**HB 7055 – Engrossed**

**3/6/18**

| **Section** | **Amends** |
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| Section 1  Page 12 | **Creates s. 212.099 – Florida Sales Tax Credit Scholarship**  Allows eligible businesses to contribute a portion of their rental or license fee tax to a SFO for tax credit scholarships.  Caps revenue at $57.7 million |
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| Section 2  Page 18 | **Amends s. 212.1831 – Credit for Contributions to Eligible Nonprofit Scholarship Funding Organization**  Technical language pertaining to the dealer’s credit |
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| Section 3  Page 19 | **Creates s. 212.1832 – Credit for contributions to Hope Scholarship Program.**  Authorizes purchaser of motor vehicle to be granted a credit of up to 100 percent of eligible contribution |
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| Section 4  Page 20 | **Amends s. 213.053 - Confidentiality and Information Sharing**  Requires the Department of Revenue upon request by a SFO to provide a list of the 200 taxpayers with the greatest total corporate income or franchise tax due. |
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| Section 5  Page 21 | **Amends s. 213.053 – Confidentiality and information sharing.**  Authorizes eligible scholarship-funding organizations to use specified information to recover contributions designated that were collected by the dealer. |
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| Section 6  Page 22 | **Amends s. 220.13 – Adjusted Federal Income Defined**  Prevents a duplicate addition in a subsequent taxable year |
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| Section 7  Page 25 | **Amends s. 220.1875 – Credit for contributions to eligible nonprofit scholarship funding organization**  Adds language pertaining to the timing of contributions for tax credits under the program |
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| Section 8  Page 27 | **Amends s. 1001.10 – Commissioner of Education – General Powers and Duties**  Requires DOE to provide specified services and technical assistance to private schools that accept scholarship students who participate in a state scholarship program under 1002.  Corrects a cross reference  Allows the Commissioner to coordinate services in the event of an emergency situation |
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| Section 9  Page 28 | **Amends s. 1002.33 – Charter Schools.**  Allows the charter school to determine when they open once they’ve been approved – changed from “agreed to by the applicant and the sponsor”  Provides a cross reference for high performing charter school system application procedures  Provides an initial contract term of 5 years (previously 4 or 5) excluding 2 planning years  Adds language regarding the consolidation of charter schools and how they are to be reported  Increases the standard for termination of a charter to “clear and convincing” and a “material” violation of law  Removes district termination hearing and requires the hearing to go straight to DOAH – authorizes attorney’s fees and costs to prevailing party – hearing to be conducted within 90 days of receipt of request for hearing  Amends enrollment limitations for specific target populations – students living in a development in which a business entity provides the school facility with an appraised value of at least $5 million (previously $10 million) to be used as a charter to mitigate the educational impact of new residential dwelling units. Students shall be entitled to no more than 50 percent of student stations  Requires sponsors to provide to the department by September 15 each year the total amount of funding withheld from charters in administrative fees  Requires a dispute over contracted services to go to DOAH instead of the charter appeals commission |
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| Section 10  Page 52 | **Amends s. 1002.331 – High-performing charter schools.**  Reduces the number of years before which a school can be designated high-performing – school received at least two consecutive grades of “A” in the most recent 2 years.  Facility capacity shall be calculated at the time the enrollment increase will take effect  Allows high-performing charter schools to replicate two (previously one) charter schools in the state each year |
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| Section 11  Page 55 | **Amends s. 1002.333 – Persistently low-performing schools – schools of hope**  Provides for a 5 year carry forward for unused funds |
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| Section 12  Page 55 | **Amends s. 1002.37 – The Florida Virtual School**  Requires districts to make available industry certification exams, national assessments, and statewide assessments offered by districts to FLVS students |
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| Section 13  Page 56 | **Amends s. 1002.385 – The Gardiner Scholarship**  Clarifies funds can be used on full-time or part-time tuition or fees for enrollment in programs  Adds a Bachelors or graduate degree to options for credentials for tutors  Adds tuition and fees associated with enrollment in training program for a child with a neurological disorder or brain damage |
