

SCHOOL SAFETY

CS/CS/CS/SB's 852, 2, & 46 — School Safety and Security

by Fiscal Policy Committee; Criminal Justice Committee; Education Committee; and Senators Dyer and Carlton

The bill implements the following recommendations of the 1999 Florida Senate School Safety Task Force:

- Increasing the scope of the current best financial management practices reviews administered or conducted by the Office of Program Policy Analysis and Government Accountability (OPPAGA) to include safety and security.
- Establishing a statewide entity (the Partnership for School Safety and Security) to perform specific responsibilities:
 - create an electronic clearinghouse of safety and security information;
 - evaluate school safety and security programs and strategies and make recommendations to the Legislature and the clearinghouse;
 - train and offer technical assistance to school district staff and others;
 - assess the extent to which best practices are currently being used; and
 - foster linkages with law enforcement personnel and crisis management teams.
- Directing the Department of Education to perform the following activities:
 - develop an individualized school level safety and environment assessment instrument;
 - expand existing performance standards for the state education goal for safety; and
 - establish a mechanism to further improve the reliability and accuracy of school safety data.
- Requiring the use of a standardized reporting form and a plan to verify the accuracy of reported incidents.
- Removing school discipline data as a factor for grading a school's performance level.
- Establishing pilot programs for student support services personnel.¹
- Mandating access by law enforcement personnel and others to each school's floor plans and other relevant documents.

¹ The bill creates, from funds provided in the 2000-2001 General Appropriations Act, pilot programs in 3 school districts (Lake, Miami-Dade, and Sarasota) to assess the use of and to assist student support services personnel in public schools.

In addition, the bill makes the following changes:

Attendance

- Removes attendance as a factor for grading a school's performance level.
- Clarifies the existing prohibition related to the use of attendance records in exemptions from academic performance requirements.
- Modifies provisions for enforcing attendance of students who are exhibiting a pattern of nonattendance and who are enrolling in a home education program.
- Allows a law enforcement officer to take custody of expelled or suspended students who are not in the presence of a parent or guardian, upon reasonable grounds.
- Requires a law enforcement officer to deliver suspended or expelled students who are without assignment to an alternative school to a parent or guardian, a location determined by a parent or guardian, or a truancy interdiction site.
- Modifies truancy court provisions.

School districts are given earlier access to truancy court as a child study team intervention strategy. For the Learnfare program, school districts will report a student to the Department of Children and Families based on standard truancy criteria. The bill also changes the time frame for parental meetings with school officials.

Zero tolerance

- Requires one year expulsion for bringing weapons or firearms to school and school functions and for making bomb threats or false reports.
- Provides for assignment to a disciplinary program or second chance school during expulsion.
- Provides for superintendent discretion in considering expulsion.
- Requires compliance with procedures in State Board of Education rule when disciplining students with disabilities.
- References state law (ch. 790, F.S.) rather than federal law when referring to firearms or weapons.

Discipline

- Amends the definition of suspension.
- Revises the notice requirements in the code of student conduct to conform to changes to zero tolerance provisions.

Teachers

- Provides additional authority to remove students from the classroom, as well as additional liability protections.
- Requires district school boards to address the availability of support services professionals to help teachers identify students with potential problems.

School Structure

- Encourages district school boards to adopt policies for certain schools to subdivide into schools-within-a-school.
- Imposes size requirements (beginning July 1, 2003) on all new schools constructed, with an exception for new facilities under architectural review contract on July 1, 2003.
- Allows certain schools which operate as schools-within-schools to be considered as “small schools.”

School Transportation

The bill requires each school district and the state or local governmental entity having jurisdiction to:

- Develop a school safety transportation plan for submission to the Department of Education by December 31, 2000.
- Develop a priority list of hazardous walking conditions projects that have not been corrected.

