual transition to computer-based assessments beginning with the 2015-2016 school year.¹⁸ Currently, all assessments, except the 3rd grade ELA assessment, the writing portion of the ELA assessment for grades 4 through 7, and the grades 5 and 8 science assessments, are administered on computers. The 3rd grade ELA assessment will be administered as a computer-based test beginning with the 2017-2018 school year.¹⁹ A student may take a paper-based assessment if indicated by his or her individual education plan as a necessary accommodation.²⁰ Windows for EOC assessments are longer than windows for comprehensive, grade-level tests to allow more flexibility for middle schools and high schools to administer the assessments.²¹

Use of computer-based testing provides for a shorter scoring process but requires a longer testing window based on the available facilities and testing devices at each participating school. The writing portion of the ELA assessment includes hand scoring by human graders. This requires the window to open earlier than other assessment windows so that scores can be calculated in time to meet statutory deadlines.²² The 3rd grade ELA assessment is also administered earlier so that decisions related to 4th grade promotion can be made prior to the completion of the school year.

¹³ See s. 1012.34(3)(a)1., F.S.; rules 6A-5.030(2)(a), F.A.C.

¹⁴ Section 1008.22(7)(b), F.S.

¹⁵ Section 1008.22(7)(a), F.S.

¹⁶ Florida Department of Education, *2016-2017 Uniform Statewide Assessment Calendar* (2016), available at <http://fldoe.org/core/fileparse.php/5663/urlt/K12UniformAssessmentCalendar16-17.doc>.

¹⁷ Florida Department of Education, *Florida Statewide Assessment Program 2016-2017 Schedule* (2016), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-7514/dps-2015-175a.pdf>.

¹⁸ See s. 1008.22(3)(d)1., F.S. See also Florida Department of Education, *Florida's Transition to Computer-Based Testing for Statewide Assessments 2014-18* (2016), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-7048/dps-2014-81b.pdf>.

¹⁹ See *id.* The grade 3 ELA assessment does not include a separate writing component.

²⁰ Florida Department of Education, *Computer-based Testing*, <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/computer-based-testing.stml> (last visited Mar. 13, 2017).

²¹ Email, Florida Department of Education, Bureau of K-12 Student Assessment (Nov. 3, 2016).

²² *Id.*

To graduate from high school with a standard high school diploma, a student must successfully complete 24 course credits and participate in EOC assessments for Algebra I, Geometry, Biology, and U.S. History. Students must also participate in 9th and 10th grade statewide, standardized assessments for ELA. Students must pass the Algebra I EOC assessment and the 10th grade statewide, standardized ELA assessment, or earn a concordant or comparative score on the SAT, ACT, or PERT, as applicable, to graduate.

Student Performance

A student's performance on a statewide, standardized assessment is determined using a scaled score based on total points earned and an achievement level ranging from Level 1 (lowest level) through Level 5 (highest level). A Level 3 score is considered satisfactory, or passing.²³ Passing scores for each assessment are set by the State Board of Education.²⁴ The DOE defines each level as follows:²⁵

Level 1	Level 2	Level 3	Level 4	Level 5
Inadequate: Highly likely to need substantial support for the next grade	Below Satisfactory: Likely to need substantial support for the next grade	Satisfactory: May need additional support for the next grade	Proficient: Likely to excel in the next grade	Mastery: Highly likely to excel in the next grade

Florida's, achievement levels are established through a multi-step process of setting cut scores based on industry standards. The process has been utilized six times since 1998 and involves:

- input from over 300 educators based on test content;
- input from a reactor panel comprising K-12 and postsecondary educators and leaders, business leaders, and community leaders; and
- input of the public through three rule-development workshops.²⁶

While Florida's assessment system establishes five achievement levels, other systems may include fewer levels. The National Assessment of Educational Progress (NAEP), or "America's Report Card," has three defined achievement levels: "Basic," "Proficient," and "Advanced." "Proficient" means "demonstrated competency over challenging subject matter, including subject-matter knowledge, application of such knowledge to real-world situations, and analytical skills appropriate to the subject matter."²⁷ Several other states use four achievement levels, setting the cut point, or the point where students meet expectations for the assessment, at the third-highest level.²⁸

Whether "Proficient" as defined for the NAEP means grade-level performance has been heavily debated. Proponents for alignment of grade level expectations to the "Proficient" level have argued that it is important to continue to push higher expectations for students in order to catch up to countries that have higher scores on international assessments, such as Singapore, and to promote a consistent concept of grade-level performance among states. Opponents of the alignment have argued that "Proficient" is aspirational and unreasonably high to be considered a legitimate grade-level expectation and that NAEP assessments and state assessments measure different skills and standards.²⁹

²³ Section 1008.22(3)(e)1., F.S.; rule 6A-1.09981(2)(c), F.A.C.

²⁴ Section 1008.22(3)(e)2., F.S.

²⁵ Florida Department of Education, Bureau of K-12 Student Assessment, *2015-16 FSA ELA and Mathematics Fact Sheet* (2016), available at www.fldoe.org/core/fileparse.php/5663/urlt/ELA-MathFSAFS1516.pdf.

²⁶ Florida Department of Education, *State Board Analysis on Other States' Cut Points as Compared to NAEP Performance* (2015), available at <http://fldoe.org/core/fileparse.php/13152/urlt/NAEPANALYSIS.pdf>.

²⁷ The National Center for Education Statistics, *NAEP Achievement Levels*, <https://nces.ed.gov/nationsreportcard/achievement.aspx> (last visited Mar. 12, 2017).

²⁸ Florida Department of Education, *State Board Analysis on Other States' Cut Points as Compared to NAEP Performance* (2015), available at <http://fldoe.org/core/fileparse.php/13152/urlt/NAEPANALYSIS.pdf>.

²⁹ See e.g., Tom Loveless, *The NAEP Proficiency Myth*, <https://www.brookings.edu/blog/brown-center-chalkboard/2016/06/13/the-naep-proficiency-myth/> (last visited Mar. 12, 2017); Center for Public Education, *The Proficiency Debate: At a Glance*,

To illustrate, 75 percent of 4th grade students in Florida who took the 2015 NAEP Reading assessment achieved a “Basic” rating while 39 percent achieved a “Proficient” rating. In 2016, 52 percent of Florida’s 4th grade students achieved a Level 3 on the statewide, standardized ELA assessment, while 26 percent achieved a Level 4.

2015 FL 4 th Grade NAEP Reading ³⁰	% Basic	75%
	% Proficient	39%
2016 4 th FL Grade ELA Assessment ³¹	% Level 3	52%
	% Level 4	26%

These data suggest that Florida’s Level 3 and Level 4 standards are more rigorous than the NAEP “Basic” and “Proficient” levels, respectively. Currently, School Public Accountability Reports indicate the percentage of students who achieve each level of performance (1-5) at the school, district, and state levels on a given state assessment.³² Thus a student performing at a proficient level (Level 4) can easily be determined.

Data show little correlation between NAEP performance and state cut scores. Among the 10 highest performing states based on the Quality Counts ranking, the differential between the state cut points and the “Proficient” standard on the 2015 NAEP Grade 8 Mathematics standard varies widely. The third-highest performing state, New Jersey, had more students meet the NAEP “Proficient” mark than achieve the “Met Expectations” cut score on its state assessment by 22 percentage points. By contrast, the 6th highest performing state, Minnesota, had fewer students meet the NAEP “Proficient” mark than achieve the “Meets Standards” cut point on its state assessment by 10 percentage points.

Effect of Proposed Changes

The bill requires that beginning with the 2017-2018 school year the ELA assessment in grades 3 through 10 and the mathematics assessment in grades 3 through 8 to be administered no earlier than the last 3 weeks of the school year. The bill specifies that the testing window for these assessments may be no longer than 3 weeks and exempts the 3rd grade “Reading” assessment from the requirements of the bill. The bill does not expressly include state EOC assessments under these requirements.

The bill requires that under any new contract for the statewide, standardized ELA and mathematics assessments entered into after July 1, 2017, the assessments must be made available quarterly for students who have been identified through competency-based education as having mastered the content and who are prepared to take the applicable assessment.

The bill also requires that, beginning with any contract for the statewide, standardized ELA and mathematics assessments entered into after July 1, 2017, “achievement level 3 shall be defined as proficient for each new assessment.” It is unclear whether the effect of the provision is to nominally equate “proficient” with “satisfactory” or to require that a Level 3 score signify the attainment of higher achievement standards.

<http://www.centerforpubliceducation.org/Main-Menu/Evaluating-performance/The-proficiency-debate-At-a-glance> (last visited Mar. 12, 2017).

³⁰ National Center for Education Statistics, *State Profiles*, <https://nces.ed.gov/nationsreportcard/states/> (last visited Mar. 13, 2017) (review based on the state profile for Florida).

³¹ Florida Department of Education, *Florida PK-20 Education Information Portal*, <https://edstats.fldoe.org/SASPortal/public> (last visited Mar. 13, 2017) (review based on 2016 ELA assessment data for 4th grade students).

³² See e.g., Florida Department of Education, *School, District, and State Public Accountability Report for A.L. Mebane Middle School 2014-15*, available at http://doeweb-prd.doe.state.fl.us/eds/nclbpar/year1415/nclb1415.cfm?dist_schl=1_221.

According to the Department of Education, if the Level 3 cut point is aligned to the NAEP “Proficient” level, the percentage of students passing assessments required for graduation would decrease from 51 percent to 36 percent.³³

Reporting Assessment Results

Present Situation

The law requires that state assessment contracts entered into or renewed after April 14, 2015, must provide for a student’s performance on state assessments to be provided to the student’s teachers and parents by the end of the school year, unless the Commissioner of Education determines that extenuating circumstances exist and reports the circumstances to the State Board of Education.³⁴ The law also requires that assessment and reporting schedules must provide the earliest possible reporting of student assessment results to school districts.³⁵

The law does not specify what information must be included when assessment results are provided to teachers or parents; however, sample reports are currently provided on the DOE website.³⁶ The report for the 3rd grade ELA assessment includes the achievement level the student earned on the assessment, the number of points possible and points earned in each “reporting category,” and the percentage of students in the school, district, and state at each achievement level for the assessment.³⁷

The law also requires school districts to provide a student’s performance results on a district-required local assessment to the student’s teachers and parents no later than 30 days after administering the assessment. This requirement does not apply if the superintendent determines that extenuating circumstances exist and reports the circumstances to the district school board.

Effect of Proposed Changes

The bill requires that the results of the statewide, standardized ELA and mathematics assessments be reported in an “easy-to read and understandable” format to each student’s current teacher of record and to each student’s teacher of record for the subsequent school year before the start of the school year. The report must include, at a minimum:

- a clear explanation of the student’s performance on the applicable assessments;
- information identifying the student’s areas of strength and areas in need of improvement;
- specific actions that may be taken, and the available resources that may be used, by the student’s parent to assist the student based on his or her areas of strength and areas in need of improvement;
- longitudinal information, if available, on the student’s progress in each subject area based on previous statewide, standardized assessment data;
- comparative information showing the student’s score compared to other students in the school district, in the state or, if available, in other states; and
- predictive information, if available, showing the linkage between the scores attained by the student on the statewide, standardized assessments and the scores he or she may potentially attain on nationally recognized college entrance examinations.

³³ Florida Department of Education, *State Board Analysis on Other States’ Cut Points as Compared to NAEP Performance* (2015), available at <http://fldoe.org/core/fileparse.php/13152/urlt/NAEPANALYSIS.pdf>.

³⁴ See ss. 7 and 15, ch. 2015-6, L.O.F., codified at s. 1008.22(3)(g)2., F.S.

³⁵ Section 1008.22(7)(a), F.S.

³⁶ Florida Department of Education, *Understanding the New Score Report*, <http://fldoe.org/accountability/assessments/fsa-report.stml> (last visited Mar. 13, 2017).

³⁷ See e.g., Florida Department of Education, *The Florida Standards Assessment English Language Arts Grade 3 Score Report* (2016), available at <http://fldoe.org/core/fileparse.php/5651/urlt/3ELATemplate.pdf>.

The bill also requires that a student's performance on a district-required local assessment be provided to the student's teacher within 7 days after the assessment was administered.

High School State Assessments

The *Every Student Succeeds Act* (ESSA)³⁸ is a federal law that reauthorized and substantially revised the *Elementary and Secondary Education Act of 1965* (ESEA). ESSA is the successor to the *No Child Left Behind Act of 2001* (NCLB).³⁹ Like its predecessors NCLB and ESEA, the goal of ESSA is to improve elementary and secondary education in public schools by conditioning the receipt of federal funds on the implementation of federal requirements. In order to receive Title I funds under ESSA, states must implement a statewide accountability system for K-12 public schools. ESSA also offers competitive and noncompetitive grant funds for teacher and school leader development, family engagement, student support, weighted per-pupil funding, and the development of innovative student progression systems and assessment formats.

ESSA requires each state receiving Title I funds to submit a plan that includes:

- **challenging academic standards** for reading or language arts (ELA) and math;⁴⁰
- **high quality assessments** in ELA, math, and science;⁴¹
- **long-term goals** for all students and student subgroups⁴² in the state, including measurements of interim progress toward meeting the goals;⁴³
- **multiple indicators** of student success and school quality,⁴⁴ including:
 - academic achievement as measured by statewide assessments in ELA and math;
 - a 4-year graduation rate for high schools;
 - for elementary and middle schools, student growth or another academic indicator;
 - progress of English learners⁴⁵ (EL) toward English proficiency; and
 - an additional indicator of school quality or student success;
- **annual meaningful differentiation** (i.e., levels of performance) based on the system's indicators,⁴⁶ and
- **identification of schools**, based on annual meaningful differentiation that requires comprehensive support and improvement or targeted support for specific student subgroups.⁴⁷ ESSA also requires each state and each local school district to annually publish a report card that provides information on student success, school quality, per-pupil funding, the progress of ELs toward English proficiency, and, for the state, progress toward its long-term goals.⁴⁸

These states must also implement high quality standardized assessments for all students, including:

- annual ELA and math assessments for all students in grades 3-8;
- at least one ELA and one math assessment in high school; and
- at least one science assessment during grades 3 through 5, 6 through 9, and 10 through 12.⁴⁹

³⁸ Pub. L. No. 114-95, 129 Stat. 1802 (Dec. 10, 2015); 20 U.S.C. s. 6301 *et seq.*

³⁹ Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

⁴⁰ 20 U.S.C. s. 6311(b)(1).

⁴¹ 20 U.S.C. s. 6311(b)(2).

⁴² For purposes of statewide accountability systems, student subgroups include economically disadvantaged students, students from major racial and ethnic groups, children with disabilities, and English learners. 20 U.S.C. s. 6311(c)(2).

⁴³ 20 U.S.C. s. 6311(c)(4)(A).

⁴⁴ 20 U.S.C. s. 6311(c)(4)(B).

⁴⁵ An English learner is between 3 to 21 years old; is enrolled or preparing to enroll in an elementary or secondary school; was not born in the U.S. or has a native language other than English; and has difficulties in speaking, reading, writing, or understanding the English language such that the student cannot meet the state's academic standards, cannot achieve in a classroom with instruction in English, or does not have the opportunity to participate fully in society. *See* 20 U.S.C. s. 7801(20).

⁴⁶ 20 U.S.C. s. 6311(c)(4)(C).

⁴⁷ 20 U.S.C. s. 6311(c)(4)(D).

⁴⁸ *See* 20 U.S.C. s. 6311(h)(1) and (2).

⁴⁹ 20 U.S.C. s. 6311(b)(2).

With respect to high school assessments, ESSA states that “[n]othing in this paragraph shall be construed to prohibit a local education agency [at the state’s discretion and upon state approval] from administering a locally selected assessment in lieu of the State-designated” high school ELA, math, or science assessments.⁵⁰ However, any such assessment must:⁵¹

- be approved by the state;
- be nationally recognized;
- be aligned to the state’s academic standards;
- address the depth and breadth of such standards;
- be equivalent in its content coverage, difficulty, and quality to the state assessments;
- provide comparable, valid, and reliable data on academic achievement, as compared to the state assessment, for all students and for each subgroup of students, with results expressed in terms consistent with the state’s academic achievement standards (i.e., Level 1, Level 2, etc.);
- meet the same technical requirements as the state assessments; and
- provide unbiased, rational, and consistent differentiation between schools within the state in order to meet the requirements of the state accountability system.

Some states, including Wisconsin and Wyoming, have submitted plans to use the ACT as the high school assessment for accountability purposes.⁵² However, the U.S. Department of Education, as part of the peer review process for approving state plans, notified both states that they cannot receive approval to use the assessment until they submit substantial additional evidence, including documentation of independent alignment studies to show the assessments are aligned to the states’ standards, to support its use.⁵³ The U.S. Department of Education also asked for additional evidence to show that different student subgroups would not be disadvantaged in taking the ACT and that accommodations for students with disabilities are appropriate, effective, do not alter the construct being assessed, and allow meaningful interpretations of results and comparison of scores.⁵⁴

Effect of Proposed Changes

The bill requires the commissioner to review the SAT and ACT to determine their alignment with the core curricular content for high school-level ELA and mathematics established in the Next Generation Sunshine State Standards. The commissioner must submit a report with the results of the review to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education by December 1, 2017.

B. SECTION DIRECTORY:

Section 1. Requires the Commissioner of Education to review specified college entrance examinations to determine their alignment with the core curricular content for high school-level English Language Arts and mathematics established in state standards; requiring the commissioner to submit a report on the results of such review to the Governor, Legislature, and State Board of Education by a specified date.

Section 2. Amends s. 1008.22, F.S.; conforming a cross-reference; revising provisions relating to achievement levels for certain statewide, standardized assessments; providing requirements for administration of the statewide, standardized English Language Arts and mathematics assessments in

⁵⁰ See 20 U.S.C. s. 6311(b)(2)(H).

⁵¹ 20 U.S.C. s. 6311(b)(2)(H)(i)-(v).

⁵² Catherine Gewertz, *Approval Deferred on ACT for Accountability in Wyo., Wis.*, EDUCATION WEEK (Feb. 7, 2017), available at <https://www.edweek.org/ew/articles/2017/02/08/approval-deferred-on-act-for-accountability-in.html>.

⁵³ See Letter from Ary Amerikaner, Deputy Assistant Secretary U.S. Department of Education, to Jillian Balow, State Superintendent of Public Instruction, Wyoming Department of Education (Dec. 2, 2016), available at <https://www2.ed.gov/admins/lead/account/nclbfinalassess/wy5.pdf>; Letter from Ann Whalen, Senior Advisor to the Secretary, U.S. Department of Education, to Tony Evers, State Superintendent, Wisconsin Department of Public Instruction (Jan. 13, 2017), available at <https://www2.ed.gov/admins/lead/account/nclbfinalassess/wi6.pdf>.

⁵⁴ *Id.*

specified grades; revising provisions relating to reporting requirements for school district-required local assessments; providing reporting requirements for certain student assessment results.

Section 3. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

This bill has a fiscal impact of \$339,611 in nonrecurring General Revenue funds to implement the provisions of Section 1 and \$1,247,251 in recurring General Revenue funds to implement the provisions of Section 2.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill requires the 3rd grade English language arts (ELA) assessment to be administered during the last 3 weeks of school. The bill then exempts the grade 3 "Reading" assessment from the 3-week

requirement. It is unclear what portion of the 3rd grade assessment is exempted, however, because the 3rd grade ELA assessment does not have a separate reading or writing component.

The bill requires statewide, standardized ELA and mathematics assessments to be administered during the final 3 weeks of the school year. It also requires that the assessment window be no longer than 3 weeks. However, because the last day of school is separately established by each school district, it is unlikely the Department of Education could establish a 3-week state assessment window. The latest school district close date for the 2016-2017 school year is in Dade (June 8) and the earliest date is in Hamilton (May 19), which leaves only a one-day overlap for purposes of a 3-week testing window.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 28, 2017, the PreK-12 Appropriations Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment provides an appropriation of \$339,611 of nonrecurring General Revenue to fund the provision of Section 1 of the bill. The amendment also provides an appropriation of \$1,247,251 of recurring General Revenue to fund the provision of Section 2 of the bill.

1 A bill to be entitled
2 An act relating to K-12 student assessments; requiring
3 the Commissioner of Education to review specified
4 college entrance examinations to determine their
5 alignment with the core curricular content for high
6 school-level English Language Arts and mathematics
7 established in state standards; requiring the
8 commissioner to submit a report on the results of such
9 review to the Governor, Legislature, and State Board
10 of Education by a specified date; amending s. 1008.22,
11 F.S.; conforming a cross-reference; revising
12 provisions relating to achievement levels for certain
13 statewide, standardized assessments; providing
14 requirements for administration of the statewide,
15 standardized English Language Arts and mathematics
16 assessments in specified grades; revising provisions
17 relating to reporting requirements for school
18 district-required local assessments; providing
19 reporting requirements for certain student assessment
20 results; providing appropriations; providing an
21 effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. The Commissioner of Education shall review the

26 SAT and ACT to determine their alignment with the core
 27 curricular content for high school-level English Language Arts
 28 and mathematics established in the Next Generation Sunshine
 29 State Standards pursuant to s. 1003.41, Florida Statutes. The
 30 commissioner shall submit a report containing the results of
 31 such review to the Governor, the President of the Senate, the
 32 Speaker of the House of Representatives, and the State Board of
 33 Education by December 1, 2017.

34 Section 2. Paragraphs (c) through (f) and paragraph (g) of
 35 subsection (7) of section 1008.22, Florida Statutes, are
 36 redesignated as paragraphs (e) through (h) and paragraph (j),
 37 respectively, paragraph (e) of subsection (3) and present
 38 paragraphs (b) and (f) of subsection (7) are amended, and new
 39 paragraphs (c), (d), and (i) are added to subsection (7) of that
 40 section, to read:

41 1008.22 Student assessment program for public schools.—

42 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 43 Commissioner of Education shall design and implement a
 44 statewide, standardized assessment program aligned to the core
 45 curricular content established in the Next Generation Sunshine
 46 State Standards. The commissioner also must develop or select
 47 and implement a common battery of assessment tools that will be
 48 used in all juvenile justice education programs in the state.
 49 These tools must accurately measure the core curricular content
 50 established in the Next Generation Sunshine State Standards.

51 Participation in the assessment program is mandatory for all
 52 school districts and all students attending public schools,
 53 including adult students seeking a standard high school diploma
 54 under s. 1003.4282 and students in Department of Juvenile
 55 Justice education programs, except as otherwise provided by law.
 56 If a student does not participate in the assessment program, the
 57 school district must notify the student's parent and provide the
 58 parent with information regarding the implications of such
 59 nonparticipation. The statewide, standardized assessment program
 60 shall be designed and implemented as follows:

61 (e) Assessment scores and achievement levels.-

62 1. All statewide, standardized EOC assessments and ELA,
 63 mathematics, and Science assessments shall use scaled scores and
 64 achievement levels. Achievement levels shall range from 1
 65 through 5, with level 1 being the lowest achievement level,
 66 level 5 being the highest achievement level, and level 3
 67 indicating satisfactory performance on an assessment. Beginning
 68 with any new contract for the ELA assessment and the mathematics
 69 assessment entered into after July 1, 2017, achievement level 3
 70 shall be defined as proficient for each new assessment.

71 2. The state board shall designate by rule a passing score
 72 for each statewide, standardized assessment.

