

EMERGENT DESIGN AND DEVELOPMENT, INC.  
LEGISLATIVE UPDATE  
MAY 7, 2007

The 2007 Legislative Session ended on Friday May 4, 2007 at approximately 4:11 pm. We have begun researching the new legislation and discovering the impact it will have on the Florida Education System.

Of the bills related to education, Governor Crist has only signed four (4) into law. They are the Merit Pay Plan (SB 1226) and three trust fund bills (SB 1330, SB 1332, and SB 1334).

The remaining bills are enrolled and are being sent to the Governor for his action. Governor Crist has indicated that he may veto SB 850 which would allow the University of Florida, Florida State University, and the University of South Florida to raise tuition by 15%.

As always, some bills of major interest did not pass. Notable among these are World Class Standards (HB 7151), HPV Notification (HB 561), Expansion of DROP for Administrators (HB 689), Kautz Student Safety (SB 2088), and the Bullying and Harassment bill (HB 575).

We will do a further update as the Governor begins to sign the following remaining bills into law. At that point we will break the bills down into bullet points to help explain, what we believe, will be the impact upon school districts.

I believe that everyone is glad the session is over and planning for implementation can begin.

BILLS WITH IMPACT UPON THE EDUCATIONAL SYSTEM  
THAT HAVE PASSED BOTH THE HOUSE AND SENATE

**SB 0108 Relating to Minority & Underrepresented Student Achievement** Hill  
Minority & Underrepresented Student Achievement; specifies that Fla. Partnership for Minority & Underrepresented Student Achievement must cooperate with school districts to identify minority & underrepresented students for participation in AP or other advanced courses; specifies that partnership must provide information re Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or Preliminary ACT (PLAN) administration, etc. Amends 1007.35. EFFECTIVE DATE: 07/01/2007.

- HB 0343 Relating to Student Financial Assistance/Need-based Students** Bean  
 Student Financial Assistance/Need-based Students; requires state residency for public postsecondary career education student assistance grant; creates Fla. Public Postsecondary Career Education Student Assistance Grant Program; provides that grants are available to specified students in specified postsecondary career certificate programs; revises purpose of Fla. Work Experience Program; lowers percentage of student wages that must be reimbursed to employers, etc. Amends Ch. 1009. APPROPRIATION: \$3,100,000. EFFECTIVE DATE: 07/01/2007.
- SB 0412 Relating to Education/Children of POWs or MIAs** Baker  
 Education/Children of POWs or MIAs; expands provision of educational opportunity at state expense for children of service members, or civilian personnel captured while serving with consent or authorization of United States Government, who are classified as prisoners of war or missing in action. Amends 295.015. EFFECTIVE DATE: 07/01/2007.
- SB 0420 Relating to State Retirement Programs** Lawson Jr.  
 State Retirement Programs; revises conditions for membership in State Community College System Optional Retirement Program & in State University System Optional Retirement Program; authorizes transfer of funds for specified earned credit between FRS & such optional retirement program; authorizes transfer of membership between State University System Optional Retirement Program & FRS, etc. Amends 121.051,.35,.4501. EFFECTIVE DATE: 07/01/2007.
- SB 0450 Relating to Florida Teachers Lead Program Stipend/Pre-K** Rich  
 Florida Teachers Lead Program Stipend/Pre-K; extends Florida Teachers Lead Program Stipend to teachers of prekindergarten students in public schools & public charter schools who are funded through Fla. Education Finance Program. Amends 1012.71. EFFECTIVE DATE: 07/01/2007.
- HB 0461 Relating to High School Athletics/Drug Testing** Llorente  
 High School Athletics/Drug Testing; requires Florida HS Athletic Assoc. to facilitate 1-year drug testing program to randomly test certain students for anabolic steroid use; requires schools to consent to provisions of program as prerequisite for membership in organization; requires students & their parents to consent to provisions of prog. as prerequisite for eligibility to participate in specified sports; provides for repeal of program, etc. Amends 1006.20. EFFECTIVE DATE: 07/01/2007.
- HB 0463 Relating to Pub. Rec./Drug Test/High School Athletics** Llorente  
 Pub. Rec./Drug Test/High School Athletics; exempts from public records requirements records re drug tests & to challenge & appeal proceedings under Fla. High School Athletic Association's random drug testing program; exempts from public meetings requirements portions of meeting at which records re drug tests or to challenge or appeal proceedings will be discussed; provides for future review & repeal; provides statement of public necessity. Amends 1006.20. EFFECTIVE DATE: Contingent.
- HB 0511 Relating to School Districts** Kendrick  
 School Districts; provides criteria for designating academically high-performing school districts; provides exceptions for such districts to be exempt from certain statutes & rules; provides for notice concerning property & casualty insurance costs; provides criteria for using district school tax funds; authorizes use of funds for specified purposes, etc. Creates 1003.621; amends 200.065, 1011.71. EFFECTIVE DATE: Upon becoming law.
- SB 0850 Relating to Postsecondary Student Fees/Technology Fee** Lawson Jr.  
 Postsecondary Student Fees/Technology Fee; authorizes state universities to charge technology fee under certain circumstances; provides for alteration of established fee by university boards of trustees after approval of said fee committee, university president, & president of student government of university; specifies limits concerning fee changes; provides requirements for expenditure of funds received from fee, etc. EFFECTIVE DATE: 07/01/2007.
- HB 0967 Relating to Physical Education** Weatherford  
 Physical Education; requires Education Commissioner to dedicate resources to provide professional development to physical education teachers & curricula developers; defines term "physical education"; requires district school boards to provide specified physical education for certain students; requires State Board of Education to review & revise Sunshine State Standards re physical education, etc. Amends 1001.11, 1003.01,.455. EFFECTIVE DATE: Upon becoming law.