The school district must use the priority list to monitor school transportation safety. For the hazardous walking conditions determined under s. 234.021, F.S., the plan must include specific information. Other information required for the plan may be used to provide incentive funds for specific school districts in the 2000-2001 legislative session. Districts may provide transportation to additional students who are subject to hazardous walking conditions. The composition of the team reviewing potential hazardous walking conditions includes a representative of the county sheriff and the local safety council. As well, the bill changes the procedures for those who review these conditions.

Emergency Planning

- Requires districts to plan for actual emergencies, to include certain responses for emergencies, and to verify that drills were conducted.
- Requires district school boards to establish model emergency management and preparedness procedures for specific life threatening emergency situations.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 38-0; House 113-0

SCHOOL PERSONNEL

CS/CS/HB's 63 & 77 and 891, 995, 2009 and 2135 — Teacher Quality

by Education/K-12 Committee; Education Innovation Committee; Rep. Lynn and others (CS/CS/SB 2432 by Education Committee; Fiscal Policy Committee; and Senator Cowin)

This bill revises requirements for educator certification to:

- Require alternative options for certification to be developed by the Department of Education rather than by school districts. The change will be made in 2002.
- Require new certification examinations by July 1, 2002. The examinations must be rigorous and aligned with the Sunshine State Standards.
- Amend the cap for certification examination fees. The fee is not to exceed the actual cost of developing and administering the examination, and the cap is raised from \$60 to \$100.
- Simplify the conditions for issuing temporary certificates.
- Lengthen by 1 year the validity of a temporary certificate and limit its renewal to one 2 year period, available only in extenuating circumstances.
- Require teachers who have statements of eligibility status but no certificate to provide any requested documentation related to criminal history records within 90 days.
- Provide full reciprocity for out-of-state educators who hold a standard certificate and who have 2 years teaching experience, or who hold a standard certificate and a National Board for Professional Teaching Standards Certificate.
- Require districts rather than the state to identify the minimal qualifications for career specialists.

The bill amends other school personnel statutes to:

- Add to the authority of the Department of Education to oversee the professional development of administrators.
- Transfer to the department the duties of the obsolete Florida Council on Educational Management and the duties of the Office of Teacher Recruitment and Retention Services.
- Require the school district to consider prior professional experience in the field of education when establishing teacher salaries.
- Require each school district to create a reserve fund to pay the 5 percent salary supplement required to be paid for performance beginning in 2002.
- Delay the required performance supplement until the full implementation of an annual assessment of learning gains, or until July 1, 2002, whichever comes later.

- Authorize a deferred prosecution agreement for educators with certain types of impairment who enroll in a recovery network.
- Add to the membership of the Education Practices Commission.
- Require revocation of certificates for repeat offenders.
- Authorize eligibility for the Critical Teacher Shortage Loan Forgiveness Program to teachers at publicly funded schools, rather than just public schools under the control of a school district. This provision will allow teachers to earn credit for loan repayment by teaching in a critical shortage area at an alternative school operated by the Department of Juvenile Justice under contract with a school district.
- Provide recruitment and retention bonuses for teachers with demonstrated mastery at schools graded “D” and “F” and alternative schools for violent or disruptive youths. The bonuses must be based on a plan to allow teachers to be recruited from other schools. “Mastery” is demonstrated by student achievement data and the principal’s evaluation. The Commissioner of Education is required to adopt rules to determine the measures that define “teaching mastery.” The bonus will be between \$1,000 and \$3,500 as provided in the General Appropriations Act. In 2000-2001, Specific Appropriation 100B provides \$12.25 million for this purpose.
- Enact numerous technical changes, including changing the name of the Division of Human Resource Development to the Division of Professional Educators, clarifying requirements of teacher preparation programs, deleting obsolete provisions, inserting words to assure that the terms “district school board” and “community college board of trustees” are used consistently, and correcting cross-references.