73 3. If the commissioner seeks to revise a statewide,
 74 standardized assessment and the revisions require the state
 75 board to modify performance level scores, including the passing

76 score, the commissioner shall provide a copy of the proposed
 77 scores and implementation plan to the President of the Senate
 78 and the Speaker of the House of Representatives at least 90 days
 79 before submission to the state board for review. Until the state
 80 board adopts the modifications by rule, the commissioner shall
 81 use calculations for scoring the assessment that adjust student
 82 scores on the revised assessment for statistical equivalence to
 83 student scores on the former assessment. The state board shall
 84 adopt by rule the passing score for the revised assessment that
 85 is statistically equivalent to the passing score on the
 86 discontinued assessment for a student who is required to attain
 87 a passing score on the discontinued assessment. The commissioner
 88 may, with approval of the state board, discontinue
 89 administration of the former assessment upon the graduation,
 90 based on normal student progression, of students participating
 91 in the final regular administration of the former assessment. If
 92 the commissioner revises a statewide, standardized assessment
 93 and the revisions require the state board to modify the passing
 94 score, only students taking the assessment for the first time
 95 after the rule is adopted are affected.

96 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

97 (b) By August of each year, beginning in 2016, the
 98 commissioner shall publish on the department's website a uniform
 99 calendar that includes the assessment and reporting schedules
 100 for, at a minimum, the next 2 school years. The uniform calendar

101 must be provided to school districts in an electronic format
 102 that allows each school district and public school to populate
 103 the calendar with, at minimum, the following information for
 104 reporting the district assessment schedules under paragraph (e)
 105 ~~(e)~~:

- 106 1. Whether the assessment is a district-required
 107 assessment or a state-required assessment.
- 108 2. The specific date or dates that each assessment will be
 109 administered.
- 110 3. The time allotted to administer each assessment.
- 111 4. Whether the assessment is a computer-based assessment
 112 or a paper-based assessment.
- 113 5. The grade level or subject area associated with the
 114 assessment.
- 115 6. The date that the assessment results are expected to be
 116 available to teachers and parents.
- 117 7. The type of assessment, the purpose of the assessment,
 118 and the use of the assessment results.
- 119 8. A glossary of assessment terminology.
- 120 9. Estimates of average time for administering state-
 121 required and district-required assessments, by grade level.

122 (c) Beginning with the 2017-2018 school year, the ELA
 123 assessment in grades 3 through 10 and the mathematics assessment
 124 in grades 3 through 8 shall be administered:

- 125 1. With the exception of the grade 3 Reading assessment,

126 no earlier than during the last 3 weeks of the school year as
 127 determined by a district school board's policy pursuant to s.
 128 1001.42(4)(f).

129 2. Within a testing window not to exceed 3 weeks.

130 (d) Beginning with any new contract for the ELA assessment
 131 in grades 3 through 10 and the mathematics assessment in grades
 132 3 through 8 entered into after July 1, 2017, each new assessment
 133 shall be made available once per quarter for students who the
 134 school district has identified through competency-based
 135 education as having mastered the content and who are prepared to
 136 take the applicable assessment.

137 (h)(f) A school district must provide a student's
 138 performance results on district-required local assessments to
 139 the student's teachers within 1 week and to the student's
 140 parents no later than 30 days after administering such
 141 assessments, unless the superintendent determines in writing
 142 that extenuating circumstances exist and reports the extenuating
 143 circumstances to the district school board.

144 (i) The results of statewide, standardized ELA and
 145 mathematics assessments shall be reported in an easy-to-read and
 146 understandable format to each student's current teacher of
 147 record and to each student's teacher of record for the
 148 subsequent school year before the start of that school year. A
 149 report of student assessment results must, at a minimum,
 150 contain:

151 1. A clear explanation of the student's performance on the
152 applicable statewide, standardized assessments.

153 2. Information identifying the student's areas of strength
154 and areas in need of improvement.

155 3. Specific actions that may be taken, and the available
156 resources that may be used, by the student's parent to assist
157 his or her child based on the student's areas of strength and
158 areas in need of improvement.

159 4. Longitudinal information, if available, on the
160 student's progress in each subject area based on previous
161 statewide, standardized assessment data.

162 5. Comparative information showing the student's score
163 compared to other students in the school district, in the state,
164 or, if available, in other states.

165 6. Predictive information, if available, showing the
166 linkage between the scores attained by the student on the
167 statewide, standardized assessments and the scores he or she may
168 potentially attain on nationally recognized college entrance
169 examinations.

170 Section 3. For the 2017-2018 fiscal year, the sum of
171 \$339,611 in nonrecurring funds is appropriated from the General
172 Revenue Fund to the Department of Education to implement section
173 1 of this act. For the 2017-2018 fiscal year, the sum of
174 \$1,247,251 in recurring funds is appropriated from the General
175 Revenue Fund to the Department of Education to implement section

CS/HB 773

2017

176 | 2 of this act.

177 | Section 4. This act shall take effect July 1, 2017.



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	_____	

1 Committee/Subcommittee hearing bill: Education Committee

2 Representative Diaz, M. offered the following:

3

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (b) of subsection (3) and paragraph
7 (b) of subsection (4) of section 1003.4282, Florida Statutes,
8 are amended to read:

9 1003.4282 Requirements for a standard high school
10 diploma.-

11 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
12 REQUIREMENTS.-

13 (b) Four credits in mathematics.-A student must earn one
14 credit in Algebra I and one credit in Geometry. A student's
15 performance on the statewide, standardized Algebra I end-of-
16 course (EOC) assessment constitutes 30 percent of the student's



Amendment No. 1

17 final course grade. A student must pass the statewide,
18 standardized Algebra I EOC assessment, or earn a comparative
19 score, in order to earn a standard high school diploma. A
20 student's performance on the statewide, standardized Geometry
21 EOC assessment constitutes 30 percent of the student's final
22 course grade. ~~If the state administers a statewide, standardized~~
23 ~~Algebra II assessment, a student selecting Algebra II must take~~
24 ~~the assessment, and the student's performance on the assessment~~
25 ~~constitutes 30 percent of the student's final course grade.~~ A
26 student who earns an industry certification for which there is a
27 statewide college credit articulation agreement approved by the
28 State Board of Education may substitute the certification for
29 one mathematics credit. Substitution may occur for up to two
30 mathematics credits, except for Algebra I and Geometry.

31 (4) ONLINE COURSE REQUIREMENT.—At least one course within
32 the 24 credits required under this section must be completed
33 through online learning.

34 (b) A district school board or a charter school governing
35 board, as applicable, may allow a student ~~offer students the~~
36 ~~following options~~ to satisfy the online course requirements of
37 this subsection by completing a blended learning course or+

38 ~~1. Completion of a course in which the~~ a student earns a
39 nationally recognized industry certification in information
40 technology that is identified on the CAPE Industry Certification
41 Funding List pursuant to s. 1008.44 or passing ~~passage of the~~



Amendment No. 1

42 information technology certification examination without
43 enrolling enrollment in or completing completion of the
44 corresponding course or courses, as applicable.

45 ~~2. Passage of an online content assessment, without~~
46 ~~enrollment in or completion of the corresponding course or~~
47 ~~courses, as applicable, by which the student demonstrates skills~~
48 ~~and competency in locating information and applying technology~~
49 ~~for instructional purposes.~~

50
51 For purposes of this subsection, a school district may not
52 require a student to take the online or blended learning course
53 outside the school day or in addition to a student's courses for
54 a given semester. This subsection does not apply to a student
55 who has an individual education plan under s. 1003.57 which
56 indicates that an online or blended learning course would be
57 inappropriate or to an out-of-state transfer student who is
58 enrolled in a Florida high school and has 1 academic year or
59 less remaining in high school.

60 Section 2. Paragraph (a) of subsection (1) of section
61 1003.4285, Florida Statutes, is amended to read:

62 1003.4285 Standard high school diploma designations.—

63 (1) Each standard high school diploma shall include, as
64 applicable, the following designations if the student meets the
65 criteria set forth for the designation:



Amendment No. 1

66 (a) Scholar designation.—In addition to the requirements
67 of s. 1003.4282, in order to earn the Scholar designation, a
68 student must satisfy the following requirements:

69 1. Mathematics.—Earn one credit in Algebra II and one
70 credit in statistics or an equally rigorous course. Beginning
71 with students entering grade 9 in the 2014-2015 school year,
72 pass the ~~Algebra II~~ and Geometry statewide, standardized
73 assessment assessments.

74 2. Science.—Pass the statewide, standardized Biology I EOC
75 assessment and earn one credit in chemistry or physics and one
76 credit in a course equally rigorous to chemistry or physics.
77 However, a student enrolled in an Advanced Placement (AP),
78 International Baccalaureate (IB), or Advanced International
79 Certificate of Education (AICE) Biology course who takes the
80 respective AP, IB, or AICE Biology assessment and earns the
81 minimum score necessary to earn college credit as identified
82 pursuant to s. 1007.27(2) meets the requirement of this
83 subparagraph without having to take the statewide, standardized
84 Biology I EOC assessment.

85 3. Social studies.—Pass the statewide, standardized United
86 States History EOC assessment. However, a student enrolled in an
87 AP, IB, or AICE course that includes United States History
88 topics who takes the respective AP, IB, or AICE assessment and
89 earns the minimum score necessary to earn college credit as
90 identified pursuant to s. 1007.27(2) meets the requirement of

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

91 this subparagraph without having to take the statewide,
92 standardized United States History EOC assessment.

93 4. Foreign language.—Earn two credits in the same foreign
94 language.

95 5. Electives.—Earn at least one credit in an Advanced
96 Placement, an International Baccalaureate, an Advanced
97 International Certificate of Education, or a dual enrollment
98 course.

99 Section 3. Paragraphs (c) through (f) and paragraph (g)
100 of subsection (7) of section 1008.22, Florida Statutes, are
101 redesignated as paragraphs (e) through (h) and paragraph (j),
102 respectively, subsections (8) through (12) are renumbered as
103 subsections (9) through (13), respectively, paragraphs (a), (b),
104 and (d) of subsection (3) and present paragraphs (a), (b), and
105 (f) of subsection (7) are amended, new paragraphs (c), (d), and
106 (i) are added to subsection (7), and a new subsection (8) is
107 added to that section, to read:

108 1008.22 Student assessment program for public schools.—

109 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
110 Commissioner of Education shall design and implement a
111 statewide, standardized assessment program aligned to the core
112 curricular content established in the Next Generation Sunshine
113 State Standards. The commissioner also must develop or select
114 and implement a common battery of assessment tools that will be
115 used in all juvenile justice education programs in the state.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

116 These tools must accurately measure the core curricular content
117 established in the Next Generation Sunshine State Standards.
118 Participation in the assessment program is mandatory for all
119 school districts and all students attending public schools,
120 including adult students seeking a standard high school diploma
121 under s. 1003.4282 and students in Department of Juvenile
122 Justice education programs, except as otherwise provided by law.
123 If a student does not participate in the assessment program, the
124 school district must notify the student's parent and provide the
125 parent with information regarding the implications of such
126 nonparticipation. The statewide, standardized assessment program
127 shall be designed and implemented as follows:

128 (a) Statewide, standardized comprehensive assessments.—The
129 statewide, standardized Reading assessment shall be administered
130 annually in grades 3 through 10. The statewide, standardized
131 Writing assessment shall be administered annually at least once
132 at the elementary, middle, and high school levels. When the
133 Reading and Writing assessments are replaced by English Language
134 Arts (ELA) assessments, ELA assessments shall be administered to
135 students in grades 3 through 10. Retake opportunities for the
136 grade 10 Reading assessment or, upon implementation, the grade
137 10 ELA assessment must be provided. Students taking the ELA
138 assessments shall not take the statewide, standardized
139 assessments in Reading or Writing. ELA assessments shall be
140 administered online. The statewide, standardized Mathematics

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

141 assessments shall be administered annually in grades 3 through
142 8. Students taking a revised Mathematics assessment shall not
143 take the discontinued assessment. The statewide, standardized
144 Science assessment shall be administered annually at least once
145 at the elementary and middle grades levels. In order to earn a
146 standard high school diploma, a student who has not earned a
147 passing score on the grade 10 Reading assessment or, upon
148 implementation, the grade 10 ELA assessment must earn a passing
149 score on the assessment retake or earn a concordant score as
150 authorized under subsection (9) ~~(8)~~.

151 (b) End-of-course (EOC) assessments.—EOC assessments must
152 be statewide, standardized, and developed or approved by the
153 Department of Education as follows:

154 1. EOC assessments for Algebra I, Geometry, ~~Algebra II,~~
155 Biology I, United States History, and Civics shall be
156 administered to students enrolled in such courses as specified
157 in the course code directory.

158 2. Students enrolled in a course, as specified in the
159 course code directory, with an associated statewide,
160 standardized EOC assessment must take the EOC assessment for
161 such course and may not take the corresponding subject or grade-
162 level statewide, standardized assessment pursuant to paragraph
163 (a). Sections 1003.4156 and 1003.4282 govern the use of
164 statewide, standardized EOC assessment results for students.



Amendment No. 1

165 3. The commissioner may select one or more nationally
166 developed comprehensive examinations, which may include
167 examinations for a College Board Advanced Placement course,
168 International Baccalaureate course, or Advanced International
169 Certificate of Education course, or industry-approved
170 examinations to earn national industry certifications identified
171 in the CAPE Industry Certification Funding List, for use as EOC
172 assessments under this paragraph if the commissioner determines
173 that the content knowledge and skills assessed by the
174 examinations meet or exceed the grade-level expectations for the
175 core curricular content established for the course in the Next
176 Generation Sunshine State Standards. Use of any such examination
177 as an EOC assessment must be approved by the state board in
178 rule.

179 4. Contingent upon funding provided in the General
180 Appropriations Act, including the appropriation of funds
181 received through federal grants, the commissioner may establish
182 an implementation schedule for the development and
183 administration of additional statewide, standardized EOC
184 assessments that must be approved by the state board in rule. If
185 approved by the state board, student performance on such
186 assessments constitutes 30 percent of a student's final course
187 grade.



Amendment No. 1

188 5. All statewide, standardized EOC assessments must be
189 administered online except as otherwise provided in paragraph
190 (c).

191 (d) Implementation schedule.-

192 1. The Commissioner of Education shall establish and
193 publish on the department's website an implementation schedule
194 to transition from the statewide, standardized Reading and
195 Writing assessments to the ELA assessments and to the revised
196 Mathematics assessments, including the Algebra I and Geometry
197 EOC assessments. The schedule must take into consideration
198 funding, sufficient field and baseline data, access to
199 assessments, instructional alignment, and school district
200 readiness to administer the assessments online. All such
201 assessments must be delivered through computer-based testing,
202 however, the following assessments must be delivered in a
203 computer-based format, as follows: the grade 3 ELA assessment,
204 beginning in the 2017-2018 school year; the grade 3 Mathematics
205 assessment beginning in the 2016-2017 school year; the grade 4
206 ELA assessment, beginning in the 2015-2016 school year; and the
207 grade 4 Mathematics assessment, beginning in the 2016-2017
208 school year. Beginning with the 2018-2019 school year,
209 statewide, standardized ELA and mathematics assessments for
210 grades 3 through 6 must be delivered in a paper-based format
211 only.



Amendment No. 1

212 2. The Department of Education shall publish minimum and
213 recommended technology requirements that include specifications
214 for hardware, software, networking, security, and broadband
215 capacity to facilitate school district compliance with the
216 requirements of this section ~~requirement that assessments be~~
217 ~~administered online.~~

218 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.--

219 (a) The Commissioner of Education shall establish
220 schedules for the administration of statewide, standardized
221 assessments and the reporting of student assessment results. The
222 commissioner shall consider the observance of religious and
223 school holidays when developing the schedules. The assessment
224 and reporting schedules must provide the earliest possible
225 reporting of student assessment results to the school districts,
226 consistent with the requirements of paragraph (3)(g). Assessment
227 results for the statewide, standardized ELA and mathematics
228 assessments and all statewide, standardized EOC assessments must
229 be made available no later than ~~the week of~~ June 30 ~~8~~, except
230 for results for the grade 3 statewide, standardized ELA
231 assessment, which must be made available no later than May 31 of
232 ~~assessments administered in the 2014-2015 school year.~~ School
233 districts shall administer statewide, standardized assessments
234 in accordance with the schedule established by the commissioner.

235 (b) By January ~~August~~ of each year, beginning in 2018
236 ~~2016~~, the commissioner shall publish on the department's website



Amendment No. 1

237 a uniform calendar that includes the assessment and reporting
238 schedules for, at a minimum, the next 2 school years. The
239 uniform calendar must be provided to school districts in an
240 electronic format that allows each school district and public
241 school to populate the calendar with, at minimum, the following
242 information for reporting the district assessment schedules
243 under paragraph (e) ~~(e)~~:

- 244 1. Whether the assessment is a district-required
245 assessment or a state-required assessment.
- 246 2. The specific date or dates that each assessment will be
247 administered.
- 248 3. The time allotted to administer each assessment.
- 249 4. Whether the assessment is a computer-based assessment
250 or a paper-based assessment.
- 251 5. The grade level or subject area associated with the
252 assessment.
- 253 6. The date that the assessment results are expected to be
254 available to teachers and parents.
- 255 7. The type of assessment, the purpose of the assessment,
256 and the use of the assessment results.
- 257 8. A glossary of assessment terminology.
- 258 9. Estimates of average time for administering state-
259 required and district-required assessments, by grade level.
- 260 (c) Beginning with the 2018-2019 school year, the spring
261 administration of the statewide, standardized assessments in



Amendment No. 1

262 paragraphs (3) (a) and (b), excluding assessment retakes, must be
263 in accordance with the following schedule:

264 1. The grade 3 statewide, standardized ELA assessment and
265 the writing portion of the statewide, standardized ELA
266 assessment for grades 4 through 10 must be administered no
267 earlier than April 1 each year within an assessment window not
268 to exceed 2 weeks.

269 2. With the exception of assessments identified in
270 subparagraph 1., any statewide, standardized assessment that is
271 delivered in a paper-based format must be administered no
272 earlier than May 1 each year within an assessment window not to
273 exceed 2 weeks.

274 3. With the exception of assessments identified in
275 subparagraphs 1. and 2., any statewide, standardized
276 assessment must be administered within a 4-week assessment
277 window that opens no earlier than May 1 each year.

278
279 Each school district shall administer the assessments identified
280 under subparagraphs 2. And 3. no earlier than 4 weeks before the
281 last day of school for the district.

282 (d) Beginning with any new contract for the ELA assessment
283 in grades 3 through 10 and the mathematics assessment in grades
284 3 through 8 entered into after July 1, 2017, each new assessment
285 shall be made available once per quarter for students who the
286 school district has identified through competency-based



Amendment No. 1

287 education as having mastered the content and who are prepared to
288 take the applicable assessment in accordance with s. 1003.4996.

289 (h)-(f) A school district must provide a student's
290 performance results on district-required local assessments to
291 the student's teachers within 1 week and to the student's
292 parents no later than 30 days after administering such
293 assessments, unless the superintendent determines in writing
294 that extenuating circumstances exist and reports the extenuating
295 circumstances to the district school board.

296 (i) The results of statewide, standardized ELA and
297 mathematics assessments, including assessment retakes, shall be
298 reported in an easy-to-read and understandable format and
299 delivered in time to provide useful, actionable information to
300 students, parents, and to each student's current teacher of
301 record and teacher of record for the subsequent school year;
302 however, in any case, the district shall provide the results
303 pursuant to this paragraph within 1 week after receiving the
304 results from the department. A report of student assessment
305 results must, at a minimum, contain:

306 1. A clear explanation of the student's performance on the
307 applicable statewide, standardized assessments.

308 2. Information identifying the student's areas of strength
309 and areas in need of improvement.

310 3. Specific actions that may be taken, and the available
311 resources that may be used, by the student's parent to assist

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

312 his or her child based on the student's areas of strength and
313 areas in need of improvement.

314 4. Longitudinal information, if available, on the
315 student's progress in each subject area based on previous
316 statewide, standardized assessment data.

317 5. Comparative information showing the student's score
318 compared to other students in the school district, in the state,
319 or, if available, in other states.

320 6. Predictive information, if available, showing the
321 linkage between the scores attained by the student on the
322 statewide, standardized assessments and the scores he or she may
323 potentially attain on nationally recognized college entrance
324 examinations.

325 (8) PUBLICATION OF ASSESSMENTS.-To promote transparency in
326 the statewide assessment program, the Department of Education,
327 subject to appropriation, shall publish assessments on its
328 website in accordance with this subsection.

329 (a) Beginning with the 2019-2020 school year, and every 3
330 years thereafter, the department shall publish each assessment
331 administered under paragraph (3)(a) and subparagraph (3)(b)1.,
332 excluding retake assessments, at least once pursuant to a
333 schedule determined by the Commissioner of Education. Each
334 assessment, when published, must have been administered during
335 the most recent school year.



Amendment No. 1

336 (b) The initial publication of assessments must occur no
337 later than June 30, 2020, and must include, at a minimum, the
338 grade 3 ELA and mathematics assessments, the grade 10 ELA
339 assessment, and the Algebra I EOC assessment.

340 (c) The department must provide materials on its website
341 to help the public interpret assessment information published
342 pursuant to this subsection.

343 (11) REPORTS.—The Department of Education shall annually
344 provide a report to the Governor, the President of the Senate,
345 and the Speaker of the House of Representatives which shall
346 include the following:

347 (e) The number of students who after 8th grade enroll in
348 adult education rather than other secondary education, which is
349 defined as grades 9 through 12.

350 Section 4. Paragraph (a) of subsection (7) of section
351 1012.34, Florida Statutes, is amended to read:

352 1012.34 Personnel evaluation procedures and criteria.—

353 (7) MEASUREMENT OF STUDENT PERFORMANCE.—

354 (a) The Commissioner of Education shall approve a formula
355 to measure individual student learning growth on the statewide,
356 standardized assessments in English Language Arts and
357 mathematics administered under s. 1008.22. The formula must take
358 into consideration each student's prior academic performance. A
359 third party, independent of the assessment developer, must
360 analyze student learning growth data calculated using the



Amendment No. 1

361 formula and provide access to a data visualization tool that
362 enables teachers to understand and evaluate the data and school
363 administrators to improve instruction, evaluate programs,
364 allocate resources, plan professional development, and
365 communicate with stakeholders. The formula must not set
366 different expectations for student learning growth based upon a
367 student's gender, race, ethnicity, or socioeconomic status. In
368 the development of the formula, the commissioner shall consider
369 other factors such as a student's attendance record, disability
370 status, or status as an English language learner. The
371 commissioner may select additional formulas to measure student
372 performance as appropriate for the remainder of the statewide,
373 standardized assessments included under s. 1008.22 and continue
374 to select formulas as new assessments are implemented in the
375 state system. After the commissioner approves the formula to
376 measure individual student learning growth, the State Board of
377 Education shall adopt these formulas in rule.

378 Section 5. The Commissioner of Education shall contract
379 for an independent study to determine whether the SAT and ACT
380 may be administered in lieu of the grade 10 statewide,
381 standardized ELA assessment and the Algebra I end-of-course
382 assessment for high school students consistent with federal
383 requirements under 20 U.S.C. s. 6311(b)(2)(H). The commissioner
384 shall submit a report containing the results of such review and
385 any recommendations to the Governor, the President of the



Amendment No. 1

386 Senate, the Speaker of the House of Representatives, and the
387 State Board of Education by January 1, 2018.

388 Section 6.

389 (1) For the 2017-2018 fiscal year, the sum of \$339,611 in
390 nonrecurring funds is appropriated from the General Revenue Fund
391 to the Department of Education to implement section 5 of this
392 act; the sum of \$1,247,251 in recurring funds is appropriated
393 from the General Revenue Fund to the Department of Education to
394 implement the provisions in s. 1008.22(7)(i), Florida Statutes,
395 created by this act; the sum of \$3,085,978 in recurring funds is
396 appropriated from the General Revenue Fund to the Department of
397 Education to implement the provisions in s. 1008.22(8), Florida
398 Statutes, created by this act; the sum of \$11.2 million in
399 recurring funds is appropriated from the General Revenue Fund to
400 the Department of Education to implement the revisions made to
401 s. 1008.22(3)(d), Florida Statutes, by this act; and the sum of
402 \$3.4 million in recurring funds is appropriated from the General
403 Revenue Fund to the Department of Education to implement section
404 4 of this act.

