

Emergent Design and Development, Inc.
Legislative Update
May 29, 2010

The session is finally over and we can begin explaining which bills passed, which bills were vetoed, and which bills have action still pending. We tracked over 300 bills of which 67 actually passed. Some of the bills have major impact on School Districts, however, the majority of the bills will have little impact on a classroom teacher in Florida. Next year the session starts on March 8th and ends on May 6th, 2011.

EDUCATION BILLS (THE BILL NUMBER, STATUS, AND THE WEB SITE) 67 BILLS

2010 Session **BILLS RELATING TO EDUCATION**

BILL #	SHORT TITLE	STATUS
0002	CLASS SIZE http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0002er.pdf	SIGNED
0004	ED. ACCT. HIGH STDS. http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0004er.pdf	SIGNED
0010	BALANCED FEDERAL BUDGET RESOLUTION http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0010er.pdf	SIGNED
0025	CUSTODY OF A CHILD http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h002503er.pdf	SIGNED
0031	WAIVING FIRST AMENDMENT RIGHTS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h003103er.pdf	TO GOV.
0037	HEALTH CARE FREEDOM ACT http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h003703er.pdf	SIGNED
0105	CIVICS EDUCATION ACT http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h010502er.pdf	SIGNED
0119	SEXUAL OFFENDERS AND PREDATORS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h011904er.pdf	TO GOV.
0131	ELECTIONS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h013105er.pdf	TO GOV.
0140	FOOD SERVICE PROGRAMS http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0140er.pdf	TO GOV.
0166	PANCREATIC ENZYME http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0166er.pdf	TO GOV.
0206	ACADEMIC ACHIEVEMENT DAY http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0206er.pdf	TO GOV.
0317	ELECTRONIC THREATS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h031702er.pdf	SIGNED
0434	SUICIDE PREVENTION EDUCATION http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0434er.pdf	TO GOV.
0464	MILITARY LEAVE OF ABSENCE http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0464er.pdf	SIGNED
0467	TEEN DATING AND VIOLENCE http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h046702er.pdf	SIGNED
0483	SALES TAX HOLIDAY http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h048302er.pdf	SIGNED
0521	MILITARY CHILDREN http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h052101er.pdf	SIGNED

0622	SEMINOLE GAMING CONTRACT http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s0622er.pdf	SIGNED
0663	BUILDING SAFETY http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h066307er.pdf	TO GOV.
0689	SLIP AND FALL NEGLIGENCE http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h068902er.pdf	SIGNED
0723	HIGHER EDUCATION COURSES http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h072304er.pdf	TO GOV.
0751	AUTOMATIC RENEWAL CONTRACTS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h075102er.pdf	SIGNED
0747	TREATMENT OF DIABETES http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h074703er.pdf	SIGNED
0787	ABDUCTION PREVENTION http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h078703er.pdf	SIGNED
0965	REAL PROPERTY ASSESSMENT http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h096505er.pdf	TO GOV.
1058	SCHOOLS AND JUVENILE AUTH. http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1058er.pdf	TO GOV.
1073	RESTRAINT AND SECLUSION http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h107305er.pdf	TO GOV.
1136	FIRESAFETY http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1136er.pdf	TO GOV.
1157	PROMPT PAYMENT ACT http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h115703er.pdf	TO GOV.
1178	LEGISLATIVE ESTIMATING TECHNIQUES http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1178er.pdf	TO GOV.
1279	BACK AD VALOREM TAXES http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h127901er.pdf	SIGNED
1307	STATE FINANCIAL MATTERS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h130705er.pdf	TO GOV.
1363	POSTSECONDARY STUDENT FEES http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h136302er.pdf	TO GOV.
1412	DELETION OF OBSOLETE LAW AND RULE http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1412er.pdf	TO GOV.
1493	CAREER OFFENDERS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h149302er.pdf	SIGNED
1505	McKAY VOUCHER PROGRAM http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h150503er.pdf	TO GOV.
1551	BLACK BUSINESS INVESTMENT BD. http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h155102er.pdf	SIGNED
1565	COST IMPACT OF RULES http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h156505er.pdf	TO GOV.
1612	OFFICE OF SUPPLIER DIVERSITY http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1612er.pdf	TO GOV.
1730	BIODIESEL FUEL http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1730er.pdf	TO GOV.
1736	UNEMPLOYMENT COMPENSATION http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1736er.pdf	SIGNED
1752	ECONOMIC DEVELOPMENT http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1752er.pdf	TO GOV.
1784	STATUTE UPDATES http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1784er.pdf	SIGNED
1964	DESIGN PROFESSIONALS http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s1964er.pdf	TO GOV.
2014	EARLY LEARNING http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2014er.pdf	TO GOV.