The bill makes changes in authorized fees related to educator certification and eliminates the cap on the fee subsidy available to teachers who are pursuing national certification under the Excellent Teaching Program. It authorizes eligibility for the program for teachers at the Florida School for the Deaf and the Blind, and it authorizes nationally certified teachers to earn the mentoring bonus for work conducted outside the school district.

The bill authorizes a Mentor Teacher School Program for up to 400 schools. Each will receive a grant of \$50,000 to design and implement a multi-level career path from education paraprofessional to mentor teacher. A mentor teacher is to receive double the salary of an average classroom teacher.

The bill also amends the Florida Teachers Lead Program to provide direct stipends to teachers for the purchase of classroom supplies. The effect will be to cut down on paperwork.

In addition, the bill contains provisions identical or similar to the following bills introduced in the Senate and heard by the Education Committee:

- SB 1176, by Senator Kirkpatrick, which requires principals to have more influence over which teachers are assigned to their schools.
- CS/SB 2030, by Senator Horne, to provide bonuses for teachers of Advanced Placement courses when their students are successful and pass the test with a score of 3 or higher. Unlike CS/SB 2030, however, the version in the bill has been adapted for AP teachers in low-performing schools. A minimum bonus of \$500 is provided to teachers at schools graded “D” or “F,” if any student scores a 3 or higher. The maximum bonus any teacher may earn is \$2,000.
- SB 748, by Education Committee, to provide forgivable loans of \$6500 to academically talented rising juniors who pursue a bachelor’s degree and teach in Florida’s public schools. The loans are forgiven if the teacher teaches for 3 years in a school graded average or better, or for 2 years in a school graded “D” or “F.” The provisions are omitted that, in SB 748, created an institute to recruit the fellows and provided an intensive in-service program for 3 years after their graduation.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 37-0; House 118-0

SCHOOL READINESS

CS/SB 2088 — School Readiness

by Fiscal Policy Committee and Senator Cowin

This bill makes technical changes to implement the School Readiness Program (s. 411.01, F.S.) On the Florida Partnership for School Readiness, the chairperson of the WAGES Program State Board of Directors is replaced by the chairperson of the Board of Directors of Workforce Florida, Inc. Agency heads and the Lieutenant Governor are authorized to appoint a designee to serve as a voting member of the Partnership in their place.

On school readiness coalitions, a Department of Children and Family Services District Administrator may appoint a designee who is authorized to make decisions on behalf of the department, and a district superintendent of schools may appoint a designee who is authorized to make decisions on behalf of the district. Appointed members of coalitions are limited to a maximum of two terms. Vacancies in appointed positions must be advertised. Coalition members are exemption from sovereign immunity under s. 768.28, F. S.

In s. 411.01, F.S., the term *reimbursement rate* is replaced with the term *payment*, to cover both child care providers who are reimbursed, and prekindergarten programs which receive payment at intervals during the school year. The bill repeals s. 402.3015(6)(a),

F.S., an obsolete requirement that, at least once every three years, each district of the Department of Children and Family Services must select community child care coordinating agencies through a competitive bid. Instead, coalitions must use competitive procurement practices under s. 287.057, F.S.

The bill amends s. 230.2305, F.S., to require prekindergarten early intervention funds to be allocated to school readiness coalitions rather than school districts. For FY 2000-2001, the Department of Education can distribute prekindergarten program funds to school districts if the local school district is authorized by the local school readiness coalition to be the provider.

The bill authorizes the Governor, at the request of the Partnership and under the notice and review procedures of s. 216.177, F.S., to transfer funds from the Departments of Children and Family Services and Education to the Partnership. Coalitions with fully approved plans will have flexibility with up to 5% of their funds. No state funds will support the State Coordinating Council for School Readiness Services after June 30, 2000.