405 (2) This section shall take effect July 1, 2017, if
406 CS/CS/CS/HB 549 or similar legislation relating to education is
407 not adopted during the same legislative session or an extension
408 thereof and fails to become law.

409 Section 7. Subsection (1) of section 1003.4156, Florida
410 Statutes, is amended to read:

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

411 1003.4156 General requirements for middle grades
412 promotion.-

413 (1) In order for a student to be promoted to high school
414 from a school that includes middle grades 6, 7, and 8, the
415 student must successfully complete the following courses:

416 (a) Three middle grades or higher courses in English
417 Language Arts (ELA).

418 (b) Three middle grades or higher courses in mathematics.
419 Each school that includes middle grades must offer at least one
420 high school level mathematics course for which students may earn
421 high school credit. Successful completion of a high school level
422 Algebra I or Geometry course is not contingent upon the
423 student's performance on the statewide, standardized end-of-
424 course (EOC) assessment. To earn high school credit for Algebra
425 I, a middle grades student must take the statewide, standardized
426 Algebra I EOC assessment and pass the course, and in addition,
427 beginning with the 2013-2014 school year and thereafter, a
428 student's performance on the Algebra I EOC assessment
429 constitutes 30 percent of the student's final course grade. To
430 earn high school credit for a Geometry course, a middle grades
431 student must take the statewide, standardized Geometry EOC
432 assessment, which constitutes 30 percent of the student's final
433 course grade, and earn a passing grade in the course.

434 (c) Three middle grades or higher courses in social
435 studies. Beginning with students entering grade 6 in the 2012-

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

436 2013 school year, one of these courses must be at least a one-
437 semester civics education course that includes the roles and
438 responsibilities of federal, state, and local governments; the
439 structures and functions of the legislative, executive, and
440 judicial branches of government; and the meaning and
441 significance of historic documents, such as the Articles of
442 Confederation, the Declaration of Independence, and the
443 Constitution of the United States. Beginning with the 2013-2014
444 school year, each student's performance on the statewide,
445 standardized EOC assessment in civics education required under
446 s. 1008.22 constitutes 30 percent of the student's final course
447 grade. A middle grades student who transfers into the state's
448 public school system from out of country, out of state, a
449 private school, or a home education program after the beginning
450 of the second term of grade 8 is not required to meet the civics
451 education requirement for promotion from the middle grades if
452 the student's transcript documents passage of three courses in
453 social studies or two year-long courses in social studies that
454 include coverage of civics education.

455 (d) Three middle grades or higher courses in science.
456 Successful completion of a high school level Biology I course is
457 not contingent upon the student's performance on the statewide,
458 standardized EOC assessment required under s. 1008.22. However,
459 beginning with the 2012-2013 school year, to earn high school
460 credit for a Biology I course, a middle grades student must take

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

461 the statewide, standardized Biology I EOC assessment, which
462 constitutes 30 percent of the student's final course grade, and
463 earn a passing grade in the course.

464 ~~(e) One course in career and education planning to be
465 completed in 6th, 7th, or 8th grade. The course may be taught by
466 any member of the instructional staff. At a minimum, the course
467 must be Internet based, easy to use, and customizable to each
468 student and include research based assessments to assist
469 students in determining educational and career options and
470 goals. In addition, the course must result in a completed
471 personalized academic and career plan for the student; must
472 emphasize the importance of entrepreneurship skills; must
473 emphasize technology or the application of technology in career
474 fields; and, beginning in the 2014-2015 academic year, must
475 include information from the Department of Economic
476 Opportunity's economic security report as described in s.
477 445.07. The required personalized academic and career plan must
478 inform students of high school graduation requirements,
479 including a detailed explanation of the diploma designation
480 options provided under s. 1003.4285; high school assessment and
481 college entrance test requirements; Florida Bright Futures
482 Scholarship Program requirements; state university and Florida
483 College System institution admission requirements; available
484 opportunities to earn college credit in high school, including
485 Advanced Placement courses; the International Baccalaureate~~

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

486 ~~Program; the Advanced International Certificate of Education~~
487 ~~Program; dual enrollment, including career dual enrollment; and~~
488 ~~career education courses, including career themed courses and~~
489 ~~courses that lead to industry certification pursuant to s.~~
490 ~~1003.492 or s. 1008.44.~~

491
492 ~~Each school must inform parents about the course curriculum and~~
493 ~~activities. Each student shall complete a personal education~~
494 ~~plan that must be signed by the student and the student's~~
495 ~~parent. The Department of Education shall develop course~~
496 ~~frameworks and professional development materials for the career~~
497 ~~and education planning course. The course may be implemented as~~
498 ~~a stand alone course or integrated into another course or~~
499 ~~courses. The Commissioner of Education shall collect~~
500 ~~longitudinal high school course enrollment data by student~~
501 ~~ethnicity in order to analyze course taking patterns.~~

502 Section 8. Effective upon becoming law, subsections (24)
503 and (27) of section 1001.42, Florida Statutes, are amended to
504 read:

505 1001.42 Powers and duties of district school board.—The
506 district school board, acting as a board, shall exercise all
507 powers and perform all duties listed below:

508 (24) EMPLOYMENT CONTRACTS.—

509 (a) If a school district enters into a contract or
510 employment agreement, or renewal or renegotiation of an existing



Amendment No. 1

511 contract or employment agreement, with an officer, agent,
512 employee, or contractor which contains a provision for severance
513 pay, the contract or employment agreement must include the
514 provisions of s. 215.425.

515 (b) A district school board may not award an annual
516 contract on the basis of any contingency or condition not
517 expressly authorized in this section or alter or limit its
518 authority to award or not award an annual contract as provided
519 in this section. This paragraph applies only to a collective
520 bargaining agreement entered into or renewed by a district
521 school board on or after the effective date of this act.

522 (27) VISITATION OF SCHOOLS.— Effective July 1, 2017, visit
523 the schools, observe the management and instruction, give
524 suggestions for improvement, and advise citizens with the view
525 of promoting interest in education and improving the school.
526 School board members shall be permitted to visit district
527 operated schools without an appointment.

528 Section 9. The Division of Law Revision and Information is
529 directed to replace the phrase "the effective date of this act"
530 as it occurs in section 9 of this act with the date this act
531 takes effect.

532 Section 10. Paragraph (a) of subsection (8) and subsection
533 (11) of section 1002.37, Florida Statutes, are amended to read:

534 1002.37 The Florida Virtual School.—



Amendment No. 1

535 (8) (a) The Florida Virtual School may provide full-time
536 and part-time instruction for students in kindergarten through
537 grade 12. ~~To receive part time instruction in kindergarten~~
538 ~~through grade 5, a student must meet at least one of the~~
539 ~~eligibility criteria in s. 1002.455(2).~~

540 Section 11. Section 1002.455, Florida Statutes, is
541 amended to read:

542 1002.455 Student eligibility for K-12 virtual
543 instruction.-

544 ~~(1) All students, including home education and private~~
545 ~~school students, are eligible to participate in any of the~~
546 ~~following A student may participate in virtual instruction in~~
547 ~~the school district in which he or she resides if the student~~
548 ~~meets the eligibility criteria in subsection (2).~~

549 ~~(2) A student is eligible to participate in virtual~~
550 ~~instruction if:~~

551 ~~(a) The student spent the prior school year in attendance~~
552 ~~at a public school in the state and was enrolled and reported by~~
553 ~~the school district for funding during October and February for~~
554 ~~purposes of the Florida Education Finance Program surveys;~~

555 ~~(b) The student is a dependent child of a member of the~~
556 ~~United States Armed Forces who was transferred within the last~~
557 ~~12 months to this state from another state or from a foreign~~
558 ~~country pursuant to a permanent change of station order;~~



Amendment No. 1

559 ~~(c) The student was enrolled during the prior school year~~
560 ~~in a virtual instruction program under s. 1002.45 or a full-time~~
561 ~~Florida Virtual School program under s. 1002.37(8)(a);~~

562 ~~(d) The student has a sibling who is currently enrolled in~~
563 ~~a virtual instruction program and the sibling was enrolled in~~
564 ~~that program at the end of the prior school year;~~

565 ~~(e) The student is eligible to enter kindergarten or first~~
566 ~~grade; or~~

567 ~~(f) The student is eligible to enter grades 2 through 5~~
568 ~~and is enrolled full-time in a school district virtual~~
569 ~~instruction program, virtual charter school, or the Florida~~
570 ~~Virtual School.~~

571 ~~(3) The virtual instruction options for which this~~
572 ~~eligibility section applies include:~~

573 ~~(1)(a) School district operated part-time or full-time~~
574 ~~kindergarten through grade 12 virtual instruction programs under~~
575 ~~s. 1002.45(1)(b) for students enrolled in the school district.~~

576 ~~(2)(b) Full-time virtual charter school instruction~~
577 ~~authorized under s. 1002.33.~~

578 ~~(3)(e) Virtual courses offered in the course code~~
579 ~~directory to students within the school district or to students~~
580 ~~in other school districts throughout the state pursuant to s.~~
581 ~~1003.498.~~

582 ~~(4) Florida Virtual School instructional services~~
583 ~~authorized under s. 1002.37.~~

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

584 Section 12. Subsection (5) of section 1002.45, Florida
585 Statutes, is amended to read:

586 1002.45 Virtual instruction programs.—

587 (5) STUDENT ELIGIBILITY.—A student may enroll in a virtual
588 instruction program provided by the school district or by a
589 virtual charter school operated in the district in which he or
590 she resides ~~if the student meets eligibility requirements for~~
591 ~~virtual instruction~~ pursuant to s. 1002.455.

592 Section 13. Subsection (2) of section 1003.498, Florida
593 Statutes, is amended to read:

594 1003.498 School district virtual course offerings.—

595 (2) School districts may offer virtual courses for
596 students enrolled in the school district. These courses must be
597 identified in the course code directory. Students ~~who meet the~~
598 ~~eligibility requirements of s. 1002.455~~ may participate in these
599 virtual course offerings pursuant to s. 1002.455.

600 (a) Any ~~eligible~~ student who is enrolled in a school
601 district may register and enroll in an online course offered by
602 his or her school district.

603 (b)1. Any ~~eligible~~ student who is enrolled in a school
604 district may register and enroll in an online course offered by
605 any other school district in the state. The school district in
606 which the student completes the course shall report the
607 student's completion of that course for funding pursuant to s.



Amendment No. 1

608 1011.61(1)(c)1.b.(VI), and the home school district shall not
609 report the student for funding for that course.

610 2. The full-time equivalent student membership calculated
611 under this subsection is subject to the requirements in s.
612 1011.61(4). The Department of Education shall establish
613 procedures to enable interdistrict coordination for the delivery
614 and funding of this online option.

615 Section 14. Subsections (3) through (8) of section
616 1006.40, Florida Statutes, are amended to read:

617 1006.40 Use of instructional materials allocation;
618 instructional materials, library books, and reference books;
619 repair of books.-

620 (3)(a) Except for a school district or a consortium of
621 school districts that implements an instructional materials
622 program pursuant to s. 1006.283 Beginning with the 2015-2016
623 fiscal year, each district school board shall use at least 50
624 percent of the annual allocation only for the purchase of
625 digital or electronic instructional materials that align with
626 state standards and are included on the state-adopted list,
627 except as otherwise authorized in paragraphs (b) and (c).

628 (b) Up to 50 percent of the annual allocation may be used
629 for:

630 1. The purchase of ~~instructional materials, including~~
631 ~~library and reference books and nonprint materials, not included~~



Amendment No. 1

632 ~~on the state adopted list and for the repair and renovation of~~
633 ~~textbooks and library books.~~

634 2. The purchase of other materials having intellectual
635 content which assist in the instruction of a subject or course.
636 These materials may be available in bound, unbound, kit, or
637 package form and may consist of hardbacked or softbacked
638 textbooks, novels, electronic content, consumables, learning
639 laboratories, manipulatives, electronic media, computer
640 courseware or software, and other commonly accepted
641 instructional tools as prescribed by district school board rule.

642 3. The repair and renovation of textbooks and library
643 books and replacements for items which were part of previously
644 purchased instructional materials.

645 Section 15. Paragraph (c) of subsection (8) of section
646 1012.56, Florida Statutes, is redesignated as paragraph (d),
647 subsection (1), subsection (7), and paragraph (a) of subsection
648 (8) are amended, and a new paragraph (c) is added to subsection
649 (8) of that section, to read:

650 1012.56 Educator certification requirements.—

651 (1) APPLICATION.—Each person seeking certification
652 pursuant to this chapter shall submit a completed application
653 containing the applicant's social security number to the
654 Department of Education and remit the fee required pursuant to
655 s. 1012.59 and rules of the State Board of Education. Pursuant
656 to the federal Personal Responsibility and Work Opportunity

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

657 Reconciliation Act of 1996, each party is required to provide
658 his or her social security number in accordance with this
659 section. Disclosure of social security numbers obtained through
660 this requirement is limited to the purpose of administration of
661 the Title IV-D program of the Social Security Act for child
662 support enforcement.

663 (a) Pursuant to s. 120.60, the department shall issue
664 within 90 calendar days after the stamped receipted date of the
665 completed application.

666 ~~(a) If the applicant meets the requirements, a professional~~
667 ~~certificate to a qualifying applicant covering the~~
668 ~~classification, level, and area for which the applicant is~~
669 ~~deemed qualified and a document explaining the requirements for~~
670 ~~renewal of the professional certificate.~~

671 (b) The department shall issue a temporary certificate to
672 a qualifying applicant within 14 calendar days after receipt of
673 a request from ~~if the applicant meets the requirements and if~~
674 ~~requested by an employing school district or an employing~~
675 ~~private school with a professional education competence~~
676 ~~demonstration program pursuant to paragraphs (6)(f) and (8)(b).~~
677 The, a temporary certificate must cover covering the
678 classification, level, and area for which the applicant is
679 deemed qualified. The department shall electronically notify the
680 applicant's employing school district or employing private
681 school that the temporary certificate has been issued and

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM

Page 28 of 76



Amendment No. 1

682 provide the applicant an official statement of status of
683 eligibility at the time the certificate is issued. and an
684 official statement of status of eligibility; or

685 (c) Pursuant to s. 120.60, the department shall issue
686 within 90 calendar days after the stamped receipted date of the
687 completed application, if an applicant does not meet the
688 requirements for either certificate, an official statement of
689 status of eligibility.

690
691 The statement of status of eligibility must be provided
692 electronically and must advise the applicant of any
693 qualifications that must be completed to qualify for
694 certification. Each method by which an applicant can complete
695 the qualifications for a professional certificate must be
696 included in the statement of status of eligibility. Each
697 statement of status of eligibility is valid for 3 years after
698 its date of issuance, except as provided in paragraph (2)(d).

699 (7) TYPES AND TERMS OF CERTIFICATION.—

700 (a) The Department of Education shall issue a professional
701 certificate for a period not to exceed 5 years to any applicant
702 who fulfills one of the following:

703 1. Meets all the requirements outlined in subsection (2).

704 2. ~~or,~~ For a professional certificate covering grades 6
705 through 12, ~~any applicant who:~~

706 ~~a.1.~~ Meets the requirements of paragraphs (2)(a)-(h).

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

707 b.2. Holds a master's or higher degree in the area of
708 science, technology, engineering, or mathematics.

709 c.3. Teaches a high school course in the subject of the
710 advanced degree.

711 d.4. Is rated highly effective as determined by the
712 teacher's performance evaluation under s. 1012.34, based in part
713 on student performance as measured by a statewide, standardized
714 assessment or an Advanced Placement, Advanced International
715 Certificate of Education, or International Baccalaureate
716 examination.

717 e.5. Achieves a passing score on the Florida professional
718 education competency examination required by state board rule.

719 3. Meets the requirements of paragraphs (2)(a)-(h) and
720 completes a professional preparation and education competence
721 program approved by the department pursuant to paragraph (8)(c).
722 An applicant who completes the program and is rated highly
723 effective as determined by his or her performance evaluation
724 under s. 1012.34 is not required to take or achieve a passing
725 score on the professional education competency examination in
726 order to be awarded a professional certificate.

727 (b) The department shall issue a temporary certificate to
728 any applicant who completes the requirements outlined in
729 paragraphs (2)(a)-(f) and completes the subject area content
730 requirements specified in state board rule or demonstrates
731 mastery of subject area knowledge pursuant to subsection (5) and

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

732 holds an accredited degree or a degree approved by the
733 Department of Education at the level required for the subject
734 area specialization in state board rule.

735 (c) The department shall issue one nonrenewable 2-year
736 temporary certificate and one nonrenewable 5-year professional
737 certificate to a qualified applicant who holds a bachelor's
738 degree in the area of speech-language impairment to allow for
739 completion of a master's degree program in speech-language
740 impairment.

741
742 Each temporary certificate is valid for 3 school fiscal years
743 and is nonrenewable. However, the requirement in paragraph
744 (2)(g) must be met within 1 calendar year of the date of
745 employment under the temporary certificate. Individuals who are
746 employed under contract at the end of the 1 calendar year time
747 period may continue to be employed through the end of the school
748 year in which they have been contracted. A school district shall
749 not employ, or continue the employment of, an individual in a
750 position for which a temporary certificate is required beyond
751 this time period if the individual has not met the requirement
752 of paragraph (2)(g). At least 1 year before an individual's
753 temporary certificate is set to expire, the department shall
754 electronically notify the individual of the date on which his or
755 her certificate will expire and provide a list of each method by
756 which the qualifications for a professional certificate can be

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

757 completed. The State Board of Education shall adopt rules to
758 allow the department to extend the validity period of a
759 temporary certificate for 2 years when the requirements for the
760 professional certificate, not including the requirement in
761 paragraph (2)(g), were not completed due to the serious illness
762 or injury of the applicant or other extraordinary extenuating
763 circumstances or for 1 year if the temporary certificate holder
764 is rated effective or highly effective based solely on a student
765 learning growth formula approved by the Commissioner of
766 Education pursuant to s. 1012.34(8). The department shall
767 reissue the temporary certificate for 2 additional years upon
768 approval by the Commissioner of Education. A written request for
769 reissuance of the certificate shall be submitted by the district
770 school superintendent, the governing authority of a university
771 lab school, the governing authority of a state-supported school,
772 or the governing authority of a private school.

773 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
774 COMPETENCY PROGRAM.—

775 (a) The Department of Education shall develop and each
776 school district, charter school, and charter management
777 organization may provide a cohesive competency-based
778 professional development certification and education competency
779 program by which ~~members of a school district's~~ instructional
780 staff may satisfy the mastery of professional preparation and
781 education competence requirements specified in subsection (6)

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

782 and rules of the State Board of Education. Participants must
783 hold a state-issued temporary certificate. A school district,
784 charter school, or charter management organization that
785 implements the program shall provide a competency-based
786 certification program developed by the Department of Education
787 or developed by the district, charter school, or charter
788 management organization and approved by the Department of
789 Education. The program shall include the following:

- 790 1. A minimum period of initial preparation before assuming
791 duties as the teacher of record.
- 792 2. An option for collaboration with ~~between school~~
793 ~~districts and~~ other supporting agencies or educational entities
794 for implementation.
- 795 3. A teacher mentorship and induction ~~An experienced peer-~~
796 ~~mentor component.~~
 - 797 a. Each individual selected by the district as a peer
798 mentor:
 - 799 I. Must hold a valid professional certificate issued
800 pursuant to this section;i
 - 801 II. Must have earned at least 3 years of teaching
802 experience in prekindergarten through grade 12;i and
 - 803 III. Must have completed specialized training in clinical
804 supervision and participate in ongoing mentor training provided
805 through the coordinated system of professional development under
806 s. 1012.98(3)(e);

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

807 IV. Must have earned an effective or highly effective
808 rating on the prior year's performance evaluation under s.
809 1012.34; and

810 V. May ~~or~~ be a peer evaluator under the district's
811 evaluation system approved under s. 1012.34.

812 b. The teacher mentorship and induction component must, at
813 a minimum, provide weekly opportunities for mentoring and
814 induction activities, including common planning time, ongoing
815 professional development targeted to a teacher's needs,
816 opportunities for a teacher to observe other teachers, co-
817 teaching experiences, and reflection and followup discussions.
818 Mentorship and induction activities must be provided for an
819 applicant's first year in the program and may be provided until
820 the applicant attains his or her professional certificate in
821 accordance with this section. A principal who is rated highly
822 effective as determined by his or her performance evaluation
823 under s. 1012.34 must be provided flexibility in selecting
824 professional development activities under this paragraph;
825 however, the activities must be approved by the department as
826 part of the district's, charter school's, or charter management
827 organization's program.

828 4. An assessment of teaching performance aligned to the
829 district's system for personnel evaluation under s. 1012.34
830 which provides for:

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

- 831 a. An initial evaluation of each educator's competencies
832 to determine an appropriate individualized professional
833 development plan.
- 834 b. A summative evaluation to assure successful completion
835 of the program.
- 836 5. Professional education preparation content knowledge,
837 which must be included in the mentoring and induction activities
838 under subparagraph 3., that includes, but is not limited to, the
839 following:
- 840 a. The state standards provided under s. 1003.41,
841 including scientifically based reading instruction, content
842 literacy, and mathematical practices, for each subject
843 identified on the temporary certificate.
- 844 b. The educator-accomplished practices approved by the
845 state board.
- 846 c. A variety of data indicators for monitoring student
847 progress.
- 848 d. Methodologies for teaching students with disabilities.
- 849 e. Methodologies for teaching students of limited English
850 proficiency appropriate for each subject area identified on the
851 temporary certificate.
- 852 f. Techniques and strategies for operationalizing the role
853 of the teacher in assuring a safe learning environment for
854 students.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

855 6. Required achievement of passing scores on the subject
856 area and professional education competency examination required
857 by State Board of Education rule. Mastery of general knowledge
858 must be demonstrated as described in subsection (3).

859 (c) No later than December 31, 2017, the department shall
860 adopt standards for the approval of professional development
861 certification and education competency programs, including
862 standards for the teacher mentorship and induction component,
863 under paragraph (a). Standards for the teacher mentorship and
864 induction component must include program administration and
865 evaluation; mentor roles, selection, and training; beginning
866 teacher assessment and professional development; and teacher
867 content knowledge and practices aligned to the Florida Educator
868 Accomplished Practices. Each school district or charter school
869 with a program under this subsection must submit its program,
870 including the teacher mentorship and induction component, to the
871 department for approval no later than June 30, 2018. After
872 December 31, 2018, a teacher may not satisfy requirements for a
873 professional certificate through a professional development
874 certification and education competency program under paragraph
875 (a) unless the program has been approved by the department
876 pursuant to this paragraph.

877 Section 16. Section 1001.215, Florida Statutes, is amended
878 to read:



Amendment No. 1

879 1001.215 Just Read, Florida! Office.—There is created in
880 the Department of Education the Just Read, Florida! Office. The
881 office is ~~shall be~~ fully accountable to the Commissioner of
882 Education and shall:

883 (1) Train ~~highly effective~~ reading coaches.

884 (2) Create multiple designations of effective reading
885 instruction, with accompanying credentials, to enable which
886 ~~encourage~~ all teachers to integrate reading instruction into
887 their content areas.