- SB 0988 Relating to High-risk Offenders** Argenziano  
High-risk Offenders; requires distinctive markings for driver's licenses & ID cards issued to persons who are designated as sexual predators or subject to registration as sexual offenders; requires said predators & offenders to obtain updated or renewed driver's license or ID card; revises background screening requirements for certain noninstructional school district employees & contractors; provides for submission of fingerprints, etc. Amends FS. EFFECTIVE DATE: 07/01/2007 except as otherwise provided.
- SB 1046 Relating to Education** Wise  
Education; provides that certain funds transferred to Educ. Enhancement TF may be used for recurring appropriations; revises funding model for exceptional student education programs to provide additional funds for students who are gifted in graded K through 8; provides formula for calculating supplemental allocation for juvenile justice education programs; repeals obsolete provisions limiting certain uses of proceeds from district school tax, etc. Amends FS. EFFECTIVE DATE: 07/01/2007.
- SB 1060 Relating to Educational Facilities** King, Jr.  
Educational Facilities; deletes provisions re distribution of proceeds from excise tax on documents to Public Education Capital Outlay & Debt Service TF; revises date by which distribution company must remit taxes on gross receipts from sale of utility services; prescribes life to be used for certain facilities in calculating distributions from such trust fund; clarifies those K-12 students on whose behalf distributions will be made from such trust fund, etc. Amends FS. EFFECTIVE DATE: 07/01/2007.
- SB 1064 Relating to Facility Enhancement Challenge Grant Programs** King, Jr.  
Facility Enhancement Challenge Grant Programs; amends specified provision re Community College Facility Enhancement Challenge Grant Program; requires that project be approved by State Board of Education or Legislature; requires that unexpended private matching funds revert to direct-support organization capital facilities matching account of community college; provides for future termination of Alec P. Courtelis Capital Facilities Matching Trust Fund, etc. Amends 1011.32, 1013.79. EFFECTIVE DATE: 07/01/2007.
- HB 1161 Relating to High School to Business Career Enhancement Act** Ambler  
High School to Business Career Enhancement Act; authorizes each district school board to adopt policies & procedures for HS to Business Career Enhancement Program through which student internships may be offered in each school district; requires background screening of employees or contracted personnel of employers participating; clarifies that employment of student intern is not employment for purposes of unemployment compensation, etc. Creates 1003.496. EFFECTIVE DATE: 07/01/2007.
- SB 1226 Relating to Merit Award Program/School Board Employees** Gaetz  
Merit Award Program/School Board Employees; establishes Merit Award Program for instructional personnel & school-based administrators; requires that district school board adopt Merit Award Program plan in order to receive funding under program; provides for reversion of funds that are not distributed when district or charter school chooses not to adopt plan; requires school districts to be able to administer end-of-course examinations with certain exceptions, etc. Amends Ch. 1012, 447.403. APPROPRIATION: \$147,500,000. EFFECTIVE DATE: 3/29/2007 except as otherwise provided.
- SB 1232 Relating to Career & Professional Education** Gaetz  
Career & Professional Education; creates Fla. Career & Professional Education Act for purpose of improving academic performance & respond to state's workforce needs; requires that district school boards develop strategic plans to address & meet local & regional workforce needs; requires public schools & school districts to offer career & professional academies; repeals provisions re Career High-Skill Occupational Initiative for Career Educ. (CHOICE) academies, etc. Amends FS. EFFECTIVE DATE: 07/01/2007.
- SB 1270 Relating to Education** Oelrich  
Education; deletes Colleges & Universities Div. in DOE; prohibits State Board of Education from amending specified budget request & list of specified fixed capital outlay requests; revises powers & duties of university boards of trustees re general provisions for responsibility, organization & operation of state universities, finance, accountability, personnel, property, & compliance with laws & rules, etc. Amends FS. EFFECTIVE DATE: 07/01/2007.