Child Care and Pre-K positions are to be co-located not later than July 1, 2000, and prior to that date, the Secretary of Children and Family Services and the Commissioner of Education must sign an interagency agreement for the co-location. The positions will not be transferred, but the school readiness employees of the two departments will work with the Partnership staff.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 115-0

SB 2250 — Public Records

by Senator Cowin

This bill creates a public records exemption for individual children's records in school readiness programs. The bill amends s. 228.093, F.S., to give school readiness coalitions and the Florida Partnership for School Readiness access to student records in order to carry out their assigned duties under s. 411.01, F.S. An amendment to s. 402.3015, F.S., provides an exemption from public records requirements for personally identifiable records of children in subsidized child care programs.

The bill creates s. 411.011, F.S., to provide an exemption from public records requirements for records of children in school readiness programs. The records include assessment data, health data, records of teacher observations, and identifying data including the child's social security number. A parent or guardian has the right to review and inspect his or her child's school readiness record. The bill grants access to school

readiness records to federal auditors, the Auditor General, individuals conducting research, a court of competent jurisdiction, accrediting organizations, appropriate parties in an emergency, and parties to an interagency agreement. The records must remain confidential in the hands of those agencies or individuals.

The bill provides a statement of public necessity for the exemption. The exemption is necessary to ensure the privacy of individual children in school readiness programs.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 115-0

CHARTER SCHOOLS

HB 2087 — Charter Schools

by Education Innovation Committee and Rep. Melvin (CS/SB 1574 by Education Committee)

This bill clarifies terminology and time periods for charter school applications, school board decisions, and reporting requirements. The date by which a charter application must be submitted is changed from November 15 to October 1. A school board must approve or deny a charter within 60 days, unless the applicant and the board agree to postpone the vote to a specific date. A school board or other sponsor must report to the DOE within 15 days after receiving an application the proposed location and projected FTE of the charter school and must report within 10 days of approval or denial of a charter.

Several miscellaneous policy changes address specific aspects of charter school operation. All members of the governing board of a charter school must be fingerprinted, not just those who serve at the time the charter is approved. Children of the members of the governing board of a charter school will have enrollment priority, as is now afforded the children of the employees of the charter school. A charter school may initiate changes in the charter during the term of the charter, provided the sponsor and charter school agree. The losing party in an action between a charter school and a district must pay attorney's fees and costs. A charter technical career center sponsored by a school district will continue to be governed by the school district in the event that there is a change in governance of public technical career centers.

The bill accommodates 15-year funding of charter school facilities in two ways: (1) The period of time during which a charter school must demonstrate exemplary academic programming and fiscal management before applying for a fifteen-year charter is reduced

from three years to two. (2) An amendment to s. 228.0561, F.S., provides charter school capital outlay funding at an annual rate of 1/15 of a student station, rather than 1/30.

Charter school capital outlay funds will be distributed after the second and third enrollment surveys, thus allowing newly opened charter schools to be counted. The bill amends s. 196.29, F.S., to include charter schools in the list of entities that may receive a pro rata exemption from ad valorem taxes. The bill also creates s. 196.1983, F.S., to exempt from ad valorem taxes any portion of a facility used for a charter school. In the event that a charter school is dissolved or terminated, reversion of the property to the school board is subject to complete satisfaction of any lawful liens or encumbrances. After January 1, 2001, charter school facilities must comply with the Florida Building Code and the Florida Fire Prevention Code, as will all other public schools in Florida.

Several provisions support the conversion of public schools to charter status. The bill prohibits unlawful reprisals against district school board employees who initiate a charter school conversion. Unlawful reprisals include dismissal, reduction in pay, or disciplinary or corrective action. The Department of Education must investigate each complaint and, if reasonable grounds exist, present a fact-finding report to the district school superintendent and provide for a hearing by an impartial panel. Conversion charter schools are excluded from the cap that is established for districts. A school board may ask the State Board of Education to increase the limit on the number of charter schools authorized for that district. The bill creates a pilot program to award grants to 10 conversion charter schools. However, no funds were appropriated for the pilot program this year.