888 (3) Work with the Lastinger Center at the University of
889 Florida, to develop training for ~~train~~ K-12 teachers, reading
890 coaches, and school principals on effective content-area-
891 specific reading strategies; the integration of content
892 knowledge-rich texts from other core subject areas into reading
893 instruction; evidence-based reading strategies identified in
894 subsection (7). For secondary teachers, emphasis shall be on
895 technical text. These strategies must be developed for all
896 content areas in the K-12 curriculum.

897 (4) Provide parents with information and strategies for
898 assisting their children in reading, including reading in the
899 content areas area.

900 (5) Provide technical assistance to school districts in
901 the development and implementation of district plans for use of
902 the research-based reading instruction allocation provided in s.
903 1011.62(9) and annually review and approve such plans.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

904 (6) Review, evaluate, and provide technical assistance to
905 school districts' implementation of the K-12 comprehensive
906 reading plan required in s. 1011.62(9).

907 (7) Work with the Florida Center for Reading Research to
908 identify scientifically researched and evidence-based reading
909 instructional and intervention programs that incorporate
910 explicit, systematic, and sequential approaches to teaching
911 phonemic awareness, phonics, vocabulary, fluency, and text
912 comprehension and incorporate decodable or phonetic text
913 instructional ~~provide information on research-based reading~~
914 ~~programs and effective reading in the content area strategies.~~
915 Reading intervention includes evidence-based strategies
916 frequently used to remediate reading deficiencies and includes,
917 but is not limited to, individual instruction, multisensory
918 approaches, tutoring, mentoring, or the use of technology that
919 targets specific reading skills and abilities.

920 (8) Periodically review the Next Generation Sunshine State
921 Standards for English Language Arts to determine their
922 appropriateness at each grade level ~~reading at all grade levels.~~

923 (9) Periodically review teacher certification requirements
924 and examinations, including alternative certification
925 requirements and examinations ~~exams~~, to ascertain whether the
926 examinations measure the skills needed for evidence-based
927 ~~research-based~~ reading instruction and instructional strategies
928 for teaching reading, including reading in the content areas.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

929 (10) Work with teacher preparation programs approved
930 pursuant to ss. ~~s.~~ 1004.04 and 1004.85 to integrate effective,
931 research-based and evidence-based reading instructional and
932 intervention strategies, including explicit, systematic, and
933 sequential and reading strategies, multisensory intervention
934 strategies, and reading in the content area instructional
935 strategies into teacher preparation programs.

936 (11) Administer grants and perform other functions as
937 necessary to help meet the goal that all students read at their
938 highest potential grade level.

939 Section 17. Paragraph (b) of subsection (2) of section
940 1004.04, Florida Statutes, is amended to read:

941 1004.04 Public accountability and state approval for
942 teacher preparation programs.—

943 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

944 (b) The rules to establish uniform core curricula for each
945 state-approved teacher preparation program must include, but are
946 not limited to, the following:

- 947 1. The Florida Educator Accomplished Practices.
- 948 2. The state-adopted content standards.
- 949 3. Scientifically researched and evidence-based reading
950 instructional strategies that improve reading performance for
951 all students, including explicit, systematic, and sequential
952 approaches to teaching phonemic awareness, phonics, vocabulary,



Amendment No. 1

953 fluency, and text comprehension and multisensory intervention
954 strategies instruction.

955 4. Content literacy and mathematics practices.

956 5. Strategies appropriate for the instruction of English
957 language learners.

958 6. Strategies appropriate for the instruction of students
959 with disabilities.

960 7. School safety.

961 Section 18. Paragraph (a) of subsection (3) of section
962 1004.85, Florida Statutes, is amended to read:

963 1004.85 Postsecondary educator preparation institutes.—

964 (3) Educator preparation institutes approved pursuant to
965 this section may offer competency-based certification programs
966 specifically designed for noneducation major baccalaureate
967 degree holders to enable program participants to meet the
968 educator certification requirements of s. 1012.56. An educator
969 preparation institute choosing to offer a competency-based
970 certification program pursuant to the provisions of this section
971 must implement a program previously approved by the Department
972 of Education for this purpose or a program developed by the
973 institute and approved by the department for this purpose.
974 Approved programs shall be available for use by other approved
975 educator preparation institutes.

976 (a) Within 90 days after receipt of a request for
977 approval, the Department of Education shall approve a

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

978 preparation program pursuant to the requirements of this
979 subsection or issue a statement of the deficiencies in the
980 request for approval. The department shall approve a
981 certification program if the institute provides evidence of the
982 institute's capacity to implement a competency-based program
983 that includes each of the following:

984 1.a. Participant instruction and assessment in the Florida
985 Educator Accomplished Practices.

986 b. The state-adopted student content standards.

987 c. Scientifically researched and evidence-based reading
988 instructional strategies that improve reading performance for
989 all students, including explicit, systematic, and sequential
990 approaches to teaching phonemic awareness, phonics, vocabulary,
991 fluency, and text comprehension and multisensory intervention
992 strategies instruction.

993 d. Content literacy and mathematical practices.

994 e. Strategies appropriate for instruction of English
995 language learners.

996 f. Strategies appropriate for instruction of students with
997 disabilities.

998 g. School safety.

999 2. An educational plan for each participant to meet
1000 certification requirements and demonstrate his or her ability to
1001 teach the subject area for which the participant is seeking



Amendment No. 1

1002 certification, which is based on an assessment of his or her
1003 competency in the areas listed in subparagraph 1.

1004 3. Field experiences appropriate to the certification
1005 subject area specified in the educational plan with a diverse
1006 population of students in a variety of settings under the
1007 supervision of qualified educators.

1008 4. A certification ombudsman to facilitate the process and
1009 procedures required for participants who complete the program to
1010 meet any requirements related to the background screening
1011 pursuant to s. 1012.32 and educator professional or temporary
1012 certification pursuant to s. 1012.56.

1013 Section 19. Paragraph (a) of subsection (3) of section
1014 1012.585, Florida Statutes, is amended, and paragraph (f) is
1015 added to that subsection, to read:

1016 1012.585 Process for renewal of professional
1017 certificates.—

1018 (3) For the renewal of a professional certificate, the
1019 following requirements must be met:

1020 (a) The applicant must earn a minimum of 6 college credits
1021 or 120 inservice points or a combination thereof. For each area
1022 of specialization to be retained on a certificate, the applicant
1023 must earn at least 3 of the required credit hours or equivalent
1024 inservice points in the specialization area. Education in
1025 "clinical educator" training pursuant to s. 1004.04(5)(b);
1026 participation in mentorship and induction activities, including



Amendment No. 1

1027 as a mentor, pursuant to s. 1012.56(8)(a); and credits or points
1028 that provide training in the area of scientifically researched,
1029 knowledge-based reading literacy, including explicit,
1030 systematic, and sequential approaches to reading instruction,
1031 developing phonemic awareness, and implementing multisensory
1032 intervention strategies, and computational skills acquisition,
1033 exceptional student education, normal child development, and the
1034 disorders of development may be applied toward any
1035 specialization area. Credits or points that provide training in
1036 the areas of drug abuse, child abuse and neglect, strategies in
1037 teaching students having limited proficiency in English, or
1038 dropout prevention, or training in areas identified in the
1039 educational goals and performance standards adopted pursuant to
1040 ss. 1000.03(5) and 1008.345 may be applied toward any
1041 specialization area, except specialization areas identified by
1042 State Board of Education rule that include reading instruction
1043 or intervention for any students in kindergarten through grade
1044 6. Credits or points earned through approved summer institutes
1045 may be applied toward the fulfillment of these requirements.
1046 Inservice points may also be earned by participation in
1047 professional growth components approved by the State Board of
1048 Education and specified pursuant to s. 1012.98 in the district's
1049 approved master plan for inservice educational training;
1050 however, such points may not be used to satisfy the
1051 specialization requirements of this paragraph, including, but

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1052 ~~not limited to, serving as a trainer in an approved teacher~~
1053 ~~training activity, serving on an instructional materials~~
1054 ~~committee or a state board or commission that deals with~~
1055 ~~educational issues, or serving on an advisory council created~~
1056 ~~pursuant to s. 1001.452.~~

1057 (f) An applicant for renewal of a professional certificate
1058 in any area of certification identified by State Board of
1059 Education rule that includes reading instruction or intervention
1060 for any students in kindergarten through grade 6, with a
1061 beginning validity date of July 1, 2020, or thereafter, must
1062 earn a minimum of 2 college credits or the equivalent inservice
1063 points in the use of explicit, systematic, and sequential
1064 approaches to reading instruction, developing phonemic
1065 awareness, and implementing multisensory intervention
1066 strategies. Such training must be provided by teacher
1067 preparation programs under s. 1004.04 or s. 1004.85 or approved
1068 school district professional development systems under s.
1069 1012.98. The requirements in this paragraph may not add to the
1070 total hours required by the department for continuing education
1071 or inservice training.

1072 Section 20. Subsection (1) of section 1012.586, Florida
1073 Statutes, is amended to read:

1074 1012.586 Additions or changes to certificates; duplicate
1075 certificates.—A school district may process via a Department of



Amendment No. 1

1076 Education website certificates for the following applications of
1077 public school employees:

1078 (1) Addition of a subject coverage or endorsement to a
1079 valid Florida certificate on the basis of the completion of the
1080 appropriate subject area testing requirements of s.
1081 1012.56(5)(a) or the completion of the requirements of an
1082 approved school district program or the inservice components for
1083 an endorsement.

1084 (a) To reduce duplication, the department may recommend
1085 the consolidation of endorsement areas and requirements to the
1086 State Board of Education.

1087 (b) By July 1, 2018, and at least once every 5 years
1088 thereafter, the department shall conduct a review of existing
1089 subject coverage or endorsement requirements in the elementary,
1090 reading, and exceptional student educational areas. The review
1091 must include reciprocity requirements for out-of-state
1092 certificates and requirements for demonstrating competency in
1093 the reading instruction professional development topics listed
1094 in s. 1012.98(4)(b)10. At the conclusion of each review, the
1095 department shall recommend to the state board changes to the
1096 subject coverage or endorsement requirements based upon any
1097 identified instruction or intervention strategies proven to
1098 improve student reading performance. This paragraph does not
1099 authorize the state board to establish any new certification
1100 subject coverage.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1101
1102 The employing school district shall charge the employee a fee
1103 not to exceed the amount charged by the Department of Education
1104 for such services. Each district school board shall retain a
1105 portion of the fee as defined in the rules of the State Board of
1106 Education. The portion sent to the department shall be used for
1107 maintenance of the technology system, the web application, and
1108 posting and mailing of the certificate.

1109 Section 21. Paragraph (e) is added to subsection (3) of
1110 section 1012.98, Florida Statutes, and paragraph (b) of
1111 subsection (4) and subsections (10) and (11) are amended, to
1112 read:

1113 1012.98 School Community Professional Development Act.—

1114 (3) The activities designed to implement this section
1115 must:

1116 (e) Provide training to teacher mentors as part of the
1117 professional development certification and education competency
1118 program under s. 1012.56(8)(a). The training must include
1119 components on teacher development, peer coaching, time
1120 management, and other related topics as determined by the
1121 Department of Education.

1122 (4) The Department of Education, school districts,
1123 schools, Florida College System institutions, and state
1124 universities share the responsibilities described in this
1125 section. These responsibilities include the following:

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1126 (b) Each school district shall develop a professional
1127 development system as specified in subsection (3). The system
1128 shall be developed in consultation with teachers, teacher-
1129 educators of Florida College System institutions and state
1130 universities, business and community representatives, and local
1131 education foundations, consortia, and professional
1132 organizations. The professional development system must:

1133 1. Be approved by the department. All substantial
1134 revisions to the system shall be submitted to the department for
1135 review for continued approval.

1136 2. Be based on analyses of student achievement data and
1137 instructional strategies and methods that support rigorous,
1138 relevant, and challenging curricula for all students. Schools
1139 and districts, in developing and refining the professional
1140 development system, shall also review and monitor school
1141 discipline data; school environment surveys; assessments of
1142 parental satisfaction; performance appraisal data of teachers,
1143 managers, and administrative personnel; and other performance
1144 indicators to identify school and student needs that can be met
1145 by improved professional performance.

1146 3. Provide inservice activities coupled with followup
1147 support appropriate to accomplish district-level and school-
1148 level improvement goals and standards. The inservice activities
1149 for instructional personnel shall focus on analysis of student
1150 achievement data, ongoing formal and informal assessments of

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1151 student achievement, identification and use of enhanced and
1152 differentiated instructional strategies that emphasize rigor,
1153 relevance, and reading in the content areas, enhancement of
1154 subject content expertise, integrated use of classroom
1155 technology that enhances teaching and learning, classroom
1156 management, parent involvement, and school safety.

1157 4. Provide inservice activities and support targeted to
1158 the individual needs of new teachers participating in the
1159 professional development certification and education competency
1160 program under s. 1012.56(8)(a).

1161 5.4. Include a master plan for inservice activities,
1162 pursuant to rules of the State Board of Education, for all
1163 district employees from all fund sources. The master plan shall
1164 be updated annually by September 1, must be based on input from
1165 teachers and district and school instructional leaders, and must
1166 use the latest available student achievement data and research
1167 to enhance rigor and relevance in the classroom. Each district
1168 inservice plan must be aligned to and support the school-based
1169 inservice plans and school improvement plans pursuant to s.
1170 1001.42(18). Each district inservice plan must provide a
1171 description of the training that middle grades instructional
1172 personnel and school administrators receive on the district's
1173 code of student conduct adopted pursuant to s. 1006.07;
1174 integrated digital instruction and competency-based instruction
1175 and CAPE Digital Tool certificates and CAPE industry

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1176 certifications; classroom management; student behavior and
1177 interaction; extended learning opportunities for students; and
1178 instructional leadership. District plans must be approved by the
1179 district school board annually in order to ensure compliance
1180 with subsection (1) and to allow for dissemination of research-
1181 based best practices to other districts. District school boards
1182 must submit verification of their approval to the Commissioner
1183 of Education no later than October 1, annually. Each school
1184 principal may establish and maintain an individual professional
1185 development plan for each instructional employee assigned to the
1186 school as a seamless component to the school improvement plans
1187 developed pursuant to s. 1001.42(18). An individual professional
1188 development plan must be related to specific performance data
1189 for the students to whom the teacher is assigned, define the
1190 inservice objectives and specific measurable improvements
1191 expected in student performance as a result of the inservice
1192 activity, and include an evaluation component that determines
1193 the effectiveness of the professional development plan.

1194 ~~6.5-~~ Include inservice activities for school
1195 administrative personnel that address updated skills necessary
1196 for instructional leadership and effective school management
1197 pursuant to s. 1012.986.

1198 ~~7.6-~~ Provide for systematic consultation with regional and
1199 state personnel designated to provide technical assistance and
1200 evaluation of local professional development programs.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1201 ~~8.7-~~ Provide for delivery of professional development by
1202 distance learning and other technology-based delivery systems to
1203 reach more educators at lower costs.

1204 ~~9.8-~~ Provide for the continuous evaluation of the quality
1205 and effectiveness of professional development programs in order
1206 to eliminate ineffective programs and strategies and to expand
1207 effective ones. Evaluations must consider the impact of such
1208 activities on the performance of participating educators and
1209 their students' achievement and behavior.

1210 ~~10.9-~~ For middle grades, emphasize:

1211 a. Interdisciplinary planning, collaboration, and
1212 instruction.

1213 b. Alignment of curriculum and instructional materials to
1214 the state academic standards adopted pursuant to s. 1003.41.

1215 c. Use of small learning communities; problem-solving,
1216 inquiry-driven research and analytical approaches for students;
1217 strategies and tools based on student needs; competency-based
1218 instruction; integrated digital instruction; and project-based
1219 instruction.

1220
1221 Each school that includes any of grades 6, 7, or 8 must include
1222 in its school improvement plan, required under s. 1001.42(18), a
1223 description of the specific strategies used by the school to
1224 implement each item listed in this subparagraph.



Amendment No. 1

1225 11. Provide training to reading coaches, classroom
1226 teachers, and school administrators in effective methods of
1227 identifying characteristics of conditions such as dyslexia and
1228 other causes of diminished phonological processing skills;
1229 incorporating instructional techniques into the general
1230 education setting which are proven to improve reading
1231 performance for all students; and using predictive and other
1232 data to make instructional decisions based on individual student
1233 needs. The training must help teachers integrate phonemic
1234 awareness; phonics, word study, and spelling; reading fluency;
1235 vocabulary, including academic vocabulary; and text
1236 comprehension strategies into an explicit, systematic, and
1237 sequential approach to reading instruction, including
1238 multisensory intervention strategies. Each district must provide
1239 all elementary grades instructional personnel access to training
1240 sufficient to meet the requirements of s. 1012.585(3)(f).

1241 (10) For instructional personnel and administrative
1242 personnel who have been evaluated as less than effective, a
1243 district school board shall require participation in specific
1244 professional development programs as provided in subparagraph
1245 (4)(b)5. ~~(4)(b)4.~~ as part of the improvement prescription.

1246 (11) The department shall disseminate to the school
1247 community proven model professional development programs that
1248 have demonstrated success in increasing rigorous and relevant
1249 content, increasing student achievement and engagement, and



Amendment No. 1

1250 meeting identified student needs, and providing effective
1251 mentorship activities to new teachers and training to teacher
1252 mentors. The methods of dissemination must include a web-based
1253 statewide performance-support system including a database of
1254 exemplary professional development activities, a listing of
1255 available professional development resources, training programs,
1256 and available technical assistance.

1257 Section 22. Subsections (1) and (10) of section 1002.33,
1258 Florida Statutes, is amended to read:

1259 1002.33 Charter schools.—

1260 (1) AUTHORIZATION.—Charter schools shall be part of the
1261 state's program of public education. All charter schools in
1262 Florida are public schools. A charter school may be formed by
1263 creating a new school or converting an existing public school to
1264 charter status. A charter school may operate a virtual charter
1265 school pursuant to s. 1002.45(1)(d) to provide full-time online
1266 instruction to ~~eligible~~ students, pursuant to s. 1002.455, in
1267 kindergarten through grade 12. An existing charter school that
1268 is seeking to become a virtual charter school must amend its
1269 charter or submit a new application pursuant to subsection (6)
1270 to become a virtual charter school. A virtual charter school is
1271 subject to the requirements of this section; however, a virtual
1272 charter school is exempt from subsections (18) and (19),
1273 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and



Amendment No. 1

1274 s. 1003.03. A public school may not use the term charter in its
1275 name unless it has been approved under this section.

1276 (10) ELIGIBLE STUDENTS.—

1277 (a) A charter school may be exempt from the requirements
1278 of s. 1002.31 if the school is ~~shall be~~ open to any student
1279 covered in an interdistrict agreement and any student ~~or~~
1280 residing in the school district in which the charter school is
1281 located. ~~+~~ However, in the case of a charter lab school, the
1282 charter lab school shall be open to any student eligible to
1283 attend the lab school as provided in s. 1002.32 or who resides
1284 in the school district in which the charter lab school is
1285 located. Any eligible student shall be allowed interdistrict
1286 transfer to attend a charter school when based on good cause.
1287 Good cause shall include, but is not limited to, geographic
1288 proximity to a charter school in a neighboring school district.

1289 Section 23. Paragraphs (l) through (o) of subsection (1)
1290 of section 1011.62, Florida Statutes, are amended to read:

1291 1011.62 Funds for operation of schools.—If the annual
1292 allocation from the Florida Education Finance Program to each
1293 district for operation of schools is not determined in the
1294 annual appropriations act or the substantive bill implementing
1295 the annual appropriations act, it shall be determined as
1296 follows:

1297 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1298 OPERATION.—The following procedure shall be followed in



Amendment No. 1

1299 determining the annual allocation to each district for
1300 operation:

1301 (i) Calculation of full-time equivalent membership with
1302 respect to dual enrollment instruction.—Students enrolled in
1303 dual enrollment instruction pursuant to s. 1007.271 may be
1304 included in calculations of full-time equivalent student
1305 memberships for basic programs for grades 9 through 12 by a
1306 district school board. Instructional time for dual enrollment
1307 may vary from 900 hours; however, the full-time equivalent
1308 student membership value shall be subject to the provisions in
1309 s. 1011.61(4). Dual enrollment full-time equivalent student
1310 membership shall be calculated in an amount equal to the hours
1311 of instruction that would be necessary to earn the full-time
1312 equivalent student membership for an equivalent course if it
1313 were taught in the school district. Students in dual enrollment
1314 courses may also be calculated as the proportional shares of
1315 full-time equivalent enrollments they generate for a Florida
1316 College System institution or university conducting the dual
1317 enrollment instruction. Early admission students shall be
1318 considered dual enrollments for funding purposes. Students may
1319 be enrolled in dual enrollment instruction provided by an
1320 eligible independent college or university and may be included
1321 in calculations of full-time equivalent student memberships for
1322 basic programs for grades 9 through 12 by a district school
1323 board. However, those provisions of law which exempt dual

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1324 enrolled and early admission students from payment of
1325 instructional materials and tuition and fees, including
1326 laboratory fees, shall not apply to students who select the
1327 option of enrolling in an eligible independent institution. An
1328 independent college or university, which is ~~located and~~
1329 ~~chartered in Florida,~~ is not for profit, is accredited by a
1330 regional or national accrediting agency recognized by the United
1331 States Department of Education ~~the Commission on Colleges of the~~
1332 ~~Southern Association of Colleges and Schools or the Accrediting~~
1333 ~~Council for Independent Colleges and Schools,~~ and confers
1334 degrees as defined in s. 1005.02 shall be eligible for inclusion
1335 in the dual enrollment or early admission program. Students
1336 enrolled in dual enrollment instruction shall be exempt from the
1337 payment of tuition and fees, including laboratory fees. No
1338 student enrolled in college credit mathematics or English dual
1339 enrollment instruction shall be funded as a dual enrollment
1340 unless the student has successfully completed the relevant
1341 section of the entry-level examination required pursuant to s.
1342 1008.30.

1343 (j) Instruction in exploratory career education.—Students
1344 in grades 7 through 12 who are enrolled for more than four
1345 semesters in exploratory career education may not be counted as
1346 full-time equivalent students for this instruction.



Amendment No. 1

1347 (k) Study hall.—A student who is enrolled in study hall
1348 may not be included in the calculation of full-time equivalent
1349 student membership for funding under this section.

1350 (l) Calculation of additional full-time equivalent
1351 membership based on International Baccalaureate examination
1352 scores of students.—A value of 0.16 full-time equivalent student
1353 membership shall be calculated for each student enrolled in an
1354 International Baccalaureate course who receives a score of 4 or
1355 higher on a subject examination. A value of 0.3 full-time
1356 equivalent student membership shall be calculated for each
1357 student who receives an International Baccalaureate diploma.
1358 Such value shall be added to the total full-time equivalent
1359 student membership in basic programs for grades 9 through 12 in
1360 the subsequent fiscal year. Each school district shall allocate
1361 80 percent of the funds received from International
1362 Baccalaureate bonus FTE funding to the school program whose
1363 students generate the funds and to school programs that prepare
1364 prospective students to enroll in International Baccalaureate
1365 courses. Funds shall be expended solely for the payment of
1366 allowable costs associated with the International Baccalaureate
1367 program. Allowable costs include International Baccalaureate
1368 annual school fees; International Baccalaureate examination
1369 fees; salary, benefits, and bonuses for teachers and program
1370 coordinators for the International Baccalaureate program and
1371 teachers and coordinators who prepare prospective students for

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1372 the International Baccalaureate program; supplemental books;
1373 instructional supplies; instructional equipment or instructional
1374 materials for International Baccalaureate courses; other
1375 activities that identify prospective International Baccalaureate
1376 students or prepare prospective students to enroll in
1377 International Baccalaureate courses; and training or
1378 professional development for International Baccalaureate
1379 teachers. School districts shall allocate the remaining 20
1380 percent of the funds received from International Baccalaureate
1381 bonus FTE funding for programs that assist academically
1382 disadvantaged students to prepare for more rigorous courses. The
1383 school district shall distribute to each classroom teacher who
1384 provided International Baccalaureate instruction:

1385 1. A bonus in the amount of \$50 for each student taught by
1386 the International Baccalaureate teacher in each International
1387 Baccalaureate course who receives a score of 4 or higher on the
1388 International Baccalaureate examination.