2020	ENTERPRISE INFORMATION TECH. http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2020er.pdf	TO GOV.
2060	SOVEREIGN IMMUNITY http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2060er.pdf	SIGNED
2126	TAX CREDIT SCHOLARSHIP http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2126er.pdf	SIGNED
2284	2012 LEGISLATIVE SESSION http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2284er.pdf	SIGNED
2440	LIABILITY RELEASE http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2440er.pdf	SIGNED
2742	ADVISORY REFERENDUM http://www.flsenate.gov/data/session/2010/Senate/bills/billtext/pdf/s2742er.pdf	TO GOV.
5001	LEGISLATIVE BUDGET http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h500103er.pdf	SIGNED
5003	IMPLEMENTING BILL http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h500304er.pdf	TO GOV.
5101	k-12 EDUCATION FUNDING http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h510103er.pdf	SIGNED
5201	POSTSECONDARY FUNDING http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h520103er.pdf	TO GOV.
5607	RETIREMENT (DROP) http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h560702er.pdf	TO GOV.
5801	AMNESTY TAX PROGRAM http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h580104er.pdf	TO GOV.
7033	UNEMPLOYMENT COMPENSATION http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h703302er.pdf	SIGNED
7037	VOCATIONAL REHABILITATION http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h703701er.pdf	SIGNED
7069	BACKGROUND SCREENING http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h706904er.pdf	TO GOV.
7087	GUARDIAN Ad LITEM PROGRAM http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h708701er.pdf	SIGNED
7111	GUARDIAN Ad LITEM http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h711101er.pdf	SIGNED
7193	VOLUNTARY PRE-K http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h719301er.pdf	SIGNED
7231	LEGISLATIVE AND CONGRESSIONAL DISTRICT BOUNDARIES http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h723102er.pdf	TO GOV.
7237	POSTSECONDARY EDUCATION http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h723702er.pdf	SIGNED
7243	RECYCLED MATERIALS http://www.flsenate.gov/data/session/2010/House/bills/billtext/pdf/h724304er.pdf	TO GOV.

SHORT DESCRIPTION OF MAJOR BILLS

CLASS SIZE SB 002

The proposed Constitutional Amendment

Within each public school, the average number of students assigned per class to a teacher who is teaching prekindergarten through grade 3 does not exceed 18 students and the maximum number of students assigned to each teacher in an individual classroom does not exceed 21 students;

Within each public school, the average number of students assigned per class to a teacher who is teaching grades 4 through 8 does not exceed 22 students and the maximum number of students assigned to each teacher in an individual classroom does not exceed 27 students;

Within each public school, the average number of students assigned per class to a teacher who is teaching grades 9 through 12 does not exceed 25 students and the maximum number of students assigned to each teacher in an individual classroom does not exceed 30 students.

The proposed penalty for failure to meet class size

For each **full time equivalent** student (FTE) over the class size standard a district loses 100% of the CSR categorical funding for each FTE student **plus** 50% of the base funding for each FTE student. This equals about the following amounts for each F.T.E.

CSR about = \$1,100

One half of the BSA X D.C.D. about = \$1,800

Total per FTE about = \$2,900 (loss goes to the pool)

The proposed reward for making class size

District's meeting class size requirements may earn an additional 5% of their BSA from this pool.

EDUCATION ACCOUNTABILITY SB 004

1) MIDDLE SCHOOL RULES

Algebra I: not required to pass EOC until 2011-12, Geometry, not required to pass EOC until 2012-13.

Biology, not required to pass EOC until 2012-13,

2) HIGH SCHOOL RULES

Increased math requirements phased in until 2013-14, when Alg.I, Geometry, and Alg.II, must be 3 of the 4 required mathematics credits.