A developmental research school (DRS) that converts to charter status will serve the research school population or any student residing in the school district in which the school is located. A developmental research charter school will be able to charge a student activity fee. The school will not have to provide alternative arrangements for teachers who chose not to teach in the developmental research charter school, unless alternative arrangements are authorized by the employment policies of the state university that grants the charter. A developmental research charter school must be affiliated with the state university that issued its charter, but will not have to be affiliated with the university that is geographically closest to it. A developmental research charter school may receive funds for capital outlay as a developmental research school and a charter school only to the extent that the funds received would equal one-fifteenth of the cost per student station. A developmental research charter school is eligible for a 15-year charter.

Charter schools will be reviewed by the Legislature in 2005.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 27-10; House 97-19.

PUBLIC SCHOOLS

SB 92 — High School Extracurricular Activities

by Senator Sullivan

Chapter 2000-121, L.O.F., amends ss. 232.245 and 232.61, F.S., to address three issues related to high school activities, especially extracurricular athletics: student grades, student attempts to select programs, and recruitment of student athletes by certain schools. Public schools are mandated to allow home schooled students to participate, but only in the school to which the student would have been assigned. A school district may refuse to allow participation by students who attend nonpublic schools. Although a cumulative GPA of 2.0 is still required for participation in the junior or senior year, a younger student may participate with a lower grade point average if he or she agrees under a contract to attend summer school as part of a regimen to raise grades. In determining eligibility, schools will be authorized to consider where or with whom a student lives and which school the student attended in the previous year.

These provisions became law upon approval by the Governor on April 20, 2000.

Vote: Senate 37-0; House 116-0

CS/SB 850 — Instructional Materials

by Education Committee and Senator Cowin

The bill creates new requirements for instructional materials in the following subject areas for kindergarten through grade 12: mathematics, language arts, science, social studies, reading, and literature. The bill requires school districts to make purchases in core courses of specific subject areas within a specified time period, with some exceptions. The bill changes the term of adoption from 8 to 6 years, changes the effective dates for authorized purchase orders, and provides a safeguard for keeping the cost of materials in line with district allocations.

The bill revises the current provisions for the disposal of instructional materials and requires certain funds to be deposited into the district school fund as an addition to the district's appropriation for instructional materials. The bill repeals s. 233.38, F.S., relating to the exchange of textbooks. The bill revises the current requirements for school superintendents to requisition instructional materials. The bill requires district school board policy to include collecting funds from parents for lost, damaged, or destroyed

materials, as well as the superintendent's responsibility for keeping adequate records for funds collected from the sale, exchange, loss, or damage of instructional materials.

The bill requires the renegotiation of certain contracts. The bill also revises the current requirements for publishers and manufacturers to retain a sufficient inventory of instructional materials in a depository to receive and fill orders. The bill requires reports to the Legislature from the Department of Education related to contracts for the core subject areas. The bill defines the term "adequate instructional materials" in s. 230.23, F.S. The Commissioner of Education has additional responsibilities for pilot programs, the selection and adoption of instructional materials, and contracts. The bill eliminates the district pre-adoption process, while requiring balanced geographical representation on the existing state instructional materials committee.

The bill removes the provision in s. 233.17, F.S., that requires contracts placing instructional materials on adoption for 4 or more years to have an adjusted price increase. The bill authorizes the Commissioner of Education to take corrective actions related to errors and inaccuracies in instructional materials. The bill requires instructional materials and administrative and instructional technology to be included in best financial management practice reviews. The bill allows school districts to use certain funds to purchase electronic book readers when authorized to do so in the General Appropriations Act. Also, the bill requires a pilot program for customizing materials.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 36-0; House: 113-0.