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| Section 14  Page 63 | **Amends s. 1002.39 – The John M. McKay Scholarships for Students with Disabilities Program**  Provides enhanced accountability measures |
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| Section 15  Page 71 | **Amends s. 1002.395 – Florida Tax Credit Scholarship Program**  Authorizes a taxpayer to apply for a credit in the prior tax year before the deadline in the current tax year  Authorizes unused funds to be carried forward for 10 years  Provides enhanced accountability measures |
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| Section 16  Page 90 | Creates s. 1002.40 – The Hope Scholarship Program  Authorizes the scholarship on a first come, first-served basis, to a student enrolled full time in a Florida public school who is an alleged victim of an incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school.  Authorizes a student to transfer to private school or another public school in the state, which must have available capacity.  Tax credit is limited to a single payment of $105  Transportation credit of $750 for students who choose to attend another public school |
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| Section 17  Page 107 | Creates s. 1002.411 – Reading Scholarship Accounts  Creates a $500 scholarship for students who score below a level 3 on the grade 3 or 4 FSA ELA for specified tutoring services.  Scholarships are awarded on a first come, first served basis  Districts must notify eligible students of the availability of the scholarship |
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| Section 18  Page 113 | **Amends s. 1002.421 – Accountability of private school participating in state school choice scholarship programs.**  Defines “owner or operator.”  Requires level 2 background screenings for owners or operators and provides disqualifying offenses  Provides enhanced accountability measures for all scholarship programs – Provides for Department of Education and Commissioner obligations |
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| Section 19  Page 133 | **Amends s. 1002.55 – School-year prekindergarten program delivered by private prekindergarten providers.**  Authorizes an Early Learning Coalition to refuse to contract with a provider if such provider has been cited for a class I violation |
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| Section 20  Page 133 | **Amends s. 1002.75 – Office of Early Learning; powers and duties –**  Authorizes an Early Learning Coalition to refuse to contract with a provider if such provider has been cited for a class I violation |
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| Section 21  Page 134 | **Amends s. 1002.88 – School readiness program provider standards; eligibility to deliver the school readiness program**  Authorizes an Early Learning Coalition to refuse to contract with a provider if such provider has been cited for a class I violation |
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| Section 22  Page 135 | **Amends s. 1003.44 – Patriotic Programs; rules**  Requires school boards to adopt rules to require all schools in the district to display the state motto in a conspicuous place |
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| Section 23  Page 135 | **Amends s. 1003.453 – School Wellness and physical education policies; nutrition guidelines**  CPR instruction must allow students to practice the psychomotor skills association with performing CPR and use an AED when a school district has the equipment necessary to perform the instruction |
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| Section 24  Page 136 | **Amends s. 1003.576 – Individual education plans for exceptional students**  Technical change |
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| Section 25  Page 136 | **Amends s. 1006.061 – Child abuse, abandonment, and neglect policy.**  Technical change |
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| Section 26  Page 138 | **Amends s. 1006.15 – Student standards for participation in interscholastic and intrascholastic extracurricular student activities; regulation**  Home education students must register with the school their intent to participate before “participation” in the activity |
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| Section 27  Page 143 | **Amends s. 1007.271 – Dual Enrollment Programs**  Students may not be limited in the number of dual enrollment courses a student may enroll in based solely upon enrollment by the student at an independent postsecondary institution  Removes requirement for home education students to provide their own instructional materials for dual enrollment courses – there are dollars allocated in bill to pay for this  A high school GPA may not be required for home education students to participate in dual enrollment courses |
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| Section 28  Page 147 | **Amends s. 1008.22 – Student assessment program for public schools**  Requires grade level core curricula content from social students be incorporated into reading and writing prompts for ELA assessments |