- HB 1285 Relating to Construction Liens** Altman  
Construction Liens; requires performance bond for certain contracts with private entities for specified public works projects; revises requirements re when claimants must provide certain notices; requires that certain notices pertaining to direct contracts greater than \$2,500 for improvements to certain property be in writing; provides that failure of person to make specified statement under oath deprives person of lien, etc. Amends Ch. 713, 255.05. EFFECTIVE DATE: 07/01/2007.
- SB 1330 Relating to DOE Trust Funds/Termination** Wise  
DOE Trust Funds/Termination; terminates specified trust funds within Department of Education; provides for disposition of balances in & revenues of such trust funds; prescribes procedures for termination of such trust funds; renames Educational Aids TF within department; repeals provisions re Dale Hickam Excellent Teaching Program TF, Educational Aids TF, & Projects, Contracts, & Grants TF within department, etc. Amends 1002.335; repeals 1010.72,.76,.78, 1012.72(5). EFFECTIVE DATE: 07/01/2007 except as otherwise provided.
- SB 1332 Relating to Operating Trust Fund/DOE** Wise  
Operating Trust Fund/DOE; creates said trust fund within Department of Education; provides for sources of funds & purposes; provides for annual carryforward of funds; provides for future review & termination or re-creation of trust fund. Creates 1001.281. EFFECTIVE DATE: 07/01/2008.
- SB 1334 Relating to Administrative Trust Fund/DOE** Wise  
Administrative Trust Fund/DOE; creates said trust fund within Department of Education; provides for sources of funds & purposes; provides for annual carryforward of funds; provides for future review & termination or re-creation of trust fund. Creates 1001.282. EFFECTIVE DATE: 07/01/2008.
- SB 1420 Relating to Employee Benefits** Carlton  
Employee Benefits; provides for resolution of certain collective bargaining issues at impasse between State of Florida & certified bargaining units of state employees. EFFECTIVE DATE: Upon becoming law.
- HB 1421 Relating to Digital Divide Council** Brisé  
Digital Divide Council; recreates council in DOE; revises membership of council; provides for terms of office; requires initial meeting & at specified times thereafter; conforms references; deletes requirements for certain pilot programs; provides objectives of council; requires annual report to Governor & Legislature. Amends 445.049. EFFECTIVE DATE: 07/01/2007.
- SB 1456 Relating to Sales Tax/School Supplies & Clothing** Webster  
Sales Tax/School Supplies & Clothing; specifies period during which sale of books, clothing, & school supplies are exempt from tax on sales, use, & other transactions; provides definitions; provides exceptions; authorizes DOR to adopt rules. APPROPRIATION: \$224,110. EFFECTIVE DATE: 07/01/2007.
- SB 1624 Relating to Insurance/Public Construction Projects** Bennett  
Insurance/Public Construction Projects; requires purchase of owner-controlled insurance in connection with public construction project if program maintains completed operations insurance coverage for no less than 10 years; exempts contractors & subcontractors working under construction project insured by said insurance program from individually satisfying eligibility requirements for large deductible workers' compensation rating plans, etc. Amends 255.0517. EFFECTIVE DATE: 10/01/2007.
- SB 1748 Relating to Insurance Contracts/Workers' Comp.** Gaetz  
Insurance Contracts/Workers' Comp.; prohibits rejection of workers' compensation insurance policies issued by certain self-insurance funds under certain circumstances. Creates 627.442. EFFECTIVE DATE: 07/01/2007.
- SB 1974 Relating to State Information Technology** Governmental Operations  
State Information Technology; creates Agency for Enterprise Information Technology within Executive Office Governor; provides for Governor & Cabinet to be head of agency; provides for executive director of agency to be subject to confirmation by Senate; specifies duties & responsibilities of agency, which include defining architecture standards for info. technology & developing strategic enterprise info. technology plan, etc. Amends FS. APPROPRIATION. EFFECTIVE DATE: 07/01/2007.