SB 990 — High School Grading Policy

by Senator Cowin

This bill will require academic achievement grades to be separated from grades for other matters such as academic improvement or conduct. Attendance may not be used in whole or in part to exempt a student from an academic requirement. The bill removes from law a scale of equivalent percentage grades with letter grades and grade points ("A"=94-100; "B"=85-93; "C"=77-84; "D"=70-76; "F"=0-69). Instead, the bill states that grades expressed as a percentage depend upon the difficulty of the material tested and should not be arbitrarily assigned a letter grade equivalent. A grade scale is suggested only if letter grades are not supplied by a teacher: As in other states, "A" = 90-100 percent, "B" = 80-89 percent, etc.

The bill retains the authorization that school districts may assign weights to grades and that the weights must be the same for honors courses, dual enrollment courses, and Advanced Placement courses. It requires only one grade point average to be included on student report cards -- the one calculated according to the school district's weighting

scheme, which may differ from the method required by the Bright Futures Scholarship program.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 38-0; House 112-3.

CS/HB 701 — Education Appropriations

by Governmental Operations Committee; Education Appropriations Committee; Rep. Sorensen and others (SB 1204 by Senators Horne and Cowin; CS/SB 1390 by Education Committee and Senators Mitchell, Horne, and Dyer)

The bill creates a 15-member Task Force on Public School Funding to examine funding under the Florida Education Finance Program (FEFP) and make recommendations to the Governor and the Legislature by February 1, 2002. The task force will consist of 15 business and community leaders appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives. The task force must hold its first organizational meeting by September 1, 2000. The issues to be examined by the task force include funding based on student performance, the relationship of state and local funding, funding equity, technology acquisition and support, funding to support parental choice, and the result of studies by nationally recognized experts in school funding. The recommendations of the task force must include proposed legislation. The statute that creates the task force will be repealed on June 30, 2003. Section 236.081, F.S., governing the FEFP, will be repealed effective June 30, 2004, subject to prior review by the Task Force on Public School Funding.

The bill revises the method of funding exceptional student education. An amendment to s. 236.025, F.S., reduces the number of weighted cost factors for exceptional student education from five factors to two and adds a guaranteed allocation for exceptional student education programs not funded by the cost factors. To reduce paperwork, a student's matrix of services must be reviewed once every three years instead of once per year.

The bill provides an adjustment in the calculation of the required local effort for school districts where there is litigation contesting a property appraisal. In computing the required local effort, the Department of Education will exclude from the district's total nonexempt assessment roll the assessed value of the property in contest and will add the amount of the good faith payment to the district's required local effort.

The bill expands the exceptional student education pilot program in Sarasota County to a statewide program. Parents of students with disabilities who are dissatisfied with their children's progress may apply for a scholarship that can be used in a public or private school of the parent's choice. To be eligible to participate in this program, the student

must have failed to meet specified levels of performance identified in the individual education plan, or must have perform below grade level on state or local assessments and the parents must believe that the student's is not progressing adequately toward the goals for the individual education plan. Participation is limited to 5 percent of students with disabilities in the district during the first year, 10 percent in the second year, 20 percent in the third year. There will be no caps on participation in subsequent years.

The bill creates the equity in School-Level Funding Act to require schools to receive minimum percentages of the funds allocated to the district for that school in the FEFP. Beginning in 2000-2001, school boards must allocate to each school at least 50 percent of the funds generated by that school under the FEFP plus discretionary lottery funds and local discretionary millage. In 2001-2002, the percentage that each school must receive increases to 65 percent; in 2002-2003, to 80 percent; and in 2003-2004 to 90 percent. Funds that are unused at the end of the fiscal year will not revert to the district but will stay with the school. The funds appropriated for supplemental academic instruction under s. 236.08104, F.S., will not be included in the school level allocation. Recommendations of the Governor's Equity in Educational Opportunity Task Force must be reviewed to identify potential categorical funds to include in the school level allocation.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 35-0; House 71-46.