1389 2. An additional bonus of \$500 to each International
1390 Baccalaureate teacher in a school designated with a grade of "D"
1391 or "F" who has at least one student scoring 4 or higher on the
1392 International Baccalaureate examination, regardless of the
1393 number of classes taught or of the number of students scoring a
1394 4 or higher on the International Baccalaureate examination.

1395



Amendment No. 1

1396 ~~Bonuses awarded to a teacher according to this paragraph may not~~
1397 ~~exceed \$2,000 in any given school year. However, the maximum~~
1398 ~~bonus shall be \$3,000 if at least 50 percent of the students~~
1399 ~~enrolled in a teacher's course earn a score of 4 or higher on~~
1400 ~~the examination in a school designated with a grade of "A," "B,"~~
1401 ~~or "C"; or if at least 25 percent of the students enrolled in a~~
1402 ~~teacher's course earn a score of 4 or higher on the examination~~
1403 ~~in a school designated with a grade of "D" or "F." Bonuses~~
1404 awarded under this paragraph shall be in addition to any regular
1405 wage or other bonus the teacher received or is scheduled to
1406 receive. For such courses, the teacher shall earn an additional
1407 bonus of \$50 for each student who has a qualifying score ~~up to~~
1408 ~~the maximum of \$3,000 in any given school year.~~

1409 (m) Calculation of additional full-time equivalent
1410 membership based on Advanced International Certificate of
1411 Education examination scores of students.—A value of 0.16 full-
1412 time equivalent student membership shall be calculated for each
1413 student enrolled in a full-credit Advanced International
1414 Certificate of Education course who receives a score of E or
1415 higher on a subject examination. A value of 0.08 full-time
1416 equivalent student membership shall be calculated for each
1417 student enrolled in a half-credit Advanced International
1418 Certificate of Education course who receives a score of E or
1419 higher on a subject examination. A value of 0.3 full-time
1420 equivalent student membership shall be calculated for each

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1421 student who receives an Advanced International Certificate of
1422 Education diploma. Such value shall be added to the total full-
1423 time equivalent student membership in basic programs for grades
1424 9 through 12 in the subsequent fiscal year. Each school district
1425 shall allocate at least 80 percent of the funds received from
1426 the Advanced International Certificate of Education bonus FTE
1427 funding, in accordance with this paragraph, to the school
1428 program that generated the funds. The school district shall
1429 distribute to each classroom teacher who provided Advanced
1430 International Certificate of Education instruction:

1431 1. A bonus in the amount of \$50 for each student taught by
1432 the Advanced International Certificate of Education teacher in
1433 each full-credit Advanced International Certificate of Education
1434 course who receives a score of E or higher on the Advanced
1435 International Certificate of Education examination. A bonus in
1436 the amount of \$25 for each student taught by the Advanced
1437 International Certificate of Education teacher in each half-
1438 credit Advanced International Certificate of Education course
1439 who receives a score of E or higher on the Advanced
1440 International Certificate of Education examination.

1441 2. An additional bonus of \$500 to each Advanced
1442 International Certificate of Education teacher in a school
1443 designated with a grade of "D" or "F" who has at least one
1444 student scoring E or higher on the full-credit Advanced
1445 International Certificate of Education examination, regardless

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1446 of the number of classes taught or of the number of students
1447 scoring an E or higher on the full-credit Advanced International
1448 Certificate of Education examination.

1449 3. Additional bonuses of \$250 each to teachers of half-
1450 credit Advanced International Certificate of Education classes
1451 in a school designated with a grade of "D" or "F" which has at
1452 least one student scoring an E or higher on the half-credit
1453 Advanced International Certificate of Education examination in
1454 that class. ~~The maximum additional bonus for a teacher awarded~~
1455 ~~in accordance with this subparagraph shall not exceed \$500 in~~
1456 ~~any given school year.~~ Teachers receiving an award under
1457 subparagraph 2. are not eligible for a bonus under this
1458 subparagraph.

1459
1460 Bonuses awarded to a teacher according to this paragraph shall
1461 ~~not exceed \$2,000 in any given school year and shall be in~~
1462 addition to any regular wage or other bonus the teacher received
1463 or is scheduled to receive.

1464 (n) Calculation of additional full-time equivalent
1465 membership based on college board advanced placement scores of
1466 students.—A value of 0.16 full-time equivalent student
1467 membership shall be calculated for each student in each advanced
1468 placement course who receives a score of 3 or higher on the
1469 College Board Advanced Placement Examination for the prior year
1470 and added to the total full-time equivalent student membership

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1471 in basic programs for grades 9 through 12 in the subsequent
1472 fiscal year. Each district must allocate at least 80 percent of
1473 the funds provided to the district for advanced placement
1474 instruction, in accordance with this paragraph, to the high
1475 school that generates the funds. The school district shall
1476 distribute to each classroom teacher who provided advanced
1477 placement instruction:

1478 1. A bonus in the amount of \$50 for each student taught by
1479 the Advanced Placement teacher in each advanced placement course
1480 who receives a score of 3 or higher on the College Board
1481 Advanced Placement Examination.

1482 2. An additional bonus of \$500 to each Advanced Placement
1483 teacher in a school designated with a grade of "D" or "F" who
1484 has at least one student scoring 3 or higher on the College
1485 Board Advanced Placement Examination, regardless of the number
1486 of classes taught or of the number of students scoring a 3 or
1487 higher on the College Board Advanced Placement Examination.

1488
~~1489 Bonuses awarded to a teacher according to this paragraph shall
1490 not exceed \$2,000 in any given school year. However, the maximum
1491 bonus shall be \$3,000 if at least 50 percent of the students
1492 enrolled in a teacher's course earn a score of 3 or higher on
1493 the examination in a school with a grade of "A," "B," or "C" or
1494 if at least 25 percent of the students enrolled in a teacher's
1495 course earn a score of 3 or higher on the examination in a~~



Amendment No. 1

1496 ~~school with a grade of "D" or "F."~~ Bonuses awarded under this
1497 paragraph shall be in addition to any regular wage or other
1498 bonus the teacher received or is scheduled to receive. For such
1499 courses, the teacher shall earn an additional bonus of \$50 for
1500 each student who has a qualifying score ~~up to the maximum of~~
1501 ~~\$3,000 in any given school year.~~

1502 (o) Calculation of additional full-time equivalent
1503 membership based on successful completion of a career-themed
1504 course pursuant to ss. 1003.491, 1003.492, and 1003.493, or
1505 courses with embedded CAPE industry certifications or CAPE
1506 Digital Tool certificates, and issuance of industry
1507 certification identified on the CAPE Industry Certification
1508 Funding List pursuant to rules adopted by the State Board of
1509 Education or CAPE Digital Tool certificates pursuant to s.
1510 1003.4203.—

1511 1.a. A value of 0.025 full-time equivalent student
1512 membership shall be calculated for CAPE Digital Tool
1513 certificates earned by students in elementary and middle school
1514 grades.

1515 b. A value of 0.1 or 0.2 full-time equivalent student
1516 membership shall be calculated for each student who completes a
1517 course as defined in s. 1003.493(1)(b) or courses with embedded
1518 CAPE industry certifications and who is issued an industry
1519 certification identified annually on the CAPE Industry
1520 Certification Funding List approved under rules adopted by the

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1521 State Board of Education. A value of 0.2 full-time equivalent
1522 membership shall be calculated for each student who is issued a
1523 CAPE industry certification that has a statewide articulation
1524 agreement for college credit approved by the State Board of
1525 Education. For CAPE industry certifications that do not
1526 articulate for college credit, the Department of Education shall
1527 assign a full-time equivalent value of 0.1 for each
1528 certification. Middle grades students who earn additional FTE
1529 membership for a CAPE Digital Tool certificate pursuant to sub-
1530 subparagraph a. may not use the previously funded examination to
1531 satisfy the requirements for earning an industry certification
1532 under this sub-subparagraph. Additional FTE membership for an
1533 elementary or middle grades student may not exceed 0.1 for
1534 certificates or certifications earned within the same fiscal
1535 year. The State Board of Education shall include the assigned
1536 values on the CAPE Industry Certification Funding List under
1537 rules adopted by the state board. Such value shall be added to
1538 the total full-time equivalent student membership for grades 6
1539 through 12 in the subsequent year. CAPE industry certifications
1540 earned through dual enrollment must be reported and funded
1541 pursuant to s. 1011.80. However, if a student earns a
1542 certification through a dual enrollment course and the
1543 certification is not a fundable certification on the
1544 postsecondary certification funding list, or the dual enrollment
1545 certification is earned as a result of an agreement between a

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1546 school district and a nonpublic postsecondary institution, the
1547 bonus value shall be funded in the same manner as other nondual
1548 enrollment course industry certifications. In such cases, the
1549 school district may provide for an agreement between the high
1550 school and the technical center, or the school district and the
1551 postsecondary institution may enter into an agreement for
1552 equitable distribution of the bonus funds.

1553 c. A value of 0.3 full-time equivalent student membership
1554 shall be calculated for student completion of the courses and
1555 the embedded certifications identified on the CAPE Industry
1556 Certification Funding List and approved by the commissioner
1557 pursuant to ss. 1003.4203(5)(a) and 1008.44.

1558 d. A value of 0.5 full-time equivalent student membership
1559 shall be calculated for CAPE Acceleration Industry
1560 Certifications that articulate for 15 to 29 college credit
1561 hours, and 1.0 full-time equivalent student membership shall be
1562 calculated for CAPE Acceleration Industry Certifications that
1563 articulate for 30 or more college credit hours pursuant to CAPE
1564 Acceleration Industry Certifications approved by the
1565 commissioner pursuant to ss. 1003.4203(5)(b) and 1008.44.

1566 2. Each district must allocate at least 80 percent of the
1567 funds provided for CAPE industry certification, in accordance
1568 with this paragraph, to the program that generated the funds.
1569 This allocation may not be used to supplant funds provided for
1570 basic operation of the program.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1571 3. For CAPE industry certifications earned in the 2013-
1572 2014 school year and in subsequent years, the school district
1573 shall distribute to each classroom teacher who provided direct
1574 instruction toward the attainment of a CAPE industry
1575 certification that qualified for additional full-time equivalent
1576 membership under subparagraph 1.:

1577 a. A bonus of \$25 for each student taught by a teacher who
1578 provided instruction in a course that led to the attainment of a
1579 CAPE industry certification on the CAPE Industry Certification
1580 Funding List with a weight of 0.1.

1581 b. A bonus of \$50 for each student taught by a teacher who
1582 provided instruction in a course that led to the attainment of a
1583 CAPE industry certification on the CAPE Industry Certification
1584 Funding List with a weight of 0.2.

1585 c. A bonus of \$75 for each student taught by a teacher who
1586 provided instruction in a course that led to the attainment of a
1587 CAPE industry certification on the CAPE Industry Certification
1588 Funding List with a weight of 0.3.

1589 d. A bonus of \$100 for each student taught by a teacher
1590 who provided instruction in a course that led to the attainment
1591 of a CAPE industry certification on the CAPE Industry
1592 Certification Funding List with a weight of 0.5 or 1.0.

1593
1594 Bonuses awarded pursuant to this paragraph shall be provided to
1595 teachers who are employed by the district in the year in which

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1596 the additional FTE membership calculation is included in the
1597 calculation. Bonuses shall be calculated based upon the
1598 associated weight of a CAPE industry certification on the CAPE
1599 Industry Certification Funding List for the year in which the
1600 certification is earned by the student. Any bonus awarded to a
1601 teacher under this paragraph ~~may not exceed \$3,000 in any given~~
1602 ~~school year and~~ is in addition to any regular wage or other
1603 bonus the teacher received or is scheduled to receive.

1604 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
1605 annually provide in the Florida Education Finance Program a
1606 virtual education contribution. The amount of the virtual
1607 education contribution shall be the difference between the
1608 amount per FTE established in the General Appropriations Act for
1609 virtual education and the amount per FTE for each district and
1610 the Florida Virtual School, which may be calculated by taking
1611 the sum of the base FEFP allocation, the discretionary local
1612 effort, the state-funded discretionary contribution, the
1613 discretionary millage compression supplement, the research-based
1614 reading instruction allocation, and the instructional materials
1615 allocation, and then dividing by the total unweighted FTE. This
1616 difference shall be multiplied by the virtual education
1617 unweighted FTE for programs and options identified in s.
1618 1002.455 ~~s. 1002.455(3)~~ and the Florida Virtual School and its
1619 franchises to equal the virtual education contribution and shall
1620 be included as a separate allocation in the funding formula.

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1621 Section 24. Subsection (6) of section 1003.4996, Florida
1622 Statutes is repealed:

1623 1003.4996 Competency-Based Education Pilot Program.—
1624 Beginning with the 2016-2017 school year, the Competency-Based
1625 Education Pilot Program is created within the Department of
1626 Education to be administered for a period of 5 years. The
1627 purpose of the pilot program is to provide an educational
1628 environment that allows students to advance to higher levels of
1629 learning upon the mastery of concepts and skills through
1630 statutory exemptions relating to student progression and the
1631 awarding of credits.

1632 ~~(6) RULES. The State Board of Education shall adopt rules~~
1633 ~~to administer this section.~~

1634 Section 25. Subsection (2) of section 1011.71, Florida
1635 Statutes, is amended read:

1636 (k) Payout of sick leave and annual leave accrued as of
1637 June 30, 2017, by individuals who are no longer employed by a
1638 school district that transfers to a charter school operator all
1639 day-to-day classroom instruction responsibility for all full-
1640 time equivalent students funded under s. 1011.62. This
1641 paragraph expires July 1, 2018.

1642 Section 26. Paragraph (c) of subsection (3) of section
1643 1008.33, Florida Statutes, is amended to read:

1644 1008.33 Authority to enforce public school improvement.—

1645 (3)



Amendment No. 1

1646 (c) The state board shall adopt by rule a differentiated
1647 matrix of intervention and support strategies for assisting
1648 traditional public schools identified under this section and
1649 rules for implementing s. 1002.33(9)(n), relating to charter
1650 schools. The intervention and support strategies must address
1651 student performance and may include improvement planning;;
1652 leadership quality improvement;; educator quality improvement;;
1653 professional development;; curriculum review, alignment and
1654 pacing, and alignment across grade levels to improve background
1655 knowledge in social studies, science, and the arts; and the use
1656 of continuous improvement and monitoring plans and processes. In
1657 addition, the state board may prescribe reporting requirements
1658 to review and monitor the progress of the schools. The rule must
1659 define the intervention and support strategies for school
1660 improvement for schools earning a grade of "D" or "F" and the
1661 roles for the district and department. The rule shall
1662 differentiate among schools earning consecutive grades of "D" or
1663 "F," or a combination thereof, and provide for more intense
1664 monitoring, intervention, and support strategies for these
1665 schools.

1666 Section 27. Subsection (3) of section 1002.331, Florida
1667 Statutes, is amended to read:

1668 1002.331 High-performing charter schools.—

1669 (3)(a)1. A high-performing charter school may submit an
1670 application pursuant to s. 1002.33(6) in any school district in



Amendment No. 1

1671 the state to establish and operate a new charter school that
1672 will substantially replicate its educational program. An
1673 application submitted by a high-performing charter school must
1674 state that the application is being submitted pursuant to this
1675 paragraph and must include the verification letter provided by
1676 the Commissioner of Education pursuant to subsection (4).

1677 2. If the sponsor fails to act on the application within
1678 90 ~~60~~ days after receipt, the application is deemed approved and
1679 the procedure in s. 1002.33(7) ~~1002.33(6)(h)~~ applies. ~~If the~~
1680 ~~sponsor denies the application, the high performing charter~~
1681 ~~school may appeal pursuant to s. 1002.33(6).~~

1682 (b) A high-performing charter school may not establish
1683 more than one charter school within the state under paragraph
1684 (a) in any year. A subsequent application to establish a charter
1685 school under paragraph (a) may not be submitted unless each
1686 charter school established in this manner achieves high-
1687 performing charter school status. However, a high-performing
1688 charter school may establish more than one charter school within
1689 the state under paragraph (a) in any year if it operates in the
1690 area of a persistently low-performing school and serves students
1691 from that school. A persistently low-performing school means a
1692 school that has earned 3 consecutive grades lower than a "C",
1693 pursuant to s. 1008.34 and a school that was closed pursuant to
1694 s. 1008.33(4).



Amendment No. 1

1695 Section 28. Paragraph (b) of subsection (2) of section
1696 1002.332, Florida Statutes, is amended, and paragraph (c) is
1697 added to that subsection, to read:

1698 1002.332 High-performing charter school system.—

1699 (2)(b) A high-performing charter school system may
1700 replicate its high-performing charter schools in any school
1701 district in the state. The applicant must submit an application
1702 using the standard application form prepared by the Department
1703 of Education which:

1704 1. Contains goals and objectives for improving student
1705 learning and a process for measuring student improvement. These
1706 goals and objectives must indicate how much academic improvement
1707 students are expected to demonstrate each year, how success will
1708 be evaluated, and the specific results to be attained through
1709 instruction.

1710 2. Contains an annual financial plan for each year
1711 requested by the charter for operation of the school for up to 5
1712 years. This plan must contain anticipated fund balances based on
1713 revenue projections, a spending plan based on projected revenue
1714 and expenses, and a description of controls that will safeguard
1715 finances and projected enrollment trends.

1716 3. Discloses the name of each applicant, governing board
1717 member, and all proposed education services providers; the name
1718 and sponsor of any charter school operated by each applicant,
1719 each governing board member, and each proposed education

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1720 services provider that has closed and the reasons for the
1721 closure; and the academic and financial history of such charter
1722 schools, which the sponsor shall consider when deciding whether
1723 to approve or deny the application.

1724 (c) An application submitted by a high-performing charter
1725 school system must state that the application is being submitted
1726 pursuant to this section and must include the verification
1727 letter provided by the Commissioner of Education pursuant to
1728 this subsection. If the sponsor fails to act on the application
1729 within 90 days after receipt, the application is deemed approved
1730 and the procedure in s. 1002.33(7) applies pursuant to s.
1731 1002.331(3).

1732 Section 29. Except as otherwise expressly provided, this
1733 act shall take effect July 1, 2017.

1734

1735 -----

1736 T I T L E A M E N D M E N T

1737 Remove everything before the enacting clause and insert:
1738 An act relating to education; amending s. 1003.4282; deleting a
1739 provision requiring certain students to take the Algebra II end-
1740 of-course assessment; allowing blended learning to satisfy
1741 online course requirement; amending s. 1003.4285; deleting a
1742 provision requiring students to pass the Algebra II end-of-
1743 course assessment in order to earn a Scholar designation;
1744 amending s. 1008.22, F.S.; deleting a provision requiring the



Amendment No. 1

1745 Algebra II end-of-course assessment to be administered; revising
1746 requirements relating to the administration and format of
1747 assessments; providing requirements for administration of the
1748 statewide, standardized English Language Arts and mathematics
1749 assessments in specified grades; revising provisions relating to
1750 reporting requirements for school district-required local
1751 assessments; providing reporting requirements for certain
1752 student assessment results; requiring the Department of
1753 Education to publish certain assessments on its website;
1754 providing requirements for such publication; requiring the
1755 department to provide materials regarding assessment information
1756 on its website; conforming cross-references; amending s.
1757 1012.34, F.S.; requiring independent analysis of student
1758 learning growth data; providing for access to student learning
1759 growth formula data for specified uses; requiring the
1760 Commissioner of Education to contract for an independent study
1761 to determine whether specified college entrance examinations may
1762 be administered in lieu of certain state-required assessments;
1763 requiring the commissioner to submit a report on the results of
1764 such study to the Governor, Legislature, and State Board of
1765 Education by a specified date; providing appropriations;
1766 amending s. 1003.4156, F.S.; deleting requirements related to
1767 the career and education planning course for middle grades
1768 promotion; amending s. 1001.42, F.S.; revising school board
1769 member authority to visit schools; prohibiting a district school

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1770 board from awarding an annual contract for instructional
1771 personnel under certain circumstances; prohibiting a district
1772 school board from altering or limiting its authority to award or
1773 not award an annual contract; providing applicability; providing
1774 a directive to the Division of Law Revision and Information;
1775 amending s. 1002.455, F.S.; authorizing all students, including
1776 home education and private school students, to participate in
1777 specified virtual instruction options; deleting the eligibility
1778 criteria for a student to participate in virtual instruction;
1779 amending s. 1003.4282, F.S.; revising the options that a
1780 district school board or charter school governing board may
1781 offer for a student to satisfy certain online course
1782 requirements; amending ss. 1002.33, 1002.45, 1003.498, and
1783 1011.62, F.S.; conforming provisions and cross-references to
1784 changes made by the act; amending s. 1006.40, F.S.; revising
1785 provisions relating to the use of the instructional materials
1786 allocation; amending s. 1012.56, F.S.; requiring the Department
1787 of Education to issue a temporary educator certificate within a
1788 specified period; requiring the department to provide electronic
1789 notice of the issuance of a temporary certificate to specified
1790 entities; requiring the department to provide the applicant an
1791 official statement of status of eligibility upon issuance of a
1792 temporary certificate; providing content requirements for the
1793 statement of status of eligibility; revising the criteria
1794 instructional personnel must meet to be issued a professional

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1795 certificate; providing that an applicant for professional
1796 certification is not required to take or pass a specified
1797 examination under certain circumstances; requiring the
1798 department to provide electronic notification of the expiration
1799 of a temporary educator certificate; requiring the State Board
1800 of Education to adopt rules providing for the extension of a
1801 temporary educator certificate for a specified period under
1802 certain circumstances; authorizing charter schools and charter
1803 management organizations to develop a professional development
1804 certification and education competency program; revising program
1805 requirements; requiring the department to adopt standards for
1806 the approval of such programs by a specified date; providing
1807 requirements for such standards; requiring each school district
1808 and charter school to submit its program for approval by a
1809 specified date; providing that certification requirements may
1810 not be met in a program that is not approved by the department
1811 after a specified date; amending s. 1001.215, F.S.; revising the
1812 duties of the Just Read, Florida! Office; amending s. 1004.04,
1813 F.S.; revising core curricula requirements for certain teacher
1814 preparation programs to include certain reading instruction and
1815 interventions; amending s. 1004.85, F.S.; requiring certain
1816 educator preparation institutes to provide evidence of specified
1817 reading instruction as a condition of program approval and
1818 continued approval; amending s. 1012.585, F.S.; revising
1819 requirements for renewal of professional teaching certificates;

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1820 amending s. 1012.586, F.S.; authorizing the department to
1821 recommend consolidation of endorsement areas and requirements
1822 for endorsements for teacher certificates; requiring the
1823 department to review and make recommendations regarding certain
1824 subject coverage or endorsement requirements; providing
1825 construction; amending s. 1012.98, F.S.; revising duties and
1826 requirements for implementation of the School Community
1827 Professional Development Act; revising the activities designed
1828 to implement the school community professional development act
1829 to include specified training relating to a professional
1830 development certification and education competency program;
1831 revising requirements for school district professional
1832 development systems; requiring the department to disseminate
1833 professional development programs that meet specified criteria;
1834 amending s. 1002.33, F.S.; authorizing a charter school to be
1835 exempt from provisions relating to controlled open enrollment
1836 under certain circumstances; amending s. 1011.62, F.S.; deleting
1837 provisions relating to caps imposed on the amounts of bonuses
1838 awarded to teachers based on student performance on certain
1839 course examinations; providing that a specified amount of funds
1840 generated by a certain bonus be allocated to the school program
1841 that generated the funds; revising eligibility criteria for
1842 postsecondary institutions to participate in the dual enrollment
1843 and early admission programs; amending s. 1003.4996, F.S.;

1844 removing the requirement that Department of Education promulgate

034905 - h0773-strike.docx

Published On: 4/23/2017 8:33:50 PM



Amendment No. 1

1845 rules regarding competency-based education; amending s. 1011.71,
1846 F.S.; revising payout for sick or annual leave in specified
1847 circumstances; providing an effective date.
1848

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 907 Florida Endowment for Vocational Rehabilitation

SPONSOR(S): Post-Secondary Education Subcommittee and Killebrew

TIED BILLS: None **IDEN./SIM. BILLS:** CS/CS/CS/SB 890

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Post-Secondary Education Subcommittee	11 Y, 0 N, As CS	McAlarney	Bishop
2) Higher Education Appropriations Subcommittee	13 Y, 0 N	deNagy	Lloyd
3) Education Committee		McAlarney	Hassell

SUMMARY ANALYSIS

Direct-support organizations (DSOs) are statutorily created entities that are generally required to be non-profit corporations and are authorized to carry out specific tasks in support of public entities or public causes. The functions and purpose of a DSO is prescribed by its enacting statute and also, for most, by a written contract with the agency the DSO was created to support.