Increased science requirements are phased in until 2013-14, when biology I, chemistry or physics, and an equally rigorous course (as determined by the SBE) are the 3 science requirements.

In courses which require an EOC, the exam must count for 30% of the final grade. All EOC's will be administrated in a set 3 week period.

Students with a disability which would impact the accuracy of the EOC, can receive a waiver from participating in the EOC.

Acceleration options require that the high school offer IB, AICE, or a combination of at least 4 courses in dual enrollment of AP. (one course must be offered in each: (English, Mathematics, Science and Social Studies.)

A credit acceleration program was established which mandates that if a student passes an EOC, they must receive credit for the course. This would include students who did not enroll in the course and students that did not complete the course.

- Attached charts explain the Statewide Assessment Program.
- Major and minor areas of interest requirements were eliminated.
- American history was changed to United States History.
- Industry certification means National Industry Certification.
- Transfer credits for courses in which Florida requires an EOC will be determined by the principal.
- OPAGGA must study high school diploma options offered by other states.

McKAY SCHOLARSHIP HB 1505

The bill amends s. 1002.39 to expand eligibility for a scholarship to students who received specialized instructional services under the Voluntary Prekindergarten Education Program during the previous school year and the student has a current individual educational plan developed by the local school board and to students who have been enrolled and reported by a school district for funding during the October and February FEFP surveys, in any of the 5 years prior to the 2010-2011 fiscal year, has a current individualized educational plan developed by the district school board no later than June 30, 2011, and receives a first-time McKay scholarship for the 2011-2012 school year. Upon request of the parent, the local school district must complete a matrix of services for a student requesting a current individualized educational plan in accordance with these provisions.

TAX CREDIT SCHOLARSHIP PROGRAM SB 2124

Eligibility of student is expanded to 230% of poverty. The total potential scholarship amount is increased from \$118 Million to \$240 Million. (The amount can continue to grow) The amount for each student is set at 60% of the unweighted FTE and can grow over time, to 80%. Students whose parents earn over 200% of the poverty level will have the scholarship pro-rated.

RETIREMENT HB 5607 (VETOED)

There were many retirement changes proposed. This bill WAS the only retirement bill passed during the session. Personnel enrolling in DROP after July 1, 2010 would have received an interest rate of 3% instead of the 6.5% earned by enrollees prior to July 1. Existing DROP participants would have continued to earn 6.5%. This bill also would have increased the FRS rates that districts pay for employees.

RESTRAINT AND SECLUSION HB 1073

This bill requires incident reports regarding the use of restraint and seclusion of disabled students. There are School Board requirements, data collection requirements and several levels of parent notification required. There are also rules for the type of time out rooms which may be used.

BUDGET HIGHLIGHTS (see link HB 5001)

We have delayed sending the newsletter, hoping that Governor Crist would sign the budget into law. He signed late on Friday May 28th. As expected, the Governor has vetoed several line items. He vetoed the \$160 Million transfer from transportation to education. Legislators had included language which would have required such a veto to reduce education funds by that amount. The Governor also vetoed that language. We will be hearing more about this action. The Governor also signed HB 5101 the K-12 Conforming bill.

\$70.4 Billion (TOTAL BUDGET)

- \$1.4 Billion in reserves (this could grow by an additional \$730 Million from Federal Medical Assistance)
- \$2.3 Billion from Stimulus (Last Year of availability)
- Per student funding up by .02% (\$1.22) to **\$6,843.51** (total funds) This amount could shrink if the Governor vetoes any of the Trust Fund Transfers (see item below)
- \$507 Million in Education from sweep of Trust Funds
- Minimum Guarantee -8% (usually a positive number)
- Instructional Materials \$216,918,478. An increase of about \$900,000 based on student growth of 15,796 students. School Districts must pay for dual enrollment materials.
- Reading programs \$7,300,000 a decrease of \$2,300,000
- School and Instructional Enhancements 5% reductions across the board
- School Districts may use FEFP funds to purchase computers or technology that is no older than 3.75 years. The technology must have a warranty and be provided by a not-for-profit or grant based organization.
- The decline in School District taxable value is \$153.8 Billion.