CS/HB 2063 — Florida On-Line High School

by Education Innovation Committee, Rep. Melvin and others (CS/CS/SB 2260 by Commerce and Economic Opportunities Committee; Education Committee; and Senator Webster)

The bill establishes the Florida On-Line High School for the purposes of developing and delivering on-line and distance learning education.

The Florida On-Line High School will be governed by a seven member board of trustees appointed by the Governor to 4-year staggered terms. The membership must include the current chairman of the Florida High School Advisory Board and a representative of the school fiscal agent, the Orange County School Board. The Governor will appoint the initial chairman of the board of directors. The board is to be a body corporate and shall have the authority to adopt rules necessary for the governance and operation of the On-Line High School.

The trustees have the following powers and duties:

- Contract with distance learning providers; and acquire, use and dispose of copyrights, patents, trademarks, and other rights and interests. Any revenue realized from these items must be used to support the school's research and development activities.

- Prepare an annual budget and submit it to the Commissioner of Education who shall include the On-Line High School as a grant-in-aid appropriation in the Department of Education's budget request to the State Board of Education, the Governor, and the Legislature.
- Employ and compensate staff. Provision may also be made to enter into agreements to exchange staff with school districts, other public agencies, and private business and industry.
- Establish student enrollment policies and procedures, including priorities for student admission. The board must annually submit an enrollment forecast to the Department of Education.
- Maintain student, personnel, and financial records.

By January 1, 2001, the board of trustees of the On-Line High School must submit a report to the Governor, the Legislature, and the Education Reorganization Transition Task Force that includes the following information:

- The operation and accomplishments of the school.
- The marketing and operational plan.
- End of the year assets and liabilities.
- A copy of the annual financial and compliance audit prepared by an independent auditor.
- Recommendations regarding the unit cost of providing services to students.
- Recommendations on accountability procedures to assess the school's effectiveness.

The Auditor General may conduct an audit of the Florida On-Line High School, and the Department of Education may adopt rules to implement the school's reporting requirements.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 119-0

SB 1870 — Education-Rule Authorizing Bill

by Senator Cowin

The bill requires the State Board of Education to adopt rules to:

- designate classifications of students as residents or nonresidents for tuition purposes; and
- administer law for educational planning, management information systems, and the education of children of deceased or disabled veterans.

The bill allows the State Board of Education to adopt rules to: establish course requirements for basic education programs for grades 6 through 12 and adult secondary education programs; and establish programs and courses for high school graduation

credit. School boards must adopt a policy, in accordance with State Board of Education rule, that allows a parent or guardian to request and be granted permission for the absence of a student from school for religious instruction or religious holidays.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0

POSTSECONDARY EDUCATION

CS/SB 68 — FIU and FAMU Law Schools

by Fiscal Policy Committee and Senator Diaz-Balart

The act authorizes the establishment of colleges of law for Florida International University and Florida Agricultural and Mechanical University. The college of law to be operated under the auspices of Florida A & M University is to be located in the I-4 corridor area. The Board of Regents is directed to begin planning the new colleges at both institutions, and the regents and the State Board of Education may accept grants, donations, gifts, and other money for that purpose.

The new colleges are to be operated in compliance with standards approved by nationally recognized associations for accredited colleges of law. The colleges are dedicated to providing opportunities for minorities to attain greater representation within the legal profession; however the admissions processes will not include applicant preferences based on race, national origin, or sex. Students will be eligible to receive financial aid and other support from the Florida Education Fund without a college having obtained accreditation by the American Bar Association. Classes at the colleges are to begin by the fall semester of 2003.

The act contains a provision specifying that if a new college of law is denied an application for approval three times by a recognized accrediting body, or fails to gain provisional approval within five years after the first graduating class, the Board of Regents must make a recommendation to the Governor and the Legislature regarding the continued operation of the college. In the event of cessation of operations, the bill provides for the reversion of unexpended funds and the transfer of buildings constructed with state capital outlay funds to the Board of Regents.