The Florida Endowment for Vocational Rehabilitation (The ABLE Trust), was created in 1990 as a DSO of the Division of Vocational Rehabilitation (DVR). The ABLE Trust's statutory goal is to encourage public and private support to enhance vocational rehabilitation and employment of citizens who are disabled. The state of Florida has provided financial support to this DSO through:

- civil Penalties by county courts;
- temporary Handicap Parking Permit fees;
- motorcycle specialty license plate fees (administrative costs);
- tax Collection Enforcement Diversion Program; and
- general revenue funds for the Department of Education (DOE)/DVR High School/High Tech Program appropriated in the General Appropriations Act.

The statutory authority for the ABLE Trust is scheduled for repeal on October 1, 2017, unless reviewed and saved from repeal by the Legislature. Any funds or accounts held in trust by the DSO revert to the state upon repeal.

The bill extends the repeal to October 1, 2018. The bill also removes the ABLE Trust as custodial agent for the motorcycle specialty license plate fees and directs funds currently received by the ABLE Trust to the Grants and Donations Trust Fund of the DVR within the DOE, Florida Association of Centers for Independent Living (FACIL), Brain and Spinal Cord Injury Program Trust Fund, Prevent Blindness Florida, or the Blind Services Foundation of Florida.

The bill increases transparency and oversight of the ABLE Trust by requiring separate accounting for state and private funds; requiring private funds be spent on administrative expenses which are limited to fifteen percent of estimated expenditures; and requiring the ABLE Trust to post additional information on its website, including the annual audit and annual report.

The bill redirects funds from the ABLE Trust to the DVR and removes the ABLE Trust as custodial agent of fees. See FISCAL COMMENTS.

This bill has an effective date of July 1, 2017.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Direct-Support Organizations

Direct-support organizations (DSOs) are statutorily created entities that are generally required to be non-profit corporations and are authorized to carry out specific tasks in support of public entities or public causes. The functions and purpose of a DSO is prescribed by its enacting statute and also, for most, by a written contract with the agency the DSO was created to support.

Prior to 2014, there was no formal review process in law to determine whether a DSO was established pursuant to such authorization, or whether the rationale for the authorization remained applicable.

Chapter 2014-96, Laws of Florida¹ established reporting and transparency requirements for each DSO that is created or authorized pursuant to law or executive order and created, approved or administered by a state agency. The DSO must report information related to its organization, mission, and finances to the agency it was created to support by August 1 of each year.² Specifically, a DSO must provide:³

- The name, mailing address, telephone number, and website address of the organization;
- The statutory authority or executive order that created the DSO;
- A brief description of the mission of, and results obtained by, the organization;
- A brief description of the organization's plans for the next three fiscal years;
- A copy of the organization's code of ethics; and
- A copy of the organization's most recent federal Internal Revenue Service Return of Organization Exempt from Income Tax form (Form 990).

Each agency receiving the above information from a DSO must make the information available to the public through the agency's website. If the DSO maintains a website, the agency's website must provide a link to the DSO's website.⁴ Additionally, any contract between an agency and a DSO must be contingent upon the DSO's submission and posting of this information.⁵ If a DSO fails to submit the required information for two consecutive years, the agency is required to terminate the contract between the agency and the DSO.⁶

By August 15 of each year, each agency must report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Office of Program Policy Analysis and Government Accountability the information provided by the DSO. The report must also include a recommendation by the agency, with supporting rationale, to continue, terminate, or modify the agency's association with each organization.⁷

Lastly, a law creating, or authorizing the creation of, a DSO must state that the creation of or authorization for the DSO is repealed on October 1 of the 5th year after enactment, unless reviewed and saved from repeal through reenactment by the Legislature. DSOs in existence on July 1, 2014, must be reviewed by the Legislature by July 1, 2019.

¹ Section 20.058, F.S.

² Section 20.058(1), F.S.

³ Section 20.058(1)(a)-(f), F.S.

⁴ Section 20.058(2), F.S.

⁵ Section 20.058(4), F.S.

⁶ *Id.*

⁷ Section 20.058(3), F.S.

DSO Audit Requirements

DSOs with annual expenditures in excess of \$100,000 that are administered by a state agency are statutorily required to provide for an annual financial audit of accounts and records to be conducted by an independent certified public accountant. Such audit report is submitted by the DSO within nine months after the end of the fiscal year to the Auditor General and to the state agency responsible for its creation, administration, or approval.⁸

Additionally, the Auditor General may, pursuant to his or her own authority, or at the direction of the Legislative Auditing Committee, conduct audits or other engagements of the DSO's accounts and records.⁹ The Auditor General is authorized to require and receive any records from the DSO, or from its independent auditor.¹⁰

DSO Ethics Code Requirements

Section 112.3251, F.S., requires a DSO created or authorized pursuant to law to adopt its own ethics code. The ethics code must contain the specified standards of conduct and disclosures provided in s. 112.313, F.S. and s. 112.3143(2), F.S. A DSO may adopt additional or more stringent standards of conduct and disclosure requirements and must conspicuously post its code of ethics on its website.¹¹

Florida Endowment for Vocational Rehabilitation (The ABLE Trust)

The ABLE Trust was created in 1990 as a DSO of the DVR within the DOE.¹² The ABLE Trust's statutory goal is to encourage public and private support to enhance vocational rehabilitation and employment of citizens who are disabled.¹³

The legislature recognized that it is in the best interest of Florida that citizens with disabilities be afforded a fair opportunity to become self-supporting, productive members of society, and identified a critical need for significant additional funding to achieve this goal.¹⁴

The ABLE Trust is a 501(c)(3) non-profit public/private partnership.¹⁵ Vocational rehabilitation is the focus of the ABLE Trust's programs and grants. The ABLE Trust supports a diversity of projects, including on-the-job coaching, supported employment, job skills-training, job development, employer outreach, ADA facility compliance, skills evaluation and programs leading to employment. The positive impact of the ABLE Trust's grant awards has been felt by non-profit agencies serving people with various disabilities, community colleges and individuals with documented disabilities.¹⁶

The ABLE Trust must operate under a written contract with the DVR and must be:¹⁷

- a Florida corporation not-for-profit incorporated under the provisions of chapter 617 and approved by the Department of State;¹⁸
- organized and operated exclusively to raise funds; to submit requests and receive grants from the Federal Government, the state, private foundations, and individuals; to receive, hold, and

⁸ Section 215.981, F.S.

⁹ Section 11.45(3), F.S.

¹⁰ Section 11.45(3)(d), F.S.

¹¹ Section 112.3251, F.S.

¹² Section 413.615(5), F.S.

¹³ *Id.*

¹⁴ Section 413.615(3), F.S.

¹⁵ The Able Trust, About Us, *Our Mission*, <http://www.abletrust.org/about-us> (last visited Apr. 21, 2017).

¹⁶ *Id.*

¹⁷ Section 413.615(5), F.S.

¹⁸ Section 413.615(5)(a), F.S.

administer property; and to make expenditures to or for the benefit of the rehabilitation programs by the board of directors of the foundation;¹⁹ and

- approved by the division to be operating for the benefit and best interest of the state.²⁰

The contract between the ABLE Trust and DVR must provide for:²¹

- approval of the article of incorporation of the foundation by the division;²²
- governance of the foundation by a board of directors (BOD) appointed by the Governor;²³
- submission of an annual budget of the foundation for approval by the division;²⁴
- certification by the division, after an annual financial and performance review, that the foundation is operating in compliance with the terms of the contract and the rules of the division, and in a manner consistent with the goals of the legislature in providing assistance to disabled citizens;²⁵
- the release and conditions of the expenditure of any state revenues;²⁶
- the reversion to the state of moneys in the foundation and in any other funds and accounts held in trust by the foundation if the contract is terminated;²⁷ and
- the fiscal year of the foundation, to begin on July 1 and end on July 30 of each year.²⁸

The Board of Directors is constituted in the following manner:

- Membership: The BOD must have nine members who have:
 - skills in foundation work or other fundraising activities, financial consulting, investment banking, or other related experience; or
 - experience in policymaking or management-level positions or have otherwise distinguished themselves in the field of business, industry, or rehabilitation.
- Appointment: The members are appointed by the Governor.
- Terms: Members serve for 3-year terms.
- Removal for cause: The Governor may remove any member for malfeasance, misfeasance, neglect of duty, incompetence, or permanent inability to perform official duties or for pleading nolo contendere to, or being found guilty of, a crime.

The Board of Directors may solicit and receive bequests, gifts, grants, donations, goods, contracts, and services.²⁹ Also, the BOD may make gifts or grants to:³⁰

- state or local governments;³¹
- corporations, trusts, associations, or foundations organized and operated exclusively for charitable, educational, or scientific purposes;³²
- any citizen with a documented disability;³³ and
- DVR for purposes of program recognition and marketing, public relations and education, professional development, and technical assistance and workshops for grant applicants and

¹⁹ Section 413.615(5)(b), F.S.

²⁰ Section 413.615(5)(c), F.S.

²¹ Section 413.615(6), F.S.

²² Section 413.615(6)(a), F.S.

²³ Section 413.615(6)(b), F.S.

²⁴ Section 413.615(6)(c), F.S.

²⁵ Section 413.615(6)(d), F.S.

²⁶ Section 413.615(6)(e), F.S.

²⁷ Section 413.615(6)(f), F.S.

²⁸ Section 413.615(6)(g), F.S.

²⁹ Section 413.615(9)(b), F.S.

³⁰ Section 413.615(9)(e), F.S.

³¹ Section 413.615(9)(e)1., F.S.

³² Section 413.615(9)(e)2., F.S.

³³ Section 413.615(9)(e)3., F.S.

recipients, the business community, and individuals with disabilities or recognized groups organized on their behalf.³⁴

The Board of Directors is required to use the ABLE Trust's operating account funds for:

- planning, research, policy development, and dissemination of information to promote initiatives for disabled citizens;³⁵
- promotion of initiative for disabled citizens;³⁶
- programs which aid in job training and counseling for disabled citizens;³⁷ and
- programs which advance a better public understanding and appreciation of the field of vocational rehabilitation.³⁸

The ABLE Trust must conduct an annual financial audit if its expenditures exceed \$100,000.³⁹ Also, they must publish an annual report and deliver it to the Governor, President of the Senate, Speaker of the House of Representatives, and Commissioner of Education by February 1st. The report must summarize the endowment fund performance, summarize fundraising activities and performance, and detail supported activities and programs.⁴⁰

State Funding of the ABLE Trust

The ABLE Trust receives state funds from the following sources:

- civil penalties by county courts;⁴¹
- temporary handicap parking permit fees;⁴²
- administrative costs from motorcycle specialty license plate fees;⁴³
- the Tax Collection Enforcement Diversion Program;⁴⁴ and
- and general revenue funds for the DOE/DVR High School/High Tech Program appropriated in the General Appropriations Act.⁴⁵

Civil Penalties by County Courts

The ABLE Trust receives funding from civil penalties received by county courts. These funds are distributed to and paid monthly by the Department of Revenue (DOR).

There are six civil court penalties:

1. Section 318.21 (2) (e), F.S.: 2% of all fines are distributed monthly to this DSO. This percentage is calculated after the DOR distributes the first \$2 to other trust funds.⁴⁶
2. Section 318.18 (3) (f), F.S.: An additional fine of up to \$250 is paid and is distributed to this DSO pursuant to s. 318.21, F.S., if a violation of s. 316.1301, F.S., or s. 316.1303 (1), F.S., results in an injury to the pedestrian or their property.⁴⁷
3. Section 318.21 (5), F.S.: 60% is distributed monthly to this DSO of the additional fine assessed under s. 318.18(3)(f) for a violation of s. 316.1303(1).⁴⁸

³⁴ Section 413.615(9)(e)4., F.S.

³⁵ Section 413.615(10)(a), F.S.

³⁶ Section 413.615(10)(b), F.S.

³⁷ Section 413.615(10)(c), F.S.

³⁸ Section 413.615(10)(d), F.S.

³⁹ Section 215.981(1), F.S.

⁴⁰ Section 413.615(12), F.S.

⁴¹ Section 318.21, F.S.

⁴² Section 320.0848, F.S.

⁴³ *Id.*

⁴⁴ Section 413.4021, F.S.

⁴⁵ Florida Department of Education, Office of Inspector General, High School/High Tech Program, *Report #M-1213-010*, July 2015, <http://www.fldoe.org/core/fileparse.php/7514/urlt/Able-Trust-HSHT-Final-Report-M-1213-010.pdf> (last visited Apr. 21, 2017).

⁴⁶ Section 318.21(2)(e), F.S.

⁴⁷ Section 318.18(3)(f), F.S.

4. Section 318.21 (5), F.S.: 40% is distributed to this DSO pursuant to s. 318.21 (2) (e), F.S., of the additional fine assessed under s. 318.18 (3) (f), F.S., for a violation of s. 316.1303 (1), F.S.⁴⁹
5. Section 318.21 (7), F.S.: The remaining amount, after a nominal amount is distributed to another trust fund, is distributed to this DSO pursuant to s. 318.21 (2) (e), F.S., for fines assessed under s. 318.18 (3) for speed exceeding the limit.⁵⁰
6. Section 318.21 (15)(a)1., F.S.: \$60 is distributed to this DSO as provided in s. 318.21, F.S. of the \$158 fine for a violation of s. 316.074 (1), F.S., or s. 316.075(1) (c) 1, F.S., when a driver has failed to stop at a traffic signal and when enforced by a law enforcement officer.⁵¹

DOE/DVR High School/High Tech Program

The High School/High Tech (HS/HT) program assists disabled youth as they transition from school to post-secondary activities such as entry into postsecondary education and engaging in the workforce. HS/HT has received significant support from the state of Florida and the U.S. Department of Labor's Office of Disability Employment Policy (ODEP).⁵²

The overarching goal of Florida HS/HT is to work in partnership with state and local Vocational Rehabilitation Services, Workforce Investment Boards, other state agencies, academia, and business partners to expand the capacity of public and private organizations and individuals to form an enhanced statewide support system.⁵³

HS/HT is designed to provide high school students with all types of disabilities the opportunity to explore jobs or postsecondary education leading to technology- related careers.⁵⁴ The ABLE Trust administers the program through a contract with the DVR. There are currently 43 HS/HT project sites across Florida.⁵⁵

HS/HT programs operate in several states and in Florida since 1995. In 1995, the National Aeronautics and Space Administration (NASA) provided five years of funding to establish a local program at the Space Coast Center for Independent Living in Cocoa Beach. It focused on youth with an interest in science, technology, engineering, and mathematics (STEM).⁵⁶

The ABLE Trust's task as a state-level manager of the HS/HT program is to:

- reduce the high school dropout rate of youth with disabilities;
- increase enrollment in postsecondary institutions; and
- improve participation in education, vocational, and employment related activities in technology related fields.⁵⁷

The ABLE Trust receives \$549,823 in general revenue funds to administer the High School/High Tech program appropriated in the General Appropriations Act.⁵⁸

⁴⁸ Section 318.18(5), F.S.

⁴⁹ Section 318.21(5), F.S.

⁵⁰ Section 318.21(7), F.S.

⁵¹ Section 318.18(15)(a)1., F.S.

⁵² National Collaborative on Workforce and Disability for Youth, Innovative Strategies, *Florida High School/High Tech*, <http://www.ncwd-youth.info/node/498> (last visited Apr. 21, 2017)

⁵³ *Id.*

⁵⁴ The Able Trust, Youth Programs, *Florida High School High Tec*, <http://www.abletrust.org/youth-programs/florida-high-school-high-tech> (last visited Apr. 21, 2017)

⁵⁵ The Able Trust, Youth Programs, Florida High School High Tec, *Contact HST*, <http://www.abletrust.org/youth-programs/florida-high-school-high-tech/contact-hsht> (last visited Apr. 21, 2017)

⁵⁶ *Id.* at 55.

⁵⁷ The Able Trust, Youth Programs, Florida High School High Tec, *About HSHT*, <http://www.abletrust.org/youth-programs/florida-high-school-high-tech/about-hsht> (last visited Apr. 21, 2017)

⁵⁸ Ch. 2016-66, L.O.F. Specific Appropriation 34.

Temporary Handicap Parking Permits

The ABLE Trust receives \$4 from the fees for a temporary disabled parking permit which is \$15.⁵⁹

Motor Cycle Specialty License Plates

The Department of Transportation (DOT) issues a specialty license plate upon request and payment of the appropriate license taxes and fees.⁶⁰ DOT collects an annual license plate use fee of \$20. The annual use fees are distributed to the DSO as custodial agent. The DSO may retain a maximum of 10% of the proceeds from the sale of the license plate for administrative costs.⁶¹

The DSO must distribute the remaining funds in the following manner:

- 20% to the Brain and Spinal Cord Injury Program Trust Fund.⁶²
- 20% to Prevent Blindness Florida.⁶³
- 20% to the Blind Services Foundation of Florida.⁶⁴
- 20% to the ABLE Trust to support the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program.⁶⁵
- 20% to the Florida Association of Centers for Independent Living (FACIL).⁶⁶

Tax Collection Enforcement Diversion Program

This program collects sales tax dollars due to the state from persons who have not remitted their tax. The criteria for referral to the program is determined by DOR and the participating state attorneys' offices.⁶⁷ Fifty percent of the revenues are deposited into the ABLE Trust's special reserve account. The funds are used to administer the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program and to contract with the state attorneys participating in the program.⁶⁸ This program is operated only from funds deposited into the operating account of the ABLE Trust.⁶⁹

Effect of Proposed Changes

The bill revises the distribution of civil penalties collected by county courts from the ALBE Trust to the DVR. The bill also removes the ABLE Trust as custodial agent of the motorcycle specialty license plate fees. Recipients will receive more funds by removing the ten percent administrative costs associated with the fee. FACIL will now receive the tax collection enforcement diversion program fees and motorcycle specialty license plate fees directly to support the James Patrick Memorial Incentive Personal Attendant Services and Employment Assistance Program. The bill reduces administrative costs from 12 percent to 10 percent of the funds received.

The bill redirects the proceeds from temporary disabled parking permit fees from the ABLE Trust to the DVR within the Department of Education to improve employment and training opportunities for persons who have disabilities, with special emphasis on removing transportation barriers.

⁵⁹ Section. 320.0848(3)(c), F.S.

⁶⁰ Section 320.08068(2), F.S.

⁶¹ Section 320.08068(4), F.S.

⁶² Section 320.08068(4)(a), F.S.

⁶³ Section 320.08068(4)(b), F.S.

⁶⁴ Section 320.08068(4)(c), F.S.

⁶⁵ Section 320.08068(4)(d), F.S.

⁶⁶ Section 320.08068(4)(e), F.S.

⁶⁷ Section 413.4021, F.S.

⁶⁸ Section 413.4021(1), F.S.

⁶⁹ Section 413.4021(2), F.S.

The bill increases the oversight of the ABLE Trust. Funds received from state sources shall be accounted for separately from other public or private sources. Administrative costs must be kept to the minimum necessary for the efficient and effective administration of the foundation. Administrative costs must be paid from private funds and earnings and are limited to 15% of total estimated expenditures in any calendar year.

The bill increases transparency of the ABLE Trust activities by requiring the DSO to publish on its website:

- the required annual audit and annual report;
- for each position filled by an officer or employee;
- a copy of each contract into which the foundation enters;
- the foundation's required contract with the DVR; and
- information on each program, gift, or grant funded by the foundation, including:
 - Projected economic benefits at the time of the initial award date;
 - Information describing the program, gift, or grant funded;
 - The geographic area impacted;
 - Any matching, in-kind support, or other support;
 - The expected duration; and
 - Evaluation criteria.

Any funds used for conducting research, advertising or consulting must be used pursuant to a competitive solicitation. State funds may not be used to fund events for private sector donors or potential donors or to honor supporters.

The annual report must include financial data, by service type, including expenditures for administration and the provision of services and outcome data including the number of individuals served, including employment outcomes.

The bill extends the repeal of the ABLE Trust direct-support organization until October 1, 2018.

B. SECTION DIRECTORY:

Section 1. Amends s. 318.21 (2) (e) and (5), F.S., changing the distribution of civil penalties by county courts from the ABLE Trust to the Grants and Donations Trust Fund of Vocational Rehabilitation of the DOE.

Section 2. Amends s. 320.08068 (4), F.S., deleting the custodial agent and changing the distribution of motorcycle specialty license plate fees.

Section 3. Amends s. 320.0848, F.S., changing the distribution of temporary disabled parking permit fees.

Section 4. Amends s. 413.402, F.S., changing the distribution of fee revenues for the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program.

Section 5. Amends s. 413.4021 (1) and (2), F.S., changing the distribution of the tax collection enforcement diversion program fees.

Section 6. Amends s. 413.615, F.S., extending the repeal of the ABLE Trust direct-support organization until October 1, 2018; and providing additional oversight of the DSO.

Section 7. This bill has an effective date of July 1, 2017.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See FISCAL COMMENTS.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See FISCAL COMMENTS.

D. FISCAL COMMENTS:

The bill redirects funds from civil penalties from the ABLE Trust to the DVR within the DOE. In Fiscal Year 2015-2016, the ABLE Trust received \$1,289,377 in revenues from civil penalties. This represented 36% of their revenues.⁷⁰

The bill removes the ABLE Trust as custodial agent of the motorcycle specialty license plate fees. These funds will now go directly to the recipients: the Brain and Spinal Cord Injury Program Trust Fund, Prevent Blindness Florida, the Blind Services Foundation of Florida, FACIL, and the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program (funds will go through FACIL). Currently, an annual fee of \$20 is collected from the specialty license plates and distributed by the ABLE Trust. In Fiscal Year 2015-2016, the Department of Highway Safety and Motor Vehicles distributed \$283,720 to the ABLE Trust for motorcycle specialty license plate fee revenues.⁷¹ An increase of \$28,375 will now go directly to the recipients by removing the ten percent administrative costs.

FACIL will now receive the tax collection enforcement diversion program fees directly to support the James Patrick Memorial Incentive Personal Attendant Services and Employment Assistance Program. Administrative costs are reduced from 12 percent to 10 percent of the funds received. The Revenue Estimating Conference (REC) convened on March 23-24, 2017 to adopt a forecast of revenues collected from the Tax Collection Enforcement Diversion Program. The REC estimated \$3,452,805 in revenues for Fiscal Year 2017-18.⁷² Fifty percent of the collections from the tax diversion program will now be deposited into a special reserve account of FACIL to be used to operate the program and to contract with the state attorneys participating in the tax diversion program.