BILLS OF INTEREST SIGNED INTO LAW

- **BALANCED FEDERAL BUDGET** SB 010 A resolution to the Federal Government for a balanced budget without tax increases
- **CUSTODY OF A CHILD** SB 025 Allows for “concurrent custody” of a child. Mainly proposed for parents in military who are deployed.
- **CIVICS EDUCATION** HB 105 This bill is named after Justice Sandra Day O’Connor and requires middle school students entering 6th grade in 2012-13 to take a semester long course in civics. It covers required content of the course as well as a final exam which will count for 30% of the student grade. Beginning in 2014-15, the student must pass the final to receive credit.
- **ELECTRONIC THREATS** HB 317 This bill clarifies current language from written threats to include any transmitted electronic message, pertaining to threats.
- **MILITARY LEAVE OF ABSENCE** SB 464 This bill increases the authorized leave for public employee members of the Reserves from 17 days to 240 working hours.
- **SEMINOLE GAMING CONTRACT** SB 622 This bill authorizes the gaming contract. It places the revenue into the General Fund. (not into education as originally proposed)
- **TREATMENT OF DIABETES** HB 747 This bill allows for students to self administer diabetic supplies, in school and school events. Parents must give written permission. School Districts are forbidden from assigning such students to a certain school.
- **AUTOMATIC RENEWAL CONTRACTS** HB 751 This bill establishes rules for automatic renewal contracts. Notification is required prior to the renewal, including information on how to prevent the automatic renewal.
- **CHILD ABDUCTION PREVENTION** HB 787 This bill enables Judges to consider additional risk factors in deciding if a child is at risk of parental abduction.
- **SOVEREIGN IMMUNITY** SB 2060 This bill increases the statutory liability of an agency to \$200,000 per individual claim and \$300,000 per aggregate claim. (an increase of \$100,000 in each case.)
- **VOCATIONAL REHABILITATION** HB 7037 The bill became somewhat of a “train”, in that several subjects were contained within it. Several definitions were cleared up in “vocational rehabilitation. Several programs that no longer exist were deleted for law.
- **GUARDIAN Ad LITEM** HB 7087 AND HB 7111 These bills both deal with open records laws and information available to guardian ad litem.
- **TAXES** are addressed in, **Back AD Valorem taxes HB 1279, Real Property Assessment HB 965, and Amnesty Tax Program HB 5801.**
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SELECTED PENDING FEDERAL EDUCATION LEGISLATION

If interested in a bill, go to: <http://thomas.loc.gov/>

(Click on bill number on the site, then enter the **bill number** in box provided)

PreK--12 Education

H.R. 5165

Title: Financial Education in the Classroom Act of 2010

H.R. 5167

Title: School Meals Stigma Reduction Act

H.R. 5172

Title: Instructional Leadership Act of 2009

H.R. 5184

Title: To amend the Safe and Drug-Free schools and Communities Act. (inclusion of bullying and harassment prevention)

H.R. 5190

Title: To reauthorize the Special Olympics Sport and Empowerment Act of 2004.
((Best Buddies mentoring program)

H.R. 5202

Title: National School Lunch Protection Act of 2010

H.R. 5208

Title: Student Visa Security Improvement Act

H.R. 5211

Title: Family Engagement in Education Act of 2010

H.R. 5238

Title: Utah Laboratory of Democracy Act of 2010.

H.R. 5240

Title: Child Safety, Care, and Education Continuity Act of 2010

H.R. 5246

Title: Child Welfare Workforce Study Act

S. 3111

Title: Faster Freedom of Information Act of 2010

S. 3292

Title: Weekends With Out Hunger Act

S. 3293

Title: Eunice Kennedy Shriver Act

S. 3298

Title: Healthy Kids from Day One Act

S. 3307

Title: Healthy, Hunger-Free Kids Act of 2010

S. 3316

Title: No Child Left Behind Flexibility and Improvements Act.

RACE TO THE TOP, MEMO OF UNDERSTANDING

The final MOU'S have been received by the Department of Education. The final total for Florida was 69 applications which include School Districts, Lab Schools and the School for the Deaf and Blind. (95.8% of eligible entities applied, only Palm Beach and Baker counties and FSU Lab School choose not to apply.) Fourteen districts did not have the Teacher Union sign off. Awards are expected to be announced before October.