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| Section 29  Page 150 | **Amends s. 1011.62 – Funds for operation of schools**  **SAI Allocation**  Beginning in the 2018-2019 fiscal year, each school district with a school earning a grade of “D” or “F” must use SAI funds to implement intervention and support strategies for school improvement and salary incentives or supplements that are provided through a MOU between the collective bargaining unit and the school board that addresses the selection, placement, and expectations of instructional personnel and school administrators.  Each school district that has one or more of the lowest 300 elementary schools based on a 3-year average of the state reading assessment data must use that school’s portion of the allocation to provide an additional hour per day of intensive reading.  The additional hour may be provided within the school day and Level 4 and 5 students may opt out  Adds drop-out prevention programs to the list of allowable uses of funds  **CAPE Bonus funds**  Bonus funds may not be awarded to a teach who fails to maintain security of an assessment or who otherwise violates the security or administration protocol of any assessment instrument that may result in a bonus being awarded to the teacher  **Categorical Funds**  Allows a school board by resolution to use transportation funds to maintain academic instruction or improve school safety (removes safe schools and SAI from the list)  **Reading allocation**  3-year average for lowest 300 and provides extra hour may be done during the school day. Also adds level 4 students to those who may opt out.  Provides only certified or reading endorses personnel may be used to teach summer reading camps.  Provides only materials that are identified by the office of Just Read! Florida may be purchased with reading allocation funds  Requires the following provision to be part of the district’s reading plan – beginning in 2020-2021 school year, interventions must be delivered by a teacher who is certified or endorsed in reading and must incorporate specific strategies identified by Just Read! Florida |
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| Section 30  Page 165 | **Amends s. 1011.6202 – Principal Autonomy Program initiative**  Expands PAPPI statewide  Contingent on available funds  Creates district innovation academies and zones – principals may manage multiple schools |
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| Section 31  Page 172 | **Amends s. 1011.69 – Equity in school-level funding act**  Title I “fix”  Authorizes funds to be used at high schools above the 50% threshold  Increases administrative cap from 8% to 10% - including indirect costs  Authorizes 1% of funds to be used for eligible schools to provide educational services in accordance with Title I plan  Provides carry forward funds are not subject to the requirements of this section |
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| Section 32  Page 174 | **Amends 1011.71 – District School Tax**  If payments under lease-purchase agreements in the aggregate, including lease-purchase agreements entered into before June 30, 2009, exceed ¾ of the proceeds from the LCI, the school board may not withhold the administrative fee from any charter school in the district |
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| Section 33  Page 177 | **Amends s. 1012.2315 – Assignment of Teachers – collective bargaining**  Before the start of the 2019-2020 school year each school district and certified collective bargaining unit shall negotiate a MOE that addresses the selection, placement, and expectations of instructional personnel and provides school principals with PAPPI autonomy  Substance of HB 25 - Requires recertification of teachers unions if their membership is less than 50% |
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| Section 34  Page 179 | **Amends s. 1012.28 – Public School Personnel; duties of school principals**  Removes the requirement for school boards to include the budgets of schools participating in PAPPI to the SBOE |
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| Section 35  Page 180 | **Amends s. 1012.315 – Disqualification from employment**  Disqualifies employees from teaching in state scholarship programs if convicted of specified offenses |
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| Section 36  Page 185 | **Amends s. 1012.32 – Qualifications of personnel**  Provides a district school board shall reimburse a charter school the cost of background screenings if notice of eligibility is not provided within 14 days after receipt of the results from FDLE or within30 days after submission of request from the charter school to the district – whichever is less |
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| Section 37  Page 187 | **Amends s. 1012.562 – Public accountability and state approval of school leader preparation programs**  Authorizes a charter school or charter management organization to establish level I and level II leader preparation programs |
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| Section 38  Page 192 | **Amends s. 1012.586 – Additions or changes to certificates; duplicate certificates**  Adds an endorsement of a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers to the reviews the department must conduct periodically |
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| Section 39  Page 194 | **Amends s. 1012.731 – Florida Best and Brightest Teacher Scholarship Program.**  Provides that a district employee who, in the prior school year, was rated highly effective and met the eligibility requirements under this section as a classroom teacher, is eligible to receive a scholarship award during the current school year if he or she maintains employment with the school district. |