The bill redirects the distribution of the proceeds from temporary disabled parking permit fees from the DSO to the DVR. The funds are designated for improving employment and training opportunities for

⁷⁰ The Florida Endowment Foundation for Vocational Rehabilitation, Inc. Financial Statements and Additional Information. Years ended June 30, 2016 and 2015. On file with House Higher Education Appropriations Subcommittee staff.

⁷¹ April 12, 2017 e-mail from Department of Highway Safety and Motor Vehicles, on file with House Higher Education Appropriations Subcommittee staff.

⁷² Revenue Estimating Conference, Tax Collection Enforcement Diversion Program, March 23 and 24, 2017, Executive Summary

persons who have disabilities, with special emphasis on removing transportation barriers. In Fiscal Year 2015-2016, the ABLE Trust received \$267,360 in revenues from temporary disabled parking permit. This represented 7% of their revenues.⁷³

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 28, 2017, the Post-Secondary Education Subcommittee adopted a proposed committee substitute (PCS) and reported the bill favorably as a committee substitute. The PCS extends the repeal to October 1, 2018. The bill also removes the ABLE Trust as custodial agent for the motorcycle specialty license plate fees and directs funds currently received by the ABLE Trust to the Grants and Donations Trust Fund of the DVR of the DOE, FACIL, Brain and Spinal Cord Injury Program Trust Fund, Prevent Blindness Florida, or the Blind Services Foundation of Florida. The bill analysis is drafted to the Committee Substitute as passed by the Post-Secondary Education Subcommittee.

⁷³ The Florida Endowment Foundation for Vocational Rehabilitation, Inc. Financial Statements and Additional Information. Years ended June 30, 2016 and 2015. On file with House Higher Education Appropriations Subcommittee staff.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A bill to be entitled
 An act relating to the Florida Endowment for
 Vocational Rehabilitation; amending ss. 318.21,
 320.08068, and 320.0848, F.S.; revising provisions
 relating to the distribution of proceeds from civil
 penalties for traffic infractions, the sale of
 motorcycle specialty license plates, and temporary
 disabled parking permits, respectively; requiring that
 certain proceeds be deposited into the Grants and
 Donations Trust Fund of the Division of Vocational
 Rehabilitation, instead of the Florida Endowment
 Foundation for Vocational Rehabilitation; amending s.
 413.402, F.S.; deleting a requirement that a specified
 agreement be maintained between the foundation and the
 Florida Association of Centers for Independent Living;
 requiring the association to administer the James
 Patrick Memorial Work Incentive Personal Attendant
 Services and Employment Assistance Program; reducing
 the maximum percentage of certain funds authorized for
 program operation, administration, and oversight;
 amending s. 413.4021, F.S.; requiring a specified
 percentage of certain revenues to be deposited into
 the Florida Association of Centers for Independent
 Living special reserve account to administer specified
 programs; amending s. 413.615, F.S.; requiring

26 separate accounts for certain funds received from
 27 state sources and public or private sources; providing
 28 additional duties of the Florida Endowment for
 29 Vocational Rehabilitation; requiring the foundation to
 30 publish certain information on it's website; requiring
 31 certain funding allocations to be subject to a
 32 competitive solicitation process; prohibiting the use
 33 of state funds for certain purposes; specifying data
 34 to be included in an annual report to the Governor,
 35 Legislature, and Commissioner of Education; extending
 36 the date for future review and repeal of provisions
 37 relating to the endowment; conforming provisions;
 38 providing an effective date.

39
 40 Be It Enacted by the Legislature of the State of Florida:

41
 42 Section 1. Paragraph (e) of subsection (2) and subsection
 43 (5) of section 318.21, Florida Statutes, are amended to read:

44 318.21 Disposition of civil penalties by county courts.—
 45 All civil penalties received by a county court pursuant to the
 46 provisions of this chapter shall be distributed and paid monthly
 47 as follows:

48 (2) Of the remainder:

49 (e) Two percent shall be remitted to the Department of
 50 Revenue for deposit in the Grants and Donations Trust Fund of

51 | ~~the Division of and transmitted monthly to the Florida Endowment~~
 52 | ~~Foundation for Vocational Rehabilitation of the Department of~~
 53 | ~~Education as provided in s. 413.615.~~

54 | (5) Of the additional fine assessed under s. 318.18(3)(f)
 55 | for a violation of s. 316.1303(1), 60 percent must be remitted
 56 | to the Department of Revenue for deposit in the Grants and
 57 | Donations Trust Fund of the Division of and transmitted monthly
 58 | ~~to the Florida Endowment Foundation for Vocational~~
 59 | ~~Rehabilitation of the Department of Education~~, and 40 percent
 60 | must be distributed pursuant to subsections (1) and (2).

61 | Section 2. Subsection (4) of section 320.08068, Florida
 62 | Statutes, is amended to read:

63 | 320.08068 Motorcycle specialty license plates.-

64 | (4) A license plate annual use fee of \$20 shall be
 65 | collected for each motorcycle specialty license plate. Annual
 66 | use fees shall be distributed ~~to The Able Trust as custodial~~
 67 | ~~agent. The Able Trust may retain a maximum of 10 percent of the~~
 68 | ~~proceeds from the sale of the license plate for administrative~~
 69 | ~~costs. The Able Trust shall distribute the remaining funds as~~
 70 | follows:

71 | (a) Twenty percent to the Brain and Spinal Cord Injury
 72 | Program Trust Fund.

73 | (b) Twenty percent to Prevent Blindness Florida.

74 | (c) Twenty percent to the Blind Services Foundation of
 75 | Florida.

76 (d) Twenty percent to the Florida Association of Centers
 77 for Independent Living ~~Endowment Foundation for Vocational~~
 78 ~~Rehabilitation~~ to support the James Patrick Memorial Work
 79 Incentive Personal Attendant Services and Employment Assistance
 80 Program pursuant to s. 413.402.

81 (e) Twenty percent to the Florida Association of Centers
 82 for Independent Living.

83 Section 3. Paragraph (c) of subsection (4) of section
 84 320.0848, Florida Statutes, is amended to read:

85 320.0848 Persons who have disabilities; issuance of
 86 disabled parking permits; temporary permits; permits for certain
 87 providers of transportation services to persons who have
 88 disabilities.-

89 (4) From the proceeds of the temporary disabled parking
 90 permit fees:

91 (c) The remainder must be distributed monthly as follows:

- 92 1. To be deposited in the Grants and Donations Trust Fund
 93 of the Division of the Florida Endowment Foundation for
 94 Vocational Rehabilitation of the Department of Education, ~~known~~
 95 ~~as "The Able Trust,"~~ for the purpose of improving employment and
 96 training opportunities for persons who have disabilities, with
 97 special emphasis on removing transportation barriers, \$4. ~~These~~
 98 ~~fees must be directly deposited into the Florida Endowment~~
 99 ~~Foundation for Vocational Rehabilitation as established in s.~~
 100 ~~413.615.~~

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

101 2. To be deposited in the Transportation Disadvantaged
 102 Trust Fund to be used for funding matching grants to counties
 103 for the purpose of improving transportation of persons who have
 104 disabilities, \$5.

105 Section 4. Section 413.402, Florida Statutes, is amended
 106 to read:

107 413.402 James Patrick Memorial Work Incentive Personal
 108 Attendant Services and Employment Assistance Program.—The
 109 ~~Florida Endowment Foundation for Vocational Rehabilitation shall~~
 110 ~~maintain an agreement with the~~ Florida Association of Centers
 111 for Independent Living shall ~~to~~ administer the James Patrick
 112 Memorial Work Incentive Personal Attendant Services and
 113 Employment Assistance Program ~~and shall remit sufficient funds~~
 114 ~~monthly to meet the requirements of subsection (5).~~

115 (1) As used in this section, the term "competitive and
 116 integrated employment" means employment in the public or private
 117 sector in which the employee earns comparable wages and
 118 benefits, commensurate with his or her qualifications and
 119 experience, and works in comparable conditions to those
 120 experienced by the general workforce in that industry or
 121 profession.

122 (2) The program shall provide personal care attendants and
 123 other support and services necessary to enable persons eligible
 124 under subsection (3) who have significant and chronic
 125 disabilities to obtain or maintain competitive and integrated

126 employment, including self-employment.

127 (3) In order to be eligible to participate in the program,
 128 a person must:

129 (a) Be at least 18 years of age, be a legal resident of
 130 this state, and be significantly and chronically disabled.

131 (b) As determined by a physician, psychologist, or
 132 psychiatrist, require a personal care attendant for assistance
 133 with or support for at least two activities of daily living as
 134 defined in s. 429.02.

135 (c) Require a personal care attendant and, as needed,
 136 other support and services to accept an offer of employment and
 137 commence working or to maintain competitive and integrated
 138 employment.

139 (d) Be able to acquire and direct the support and services
 140 provided pursuant to this section, including the services of a
 141 personal care attendant.

142 (4) (a) The Florida Association of Centers for Independent
 143 Living shall provide program participants with appropriate
 144 training on the hiring and management of a personal care
 145 attendant and on other self-advocacy skills needed to
 146 effectively access and manage the support and services provided
 147 under this section.

148 (b) In cooperation with the oversight council created in
 149 subsection (6), the Florida Association of Centers for
 150 Independent Living shall adopt and, as necessary, revise the

151 policies and procedures governing the operation of the program
 152 and the training required in paragraph (a). The oversight
 153 council shall recommend the maximum monthly reimbursement
 154 provided to program participants. The association shall provide
 155 technical assistance to program participants and administrative
 156 support services to the program and implement appropriate
 157 internal financial controls to ensure program integrity.

158 (5) The James Patrick Memorial Work Incentive Personal
 159 Attendant Services and Employment Assistance Program shall
 160 reimburse the Florida Association of Centers for Independent
 161 Living monthly for payments made to program participants and for
 162 costs associated with program administration and oversight in
 163 accordance with the annual operating budget approved by the
 164 board of directors of the association, taking into consideration
 165 recommendations made by the oversight council created under
 166 subsection (6). The annual operating budget for costs associated
 167 with activities of the association for program operation,
 168 administration, and oversight may not exceed 10 ~~12~~ percent of
 169 the funds provided ~~deposited with the Florida Endowment~~
 170 ~~Foundation for Vocational Rehabilitation~~ pursuant to ss.
 171 320.08068(4)(d) and 413.4021(1) for the previous fiscal year or
 172 the budget approved for the previous fiscal year, whichever
 173 amount is greater.

174 (6) The James Patrick Memorial Work Incentive Personal
 175 Attendant Services and Employment Assistance Program Oversight

176 Council is created adjunct to the Department of Education for
 177 the purpose of providing program recommendations, recommending
 178 the maximum monthly reimbursement available to program
 179 participants, advising the Florida Association of Centers for
 180 Independent Living on policies and procedures, and recommending
 181 the program's annual operating budget for activities of the
 182 association associated with operations, administration, and
 183 oversight. The oversight council shall also advise on and
 184 recommend the schedule of eligible services for which program
 185 participants may be reimbursed subject to the requirements and
 186 limitations of paragraph (3)(c) which, at a minimum, must
 187 include personal care attendant services. The oversight council
 188 shall advise and make its recommendations under this section to
 189 the board of directors of the association. The oversight council
 190 is not subject to the control of or direction by the department,
 191 and the department is not responsible for providing staff
 192 support or paying any expenses incurred by the oversight council
 193 in the performance of its duties.

194 (a) The oversight council consists of the following
 195 members:

- 196 1. The director of the division or his or her designee;
- 197 2. A human resources professional or an individual who has
 198 significant experience managing and operating a business based
 199 in this state, recommended by the Florida Chamber of Commerce
 200 and appointed by the Governor;

201 3. A financial management professional, appointed by the
 202 Governor;

203 4. A program participant, appointed by the Secretary of
 204 Health or his or her designee;

205 5. The director of the advisory council on brain and
 206 spinal cord injuries or his or her designee;

207 6. The director of the Florida Endowment Foundation for
 208 Vocational Rehabilitation or his or her designee; and

209 7. The director of the Florida Association of Centers for
 210 Independent Living or his or her designee.

211 (b) The appointed members shall serve for a term
 212 concurrent with the term of the official who made the
 213 appointment and shall serve at the pleasure of such official.

214 Section 5. Subsections (1) and (2) of section 413.4021,
 215 Florida Statutes, are amended to read:

216 413.4021 Program participant selection; tax collection
 217 enforcement diversion program.—The Department of Revenue, in
 218 coordination with the Florida Association of Centers for
 219 Independent Living and the Florida Prosecuting Attorneys
 220 Association, shall select judicial circuits in which to operate
 221 the program. The association and the state attorneys' offices
 222 shall develop and implement a tax collection enforcement
 223 diversion program, which shall collect revenue due from persons
 224 who have not remitted their collected sales tax. The criteria
 225 for referral to the tax collection enforcement diversion program

226 shall be determined cooperatively between the state attorneys'
 227 offices and the Department of Revenue.

228 (1) Notwithstanding s. 212.20, 50 percent of the revenues
 229 collected from the tax collection enforcement diversion program
 230 shall be deposited into the special reserve account of the
 231 Florida Association of Centers for Independent Living ~~Endowment~~
 232 ~~Foundation for Vocational Rehabilitation~~, to be used to
 233 administer the James Patrick Memorial Work Incentive Personal
 234 Attendant Services and Employment Assistance Program and to
 235 contract with the state attorneys participating in the tax
 236 collection enforcement diversion program in an amount of not
 237 more than \$75,000 for each state attorney.

238 (2) The program shall operate only from funds deposited
 239 into the operating account of the Florida Association of Centers
 240 for Independent Living ~~Endowment Foundation for Vocational~~
 241 ~~Rehabilitation~~.

242 Section 6. Section 413.615, Florida Statutes, is amended
 243 to read:

244 413.615 Florida Endowment for Vocational Rehabilitation.—

245 (1) SHORT TITLE.—This section may be cited as the "Florida
 246 Endowment for Vocational Rehabilitation Act."

247 (2) DEFINITIONS.—For the purposes of this section:

248 (a) "Board" means the board of directors of the Florida
 249 Endowment Foundation for Vocational Rehabilitation.

250 (b) "Endowment fund" means an account established within

251 the Florida Endowment Foundation for Vocational Rehabilitation
 252 to provide a continuing and growing source of revenue for
 253 vocational rehabilitation efforts.

254 (c) "Foundation" means the Florida Endowment Foundation
 255 for Vocational Rehabilitation.

256 (d) "Operating account" means an account established under
 257 paragraph (4) (d) to carry out the purposes provided in
 258 subsection (10).

259 (3) LEGISLATIVE INTENT.—The Legislature recognizes that it
 260 is in the best interest of the citizens of this state that
 261 citizens with disabilities be afforded a fair opportunity to
 262 become self-supporting, productive members of society. However,
 263 there is a critical need for significant additional funding to
 264 achieve this goal. Accordingly, the Legislature further finds
 265 and declares that:

266 (a) With skilled evaluation procedures and proper
 267 rehabilitative treatment, plus employment, training, and
 268 supportive services consistent with the needs of the individual,
 269 persons who are disabled can assume the activities of daily
 270 living and join their communities with dignity and independence.

271 (b) The purpose of this section is to broaden the
 272 participation and funding potential for further significant
 273 support for the rehabilitation of Florida citizens who are
 274 disabled.

275 (c) It is appropriate to encourage individual and

276 corporate support and involvement, as well as state support and
 277 involvement, to promote employment opportunities for disabled
 278 citizens.

279 (4) REVENUE FOR THE ENDOWMENT FUND.—

280 (a) The endowment fund of the Florida Endowment for
 281 Vocational Rehabilitation is created as a long-term, stable, and
 282 growing source of revenue to be administered, in accordance with
 283 rules promulgated by the division, by the foundation as a
 284 direct-support organization of the division.

285 (b) The principal of the endowment fund shall derive from
 286 ~~the deposits made pursuant to s. 318.21(2)(e), together with any~~
 287 legislative appropriations which may be made to the endowment,
 288 and such bequests, gifts, grants, and donations as may be
 289 solicited for such purpose by the foundation from public or
 290 private sources.

291 (c) ~~All funds remitted to the Department of Revenue~~
 292 ~~pursuant to s. 318.21(2)(e) and (5) shall be transmitted monthly~~
 293 ~~to the foundation for use as provided in subsection (10).~~ All
 294 remaining liquid balances of funds held for investment and
 295 reinvestment by the State Board of Administration for the
 296 endowment fund on the effective date of this act shall be
 297 transmitted to the foundation within 60 days for use as provided
 298 in subsection (10).

299 (d) The board of directors of the foundation shall
 300 establish the operating account and shall deposit therein the

301 moneys transmitted pursuant to paragraph (c). Moneys in the
 302 operating account shall be available to carry out the purposes
 303 of subsection (10).

304 (e) Funds received from state sources shall be accounted
 305 for separately from bequests, gifts, grants, and donations which
 306 may be solicited for such purposes by the foundation from public
 307 or private sources. Earnings on funds received from state
 308 sources and funds received from public or private sources shall
 309 be accounted for separately.

310 (5) THE FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL
 311 REHABILITATION.—The Florida Endowment Foundation for Vocational
 312 Rehabilitation is hereby created as a direct-support
 313 organization of the Division of Vocational Rehabilitation, to
 314 encourage public and private support to enhance vocational
 315 rehabilitation and employment of citizens who are disabled. As a
 316 direct-support organization, the foundation shall operate under
 317 contract with the division and shall:

318 (a) Be a Florida corporation not for profit incorporated
 319 under the provisions of chapter 617 and approved by the
 320 Department of State.

321 (b) Be organized and operated exclusively to raise funds;
 322 to submit requests and receive grants from the Federal
 323 Government, the state, private foundations, and individuals; to
 324 receive, hold, and administer property; and to make expenditures
 325 to or for the benefit of the rehabilitation programs approved by

326 the board of directors of the foundation.

327 (c) Be approved by the division to be operating for the
328 benefit and best interest of the state.

329 (6) DIRECT-SUPPORT ORGANIZATION CONTRACT.—The contract
330 between the foundation and the division shall provide for:

331 (a) Approval of the articles of incorporation of the
332 foundation by the division.

333 (b) Governance of the foundation by a board of directors
334 appointed by the Governor.

335 (c) Submission of an annual budget of the foundation for
336 approval by the division.

337 (d) Certification by the division, after an annual
338 financial and performance review, that the foundation is
339 operating in compliance with the terms of the contract and the
340 rules of the division, and in a manner consistent with the goals
341 of the Legislature in providing assistance to disabled citizens.

342 (e) The release and conditions of the expenditure of any
343 state revenues.

344 (f) The reversion to the state of moneys in the foundation
345 and in any other funds and accounts held in trust by the
346 foundation if the contract is terminated.

347 (g) The fiscal year of the foundation, to begin on July 1
348 and end on June 30 of each year.

349 (7) CONFIDENTIALITY.—

350 (a) The identity of a donor or prospective donor to the

351 Florida Endowment Foundation for Vocational Rehabilitation who
 352 desires to remain anonymous and all information identifying such
 353 donor or prospective donor are confidential and exempt from the
 354 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 355 Constitution. Portions of meetings of the Florida Endowment
 356 Foundation for Vocational Rehabilitation during which the
 357 identity of donors or prospective donors is discussed are exempt
 358 from the provisions of s. 286.011 and s. 24(b), Art. I of the
 359 State Constitution.

360 (b) Records relating to clients of or applicants to the
 361 Division of Vocational Rehabilitation that come into the
 362 possession of the foundation and that are confidential by other
 363 provisions of law are confidential and exempt from the
 364 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 365 Constitution, and may not be released by the foundation.
 366 Portions of meetings of the Florida Endowment Foundation for
 367 Vocational Rehabilitation during which the identities of such
 368 clients of or applicants to the Division of Vocational
 369 Rehabilitation are discussed are exempt from the provisions of
 370 s. 286.011 and s. 24(b), Art. I of the State Constitution.

371 (8) BOARD OF DIRECTORS.—The foundation shall be
 372 administered by a board of directors, as follows:

373 (a) Membership.—The board of directors shall consist of
 374 nine members who have an interest in service to persons with
 375 disabilities and who:

376 1. Have skills in foundation work or other fundraising
 377 activities, financial consulting, or investment banking or other
 378 related experience; or

379 2. Have experience in policymaking or management-level
 380 positions or have otherwise distinguished themselves in the
 381 field of business, industry, or rehabilitation.

382

383 Disabled individuals who meet the above criteria shall be given
 384 special consideration for appointment.

385 (b) Appointment.—The board members shall be appointed by
 386 the Governor.

387 (c) Terms.—Board members shall serve for 3-year terms or
 388 until resignation or removal for cause.

389 (d) Filling of vacancies.—In the event of a vacancy on the
 390 board caused by other than the expiration of a term, a new
 391 member shall be appointed.

392 (e) Removal for cause.—Each member is accountable to the
 393 Governor for the proper performance of the duties of office. The
 394 Governor may remove any member from office for malfeasance,
 395 misfeasance, neglect of duty, incompetence, or permanent
 396 inability to perform official duties or for pleading nolo
 397 contendere to, or being found guilty of, a crime.

398 (9) ORGANIZATION, POWERS, AND DUTIES.—Within the limits
 399 prescribed in this section or by rule of the division:

400 (a) Upon appointment, the board shall meet and organize.

401 Thereafter, the board shall hold such meetings as are necessary
 402 to implement the provisions of this section and shall conduct
 403 its business in accordance with rules promulgated by the
 404 division.

405 (b) The board may solicit and receive bequests, gifts,
 406 grants, donations, goods, and services. Where gifts are
 407 restricted as to purpose, they may be used only for the purpose
 408 or purposes stated by the donor. The board may transmit monetary
 409 gifts to the State Board of Administration for deposit in the
 410 endowment fund principal.

411 (c) The board may enter into contracts with the Federal
 412 Government, state or local agencies, private entities, or
 413 individuals to carry out the purposes of this section.

414 (d) The board may identify, initiate, and fund new and
 415 creative programs to carry out the purposes of this section,
 416 utilizing existing organizations, associations, and agencies to
 417 carry out such rehabilitation programs and purposes wherever
 418 possible.

419 (e) The board may make gifts or grants:

420 1. To the State of Florida or any political subdivision
 421 thereof, or any public agency of state or local government.

422 2. To a corporation, trust, association, or foundation
 423 organized and operated exclusively for charitable, educational,
 424 or scientific purposes.

425 3. To any citizen who has a documented disability.

426 4. To the division for purposes of program recognition and
 427 marketing, public relations and education, professional
 428 development, and technical assistance and workshops for grant
 429 applicants and recipients, the business community, and
 430 individuals with disabilities or recognized groups organized on
 431 their behalf.

432 (f) The board may advertise and solicit applications for
 433 funding and shall evaluate applications and program proposals
 434 submitted thereto. Funding shall be awarded only where the
 435 evaluation is positive and the proposal meets both the
 436 guidelines for use established in subsection (10) and such
 437 evaluation criteria as the division may prescribe by rule.

438 (g) The board shall monitor, review, and annually evaluate
 439 funded programs to determine whether funding should be
 440 continued, terminated, reduced, or increased.

441 (h) The board shall establish an operating account as
 442 provided in paragraph (4)(d).

443 (i) The board may take such additional actions, including
 444 the hiring of necessary staff, as are deemed necessary and
 445 appropriate to administer this section, subject to rules of the
 446 division.