- SB 2092 Relating to Charter School Districts/Pilot Program** Deutch  
Charter Schools/Pilot Program; postpones termination of academic performance-based charter school pilot program in certain counties. Amends 1003.62. EFFECTIVE DATE: Upon becoming law.
- SB 2512 Relating to English for Speakers of Other Languages/Educators Wise**  
English for Speakers of Other Languages/Educators; specifies inservice requirements for educators who provide English for Speakers of Other Languages instruction. Creates 1012.587. EFFECTIVE DATE: 07/01/2007.
- SB 2800 Relating to Appropriations** Fiscal Policy & Calendar  
Appropriations; provides moneys for annual period beginning July 1, 2007, & ending June 30, 2008; pays salaries, & other expenses, capital outlay - buildings, & other improvements, & for other specified purposes of various agencies of State government. APPROPRIATION: \$71,855,222,732. EFFECTIVE DATE: 07/01/2007 or upon becoming law, whichever occurs later, except as otherwise provided.
- SB 2802 Relating to Appropriations Implementing Bill** Fiscal Policy & Calendar  
Appropriations Implementing Bill; provides for use of specified calculations re Fla. Education Finance Program; requires that funds appropriated for forensic mental health treatment services be allocated to areas of state having greatest demand for services & treatment capacity; requires DEP to lease S. Fla. Evaluation & Treatment Center to Miami-Dade Co. for specified term; requires DMS to annually publish & furnish to Governor & Legislature master leasing report, etc. Amends FS. EFFECTIVE DATE: 06/30/2007 except as otherwise provided.
- SB 2836 Relating to Florida Building Commission** Constantine  
Florida Building Commission; requires commission to review requirements in National Electrical Code which relate to bonding & grounding systems for swimming pools; provides legislative findings concerning need to prevent property damage caused by hurricanes; provides requirements for buildings located in wind-borne debris region; requires DCA to administer compliance & mitigation program, etc. Amends & Creates FS. APPROPRIATION: \$1,000,000. EFFECTIVE DATE: Upon becoming law.
- HB 7085 Relating to FRS/Retirement Contribution Rates** Government Efficiency & Accountability Council  
FRS/Retirement Contribution Rates; revises payroll contribution rates for membership classes of FRS for state fiscal years effective July 1, 2007, & July 1, 2008. Amends 121.71. EFFECTIVE DATE: 07/01/2007.
- HB 7147 Relating to Postsecondary Education Enhancements** Pickens  
Postsecondary Education Enhancements; requires OPPAGA to conduct study of certain enrollment forecasting models; requires DOE to conduct review of certain courses in statewide course numbering system & update system as appropriate; revises provisions re number of & qualifications for community college fee exemptions; provides residency requirement for funding baccalaureate degree programs at said colleges, etc. Amends 1007.33, 1009.25, 1011.83, 1009.23. EFFECTIVE DATE: 07/01/2007.