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| Section 40  Page 195 | **Amends s. 1012.796 – Complaints against teachers and administrators; procedure; penalties.**  Includes scholarship programs as an entity that must file a complaint to DOE if allegations arise against a certified employee. |
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| Section 41  Page 196 | **Amends s. 1012.98 – School community professional development act**  Requires PD resources to include sample course-at-a-glance and unit overview templates and provides details on what the templates must include |
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| Section 42  Page 197 | **Amends s. 1013.28 – Tangible Personal Property**  Requires surplus, marked for disposal or otherwise unused school district property to be made available to charters on the same basis as its made available to other public schools in the district  A charter school may not dispose of property without written permission of the school district |
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| Section 43  Page 198 | **Amends s. 1013.31 – Educational Plant survey; localized need assessment; PECO project funding.**  The language ensures that school districts may expend local dollars on new construction without a survey recommendation. These local dollars include:   * The local capital outlay improvement fund, consisting of funds that come from and are a part of the district’s basic operating budget. * Voted bond referendum. * One-half cent sales surtax revenue. * One-cent local governmental surtax revenue. * Impact fees. * Private gifts or donations. |
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| Section 44  Page 199 | **Amends s. 1013.385 – School district construction flexibility.**  Authorizes school districts to operate in a facility on the same basis as a charter school if the regional planning council determines that there is sufficient shelter capacity within the district as documented in the Statewide Emergency Shelter Plan. |
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| Section 45  Page 200 | **Amends s 1013.62 – Charter schools capital outlay funding.**  Modifies the calculation for distribution of capital outlay funds for charters schools as follows:  For the 2018-2019 fiscal year charter school capital outlay funding shall consist of state funds appropriated in the 2018-2019 GAA.  Beginning in the 2019-2020 fiscal year, charter school capital outlay funding shall consist of state funds when such funds are appropriated and revenue resulting from district LCI if the amount of state funds is less than the average charter capital outlay funds per unweighted FTE for the 2018-2019 fiscal year multiplied by the estimated number of charter school students for the applicable fiscal year and adjusted by the change in the CPI from the previous year.  School districts shall distribute funds under this section by Feb 1 each year based on the amount of funds received by the district school board and distribute any remaining funds upon the receipt of such funds until the total amount has been distributed  By October 1 each year, districts shall certify to the department the amount of debt service and participation requirement that can be reduced from the total discretionary millage. The auditor general shall verify compliance during scheduled operational audits of school districts |
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| Section 46  Page 204 | **Provides Appropriations for the 2018-2019 fiscal year**  $13,750,000 in recurring GR funds and $100,000 in nonrecurring GR to DOE to implement this act  Of the recurring funds $9.7 million is allocated for reading scholarships  $300k for admin fee pursuant to s. 1002.411(7)(g)  $2 million to implement s. 1002.40(8) – Hope scholarships  $950k to implement additional oversight requirements of s. 1002.421  $250k to issue a competitive grant award pursuant to s. 1002.385(9)  $550k for home education students dual enrollment instructional materials  Contingent upon HB 1279 or similar legislation becoming law, $100k shall be used to implement the provisions of s. 1011.051(2)(b) as provided in HB 1279 |
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| Section 47  Page 205 | **Provides appropriations:**  For the 2017- 2018 fiscal year, the sum of $150 in nonrecurring funds from GR to the DOR to implement the creation of s. 212.099 |
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| Section 48  Page 205 | Amendments in this act to certain statutes apply to taxable years beginning on or after January 1, 2018 |
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| Section 49  Page 205 | Department of Revenue may adopt emergency rules to administer the act. |
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| Section 50  Page 206 | Provides an exemptions for the students at Marjory Stoneman Douglas High School from taking the statewide standardized assessments and from the minimum hours of instruction required by statute.  Provides the schools grade of “A” from the 2016-17 school year will be used for the 2017-18 school year to maintain eligibility for designation as a school of excellence |
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| Section 51  Page 207 | Except as otherwise provided, July 1, 2018, effective date. |