The act is to be implemented as provided in the General Appropriations Act.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 120-0

HB 2329 — Health Care

by Health Care Services Committee, Rep. Peaden and others (CS/SB 2456, by Education Committee and Senator Sullivan)

Sections 27-30 of HB 2329 are the substance of CS/SB 2456. These sections enact the recommendations of the Committee on Graduate Medical Education and amend issues related to Medicaid hospital reimbursements. Those sections of the bill:

- Transfer funding for the Community Hospital Education Act to the Agency for Health Care Administration, in an attempt to generate federal matching funds under Medicaid.
- Create a Program for Graduate Medical Education Innovations to achieve workforce policy objectives, such as more physicians in under-served areas, more geriatricians, and more ethnic diversity among physicians.
- Define the term “teaching hospital” and specify priorities for the Community Hospital Education Program.
- Create in statute a committee established in last year’s General Appropriations Act for graduate medical education in Florida.
- Increase from \$1,000 to \$1,500 the annual Medicaid hospital inpatient and outpatient services cap for adults.
- Revise Medicaid limitations for hospital inpatient services to provide exceptions for raising reimbursement caps, recognition of the costs associated with graduate medical education, and other methodologies provided in the General Appropriations Act; authorize AHCA to receive funds from certain entities for the reimbursements; and exempt counties from them.
- Delete obsolete provisions.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 38-0; House 117-0.

JUVENILE JUSTICE

CS/CS/CS/SB 2464 — Juvenile Justice Education Programs

by Fiscal Policy Committee; Criminal Justice Committee; Education Committee; and Senator Horne

Many of the provisions in the bill are based on recommendations of the Juvenile Justice Accountability Board's Education Task Force.

The bill makes the following changes related to operations:

- requires access for instructional personnel at juvenile justice facilities of a specified size to the system's database for certain student records;
- provide legislative intent for youth in the juvenile justice system and additional responsibilities for juvenile justice education program coordinators;
- specifies that educational services must be provided at times of the day most appropriate for the juvenile justice program and school programming in specified juvenile programs must be made available by the local school district during the juvenile justice school year;
- addresses uniformity for FTE counts;
- provides an exemption for 30 days from the immunization requirements for a child who enters a juvenile justice program; and
- allows full-time teachers working in juvenile justice schools to participate in the critical teacher shortage reimbursement program.

Also, the bill codifies the current practice of requiring that GED administrative fees be the responsibility of school districts. Providers, by contract, may be responsible for these fees.

The bill makes the following changes related to planning:

- requires a cooperative agreement and plan for juvenile justice education service enhancement; and
- requires the Department of Juvenile Justice and the Department of Education to consult with the statewide Workforce Development Youth Council in jointly developing a multi-agency plan for vocational education, specifies the contents of the plan, requires the alignment of policies with the plan, and requires an implementation report.

The bill makes the following changes related to mandatory education:

- requires mandatory participation in educational programs for students of compulsory school attendance age who are on aftercare or postcommitment community control status;
- requires students of noncompulsory school attendance age who have not received a high school diploma or its equivalent to participate in the educational program; and

- specifies the youth required to participate in certain education (e.g., workforce development or other vocational or technical education or attend a community college or a university) while in the program, subject to available funding.
- requires local school districts to provide educational services to specified youths being detained in jail.

For the facilities requirements, the bill:

- changes the notification requirements for the Department of Juvenile Justice for the award of construction or operations contracts for commitment or detention facilities within a school district;

The bill provides an appropriation of \$200,000 in nonrecurring funds from General Revenue to the Department of Education for two studies to:

- determine the precise funding level needed to provide specialized education programs to youth in juvenile justice education programs; and
- review and analyze existing education facilities in the Department of Juvenile Justice.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 40-0; House 119-0

EDUCATION REORGANIZATION

For education reorganization, refer to the summary by the Committee on Governmental Oversight and Productivity.