447 (j) Administrative costs shall be kept to the minimum
 448 necessary for the efficient and effective administration of the
 449 foundation and are limited to 15 percent of total estimated
 450 expenditures in any calendar year. Administrative costs include

451 payment of travel and per diem expenses of board members;
 452 officer salaries; chief executive officer program management;
 453 audits; salaries or other costs for nonofficers and contractors
 454 providing services that are not directly related to the mission
 455 of the foundation as described in subsection (5); costs of
 456 promoting the purposes of the foundation; and other allowable
 457 costs. Administrative costs shall be paid only from private
 458 funds and the earnings thereon.

459 (k) The foundation shall publish on its website:

460 1. The annual audit required by subsection (11) and the
 461 annual report required by subsection (12).

462 2. For each position filled by an officer or employee, the
 463 position's compensation level.

464 3. A copy of each contract into which the foundation
 465 enters.

466 4. Information on each program, gift, or grant funded by
 467 the foundation, including:

468 a. Projected economic benefits at the time of the initial
 469 award date.

470 b. Information describing the program, gift, or grant
 471 funded.

472 c. The geographic area impacted.

473 d. Any matching, in-kind support or other support.

474 e. The expected duration.

475 f. Evaluation criteria.

476 5. The foundation's contract with the division required by
 477 subsection (6).

478 (10) DISTRIBUTION OF MONEYS.—The board shall use the
 479 moneys in the operating account, by whatever means, to provide
 480 for:

481 (a) Planning, research, and policy development for issues
 482 related to the employment and training of disabled citizens, and
 483 publication and dissemination of such information as may serve
 484 the objectives of this section.

485 (b) Promotion of initiatives for disabled citizens.

486 (c) Funding of programs which engage in, contract for,
 487 foster, finance, or aid in job training and counseling for
 488 disabled citizens or research, education, demonstration, or
 489 other activities related thereto.

490 (d) Funding of programs which engage in, contract for,
 491 foster, finance, or aid in activities designed to advance better
 492 public understanding and appreciation of the field of vocational
 493 rehabilitation.

494 (e) Funding of programs, property, or facilities which
 495 aid, strengthen, and extend in any proper and useful manner the
 496 objectives, work, services, and physical facilities of the
 497 division, in accordance with the purposes of this section.

498
 499 Any allocation of funds for research, advertising, or consulting
 500 shall be subject to a competitive solicitation process. State

501 funds may not be used to fund events for private sector donors
 502 or potential donors or to honor supporters.

503 (11) ANNUAL AUDIT.—The board shall provide for an annual
 504 financial audit of the foundation in accordance with s. 215.981.
 505 The identities of donors and prospective donors who desire to
 506 remain anonymous shall be protected, and that anonymity shall be
 507 maintained in the auditor's report.

508 (12) ANNUAL REPORT.—The board shall issue a report to the
 509 Governor, the President of the Senate, the Speaker of the House
 510 of Representatives, and the Commissioner of Education by
 511 February 1 each year, summarizing the performance of the
 512 endowment fund for the previous fiscal year, summarizing the
 513 foundation's fundraising activities and performance, and
 514 detailing those activities and programs supported by the
 515 endowment principal or earnings on the endowment principal or by
 516 bequests, gifts, grants, donations, and other valued goods and
 517 services received. The report shall also include:

518 (a) Financial data, by service type, including
 519 expenditures for administration and the provision of services.

520 (b) Outcome data, including the number of individuals
 521 served and employment outcomes.

522 (13) RULES.—The division shall promulgate rules for the
 523 implementation of this section.

524 (14) REPEAL.—This section is repealed October 1, 2018
 525 ~~2017~~, unless reviewed and saved from repeal by the Legislature.

CS/HB 907

2017

526 Section 7. This act shall take effect July 1, 2017.



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	_____	

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

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (4) of section 20.058, Florida
7 Statutes, is amended to read:

8 20.058 Citizen support and direct-support organizations.—

9 (4) Any contract between an agency and a citizen support
 10 organization or direct-support organization must be contingent
 11 upon the organization's submission and posting of information
 12 pursuant to subsections (1) and (2) and must include a provision
 13 for the orderly cessation of operations and reversion of any
 14 state funds held by the citizen support organization or direct-
 15 support organization within 30 days of repeal of its authorizing
 16 statute, termination of the contract, or dissolution. If an



Amendment No. 1

17 organization fails to submit the required information for 2
18 consecutive years, the agency head shall terminate any contract
19 between the agency and the organization.

20 Section 2. Paragraph (e) of subsection (2) and subsection
21 (5) of section 318.21, Florida Statutes, are amended to read:

22 318.21 Disposition of civil penalties by county courts.—
23 All civil penalties received by a county court pursuant to the
24 provisions of this chapter shall be distributed and paid monthly
25 as follows:

26 (2) Of the remainder:

27 (e) Two percent shall be remitted to the Department of
28 Revenue for deposit in the Grants and Donations Trust Fund of
29 the Division of and transmitted monthly to the Florida Endowment
30 Foundation for Vocational Rehabilitation of the Department of
31 Education as provided in s. 413.615.

32 (5) Of the additional fine assessed under s. 318.18(3)(f)
33 for a violation of s. 316.1303(1), 60 percent must be remitted
34 to the Department of Revenue for deposit in the Grants and
35 Donations Trust Fund of the Division of and transmitted monthly
36 to the Florida Endowment Foundation for Vocational
37 Rehabilitation of the Department of Education, and 40 percent
38 must be distributed pursuant to subsections (1) and (2).

39 Section 3. Subsection (4) of section 320.08068, Florida
40 Statutes, is amended to read:

41 320.08068 Motorcycle specialty license plates.—

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



Amendment No. 1

42 (4) A license plate annual use fee of \$20 shall be
43 collected for each motorcycle specialty license plate. Annual
44 use fees shall be distributed to ~~The Able Trust as custodial~~
45 ~~agent. The Able Trust may retain a maximum of 10 percent of the~~
46 ~~proceeds from the sale of the license plate for administrative~~
47 ~~costs. The Able Trust shall distribute the remaining funds as~~
48 follows:

49 (a) Twenty percent to the Brain and Spinal Cord Injury
50 Program Trust Fund.

51 (b) Twenty percent to Prevent Blindness Florida.

52 (c) Twenty percent to the Blind Services Foundation of
53 Florida.

54 (d) Twenty percent to the Florida Association of Centers
55 for Independent Living ~~Endowment Foundation for Vocational~~
56 ~~Rehabilitation~~ to support the James Patrick Memorial Work
57 Incentive Personal Attendant Services and Employment Assistance
58 Program pursuant to s. 413.402.

59 (e) Twenty percent to the Florida Association of Centers
60 for Independent Living.

61 Section 4. Paragraph (c) of subsection (4) of section
62 320.0848, Florida Statutes, is amended to read:

63 320.0848 Persons who have disabilities; issuance of
64 disabled parking permits; temporary permits; permits for certain
65 providers of transportation services to persons who have
66 disabilities.—

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



Amendment No. 1

67 (4) From the proceeds of the temporary disabled parking
68 permit fees:

69 (c) The remainder must be distributed monthly as follows:

70 1. To be deposited in the Grants and Donations Trust Fund
71 of the Division of the Florida Endowment Foundation for
72 Vocational Rehabilitation of the Department of Education, known
73 as "The Able Trust," for the purpose of improving employment and
74 training opportunities for persons who have disabilities, with
75 special emphasis on removing transportation barriers, \$4. These
76 fees must be directly deposited into the Florida Endowment
77 Foundation for Vocational Rehabilitation as established in s.
78 413.615.

79 2. To be deposited in the Transportation Disadvantaged
80 Trust Fund to be used for funding matching grants to counties
81 for the purpose of improving transportation of persons who have
82 disabilities, \$5.

83 Section 5. Subsection (5) of section 413.402, Florida
84 Statutes, is amended and paragraph (c) is added subsection (6)
85 of that section to read:

86 413.402 James Patrick Memorial Work Incentive Personal
87 Attendant Services and Employment Assistance Program.—The
88 ~~Florida Endowment Foundation for Vocational Rehabilitation shall~~
89 ~~maintain an agreement with the~~ Florida Association of Centers
90 for Independent Living shall ~~to~~ administer the James Patrick
91 Memorial Work Incentive Personal Attendant Services and

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



Amendment No. 1

92 Employment Assistance Program ~~and shall remit sufficient funds~~
93 ~~monthly to meet the requirements of subsection (5).~~

94 (5) The James Patrick Memorial Work Incentive Personal
95 Attendant Services and Employment Assistance Program shall
96 reimburse the Florida Association of Centers for Independent
97 Living monthly for payments made to program participants and for
98 costs associated with program administration and oversight in
99 accordance with the annual operating budget approved by the
100 board of directors of the association, taking into consideration
101 recommendations made by the oversight council created under
102 subsection (6). The annual operating budget for costs associated
103 with activities of the association for program operation,
104 administration, and oversight may not exceed 10 ~~12~~ percent of
105 the funds provided ~~deposited with the Florida Endowment~~
106 ~~Foundation for Vocational Rehabilitation~~ pursuant to ss.
107 320.08068(4)(d) and 413.4021(1) for the previous fiscal year or
108 the budget approved for the previous fiscal year, whichever
109 amount is greater.

110 (6) The James Patrick Memorial Work Incentive Personal
111 Attendant Services and Employment Assistance Program Oversight
112 Council is created adjunct to the Department of Education for
113 the purpose of providing program recommendations, recommending
114 the maximum monthly reimbursement available to program
115 participants, advising the Florida Association of Centers for
116 Independent Living on policies and procedures, and recommending

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



Amendment No. 1

117 the program's annual operating budget for activities of the
118 association associated with operations, administration, and
119 oversight. The oversight council shall also advise on and
120 recommend the schedule of eligible services for which program
121 participants may be reimbursed subject to the requirements and
122 limitations of paragraph (3)(c) which, at a minimum, must
123 include personal care attendant services. The oversight council
124 shall advise and make its recommendations under this section to
125 the board of directors of the association. The oversight council
126 is not subject to the control of or direction by the department,
127 and the department is not responsible for providing staff
128 support or paying any expenses incurred by the oversight council
129 in the performance of its duties.

130 (c) The oversight council shall issue a report to the
131 Governor, the President of the Senate, the Speaker of the House
132 of Representatives, and the Commissioner of Education by
133 February 1 each year, summarizing the performance of the
134 program.

135 Section 6. Subsections (1) and (2) of section 413.4021,
136 Florida Statutes, are amended to read:

137 413.4021 Program participant selection; tax collection
138 enforcement diversion program.—The Department of Revenue, in
139 coordination with the Florida Association of Centers for
140 Independent Living and the Florida Prosecuting Attorneys
141 Association, shall select judicial circuits in which to operate



Amendment No. 1

142 the program. The association and the state attorneys' offices
143 shall develop and implement a tax collection enforcement
144 diversion program, which shall collect revenue due from persons
145 who have not remitted their collected sales tax. The criteria
146 for referral to the tax collection enforcement diversion program
147 shall be determined cooperatively between the state attorneys'
148 offices and the Department of Revenue.

149 (1) Notwithstanding s. 212.20, 50 percent of the revenues
150 collected from the tax collection enforcement diversion program
151 shall be deposited into the special reserve account of the
152 Florida Association of Centers for Independent Living Endowment
153 ~~Foundation for Vocational Rehabilitation~~, to be used to
154 administer the James Patrick Memorial Work Incentive Personal
155 Attendant Services and Employment Assistance Program and to
156 contract with the state attorneys participating in the tax
157 collection enforcement diversion program in an amount of not
158 more than \$75,000 for each state attorney.

159 (2) The program shall operate only from funds deposited
160 into the operating account of the Florida Association of Centers
161 for Independent Living Endowment Foundation for Vocational
162 ~~Rehabilitation~~.

163 Section 7. Section 413.615, Florida Statutes, is amended
164 to read:

165 413.615 Florida Endowment for Vocational Rehabilitation.—

166 (4) REVENUE FOR THE ENDOWMENT FUND.—

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



Amendment No. 1

167 (a) The endowment fund of the Florida Endowment for
168 Vocational Rehabilitation is created as a long-term, stable, and
169 growing source of revenue to be administered, in accordance with
170 rules promulgated by the division, by the foundation as a
171 direct-support organization of the division.

172 (b) The principal of the endowment fund shall derive from
173 ~~the deposits made pursuant to s. 318.21(2)(e), together with any~~
174 legislative appropriations which may be made to the endowment,
175 and such bequests, gifts, grants, and donations as may be
176 solicited for such purpose by the foundation from public or
177 private sources.

178 (c) ~~All funds remitted to the Department of Revenue~~
179 ~~pursuant to s. 318.21(2)(e) and (5) shall be transmitted monthly~~
180 ~~to the foundation for use as provided in subsection (10).~~ All
181 remaining liquid balances of funds held for investment and
182 reinvestment by the State Board of Administration for the
183 endowment fund on the effective date of this act shall be
184 transmitted to the foundation within 60 days for use as provided
185 in subsection (10).

186 (d) The board of directors of the foundation shall
187 establish the operating account and shall deposit therein the
188 moneys transmitted pursuant to paragraph (c). Moneys in the
189 operating account shall be available to carry out the purposes
190 of subsection (10).



Amendment No. 1

191 (e) Funds received from state sources shall be accounted
192 for separately from bequests, gifts, grants, and donations which
193 may be solicited for such purposes by the foundation from public
194 or private sources. Earnings on funds received from state
195 sources and funds received from public or private sources shall
196 be accounted for separately.

197 (6) DIRECT-SUPPORT ORGANIZATION CONTRACT.—The contract
198 between the foundation and the division shall provide for:

199 (a) Approval of the articles of incorporation of the
200 foundation by the division.

201 (b) Governance of the foundation by a board of directors
202 appointed by the Governor.

203 (c) Submission of an annual budget of the foundation for
204 approval by the division. The division may not approve an annual
205 budget that does not comply with the requirements of (9)(j).

206 (d) Certification by the division, after an annual
207 financial and performance review, that the foundation is
208 operating in compliance with the terms of the contract and the
209 rules of the division, and in a manner consistent with the goals
210 of the Legislature in providing assistance to disabled citizens.

211 (e) The release and conditions of the expenditure of any
212 state revenues.

213 (f) The orderly cessation of operations and reversion to
214 the state of moneys in the foundation and in any other funds and
215 accounts held in trust by the foundation if the contract is



Amendment No. 1

216 terminated, the foundation is dissolved, or upon the repeal of
217 this section.

218 (g) The fiscal year of the foundation, to begin on July 1
219 and end on June 30 of each year.

220 (9) ORGANIZATION, POWERS, AND DUTIES.—Within the limits
221 prescribed in this section or by rule of the division:

222 (a) Upon appointment, the board shall meet and organize.
223 Thereafter, the board shall hold such meetings as are necessary
224 to implement the provisions of this section and shall conduct
225 its business in accordance with rules promulgated by the
226 division.

227 (b) The board may solicit and receive bequests, gifts,
228 grants, donations, goods, and services. Where gifts are
229 restricted as to purpose, they may be used only for the purpose
230 or purposes stated by the donor. The board may transmit monetary
231 gifts to the State Board of Administration for deposit in the
232 endowment fund principal.

233 (c) The board may enter into contracts with the Federal
234 Government, state or local agencies, private entities, or
235 individuals to carry out the purposes of this section.

236 (d) The board may identify, initiate, and fund new and
237 creative programs to carry out the purposes of this section,
238 utilizing existing organizations, associations, and agencies to
239 carry out such rehabilitation programs and purposes wherever
240 possible.

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



Amendment No. 1

- 241 (e) The board may make gifts or grants:
- 242 1. To the State of Florida or any political subdivision
- 243 thereof, or any public agency of state or local government.
- 244 2. To a corporation, trust, association, or foundation
- 245 organized and operated exclusively for charitable, educational,
- 246 or scientific purposes.
- 247 3. To any citizen who has a documented disability.
- 248 4. To the division for purposes of program recognition and
- 249 marketing, public relations and education, professional
- 250 development, and technical assistance and workshops for grant
- 251 applicants and recipients, the business community, and
- 252 individuals with disabilities or recognized groups organized on
- 253 their behalf.
- 254 (f) The board may advertise and solicit applications for
- 255 funding and shall evaluate applications and program proposals
- 256 submitted thereto. Funding shall be awarded only where the
- 257 evaluation is positive and the proposal meets both the
- 258 guidelines for use established in subsection (10) and such
- 259 evaluation criteria as the division may prescribe by rule.
- 260 (g) The board shall monitor, review, and annually evaluate
- 261 funded programs to determine whether funding should be
- 262 continued, terminated, reduced, or increased.
- 263 (h) The board shall establish an operating account as
- 264 provided in paragraph (4) (d).



Amendment No. 1

265 (i) The board may take such additional actions, including
266 the hiring of necessary staff, as are deemed necessary and
267 appropriate to administer this section, subject to rules of the
268 division.

269 (j) Administrative costs shall be kept to the minimum
270 necessary for the efficient and effective administration of the
271 foundation and are limited to 15 percent of total estimated
272 expenditures in any calendar year. Administrative costs include
273 payment of travel and per diem expenses of board members;
274 officer salaries; chief executive officer program management;
275 audits; salaries or other costs for nonofficers and contractors
276 providing services that are not directly related to the mission
277 of the foundation as described in subsection (5); costs of
278 promoting the purposes of the foundation; and other allowable
279 costs. Administrative costs may be paid from the following
280 sources:

281 1. Interest and earnings on the endowment principal for the
282 2017-2018 fiscal year.

283 2. Private sources and up to seventy-five percent of
284 interest and earnings on the endowment principal for the 2018-
285 2019 fiscal year.

286 3. Private sources and up to fifty percent of interest and
287 earnings on the endowment principal for the 2019-2020 fiscal
288 year.



Amendment No. 1

289 4. Private sources and up to twenty-five percent of
290 interest and earnings on the endowment principal for the 2020-
291 2021 fiscal year.

292 5. Solely private sources for the 2021-2022 fiscal year
293 and thereafter.

294 (k) The foundation shall publish on its website:

295 1. The annual audit required by subsection (11) and the
296 annual report required by subsection (12).

297 2. For each position filled by an officer or employee, the
298 position's compensation level.

299 3. A copy of each contract into which the foundation
300 enters.

301 4. Information on each program, gift, or grant funded by
302 the foundation, including:

303 a. Projected economic benefits at the time of the initial
304 award date.

305 b. Information describing the program, gift, or grant
306 funded.

307 c. The geographic area impacted.

308 d. Any matching, in-kind support or other support.

309 e. The expected duration.

310 f. Evaluation criteria.

311 5. The foundation's contract with the division required by
312 subsection (6).



Amendment No. 1

313 (10) DISTRIBUTION OF MONEYS.—The board shall use the
314 moneys in the operating account, by whatever means, to provide
315 for:

316 (a) Planning, research, and policy development for issues
317 related to the employment and training of disabled citizens, and
318 publication and dissemination of such information as may serve
319 the objectives of this section.

320 (b) Promotion of initiatives for disabled citizens.

321 (c) Funding of programs which engage in, contract for,
322 foster, finance, or aid in job training and counseling for
323 disabled citizens or research, education, demonstration, or
324 other activities related thereto.

325 (d) Funding of programs which engage in, contract for,
326 foster, finance, or aid in activities designed to advance better
327 public understanding and appreciation of the field of vocational
328 rehabilitation.

329 (e) Funding of programs, property, or facilities which
330 aid, strengthen, and extend in any proper and useful manner the
331 objectives, work, services, and physical facilities of the
332 division, in accordance with the purposes of this section.

333
334 Any allocation of funds for research, advertising, or consulting
335 shall be subject to a competitive solicitation process. State
336 funds may not be used to fund events for private sector donors
337 or potential donors or to honor supporters.

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



Amendment No. 1

338 (11) ANNUAL AUDIT.—The board shall provide for an annual
339 financial audit of the foundation in accordance with s. 215.981.
340 The identities of donors and prospective donors who desire to
341 remain anonymous shall be protected, and that anonymity shall be
342 maintained in the auditor's report.

343 (12) ANNUAL REPORT.—The board shall issue a report to the
344 Governor, the President of the Senate, the Speaker of the House
345 of Representatives, and the Commissioner of Education by
346 December February 1 each year, summarizing the performance of
347 the endowment fund for the previous fiscal year, summarizing the
348 foundation's fundraising activities and performance, and
349 detailing those activities and programs supported by the
350 endowment principal or earnings on the endowment principal and
351 those supported ~~or~~ by private sources, bequests, gifts, grants,
352 donations, and other valued goods and services received. The
353 report shall also include:

354 (a) Financial data, by service type, including
355 expenditures for administration and the provision of services.

356 (b) The amount spent on administrative expenses,
357 fundraising and the amount of funds raised from private sources.

358 (c) Outcome data, including the number of individuals
359 served and employment outcomes.

360 (13) RULES.—The division shall promulgate rules for the
361 implementation of this section.



Amendment No. 1

362 (14) REPEAL.—This section is repealed October 1, 2018
363 ~~2017~~, unless reviewed and saved from repeal by the Legislature.

364 Section 8. The Florida Endowment for Vocational
365 Rehabilitation shall transfer any funds received pursuant to s.
366 320.08068(4) to the respective entities identified in s.
367 320.08068(4)(a)-(e) in accordance with the requirements of this
368 act. Any funds held in the special reserve account under s.
369 413.4021(1) to administer the James Patrick Memorial Work
370 Incentive Personal Attendant Services and Employment Assistance
371 Program shall be immediately transferred to the Florida
372 Association of Centers for Independent Living for continuity of
373 participant payments and essential program operations.
374
375

376 -----
377 **T I T L E A M E N D M E N T**

378 Remove everything before the enacting clause and insert:
379 An act relating to direct-support organizations; amending s.
380 20.058; requiring certain organizations to include contractual
381 provision for the orderly cessation of operations; amending ss.
382 318.21, 320.08068, and 320.0848, F.S.; revising provisions
383 relating to the distribution of proceeds from civil penalties
384 for traffic infractions, the sale of motorcycle specialty
385 license plates, and temporary disabled parking permits,
386 respectively; requiring that certain proceeds be deposited into



Amendment No. 1

387 the Grants and Donations Trust Fund of the Division of
388 Vocational Rehabilitation, instead of the Florida Endowment
389 Foundation for Vocational Rehabilitation; amending s. 413.402,
390 F.S.; deleting a requirement that a specified agreement be
391 maintained between the foundation and the Florida Association of
392 Centers for Independent Living; requiring the association to
393 administer the James Patrick Memorial Work Incentive Personal
394 Attendant Services and Employment Assistance Program; reducing
395 the maximum percentage of certain funds authorized for program
396 operation, administration, and oversight; amending s. 413.4021,
397 F.S.; requiring a specified percentage of certain revenues to be
398 deposited into the Florida Association of Centers for
399 Independent Living special reserve account to administer
400 specified programs; amending s. 413.615, F.S.; requiring
401 separate accounts for certain funds received from state sources
402 and public or private sources; providing additional duties of
403 the Florida Endowment for Vocational Rehabilitation; requiring
404 the foundation to publish certain information on its website;
405 requiring certain funding allocations to be subject to a
406 competitive solicitation process; prohibiting the use of state
407 funds for certain purposes; specifying data to be included in an
408 annual report to the Governor, Legislature, and Commissioner of
409 Education; extending the date for future review and repeal of
410 provisions relating to the endowment; creating an unnumbered
411 section of law; requiring the Florida Endowment Foundation for

265193 - h0907-strike.docx

Published On: 4/23/2017 6:18:14 PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 907 (2017)

Amendment No. 1

412 Vocational Rehabilitation to transfer funds to specified
413 entities; providing an effective date.
414