**HB 7055 – Senate DE Amendment**

**As Amended in Senate Education – 2/20/18**

| **Section** | **Amends** |
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| Section 1 | **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 2 | **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 3 | Repeals ch. 623, F.S., effective July 1, 2019. |
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| Section 4 | **Amends s. 1001.10 – Commissioner of Education; general powers and duties.**  Requires DOE to provide technical assistance to state scholarship programs. |
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| Section 5 | **Amends s. 1001.4205 – Visitation of schools.**  Authorizes legislators to visit schools including charter schools. |
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| Section 6 | **Amends s. 1002.01 – K-12 Definitions.**  Defines “scholarship program” to include the   * Opportunity Scholarship Program. * Gardiner Scholarship Program. * McKay Scholarships * FL Tax Credit Scholarship Program. * Hope Scholarship Program. |
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| Section 7 | **Amends. S. 1002.20 – K-12 students and parent rights.**  Among other provisions, establishes the Hope Scholarship Program. |
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| Section 8 | **Amends s. 1002.33 – Charter Schools.**  Authorizes deferring opening for 3 years rather than 2. |
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| Section 9 | **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. |
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| Section 10 | **Amends s. 1002.333 – Persistently low-performing schools.**  Revises the definition of “persistently low-performing school” to mean a school that has completed 2 school years of a district-managed turnaround plan and has not improved its grade to a “C” or higher.  Revises the definition of “school of hope” and requires that the school be located in the attendance zone of a persistently low-performing school. Removes the authority to be within a 5–mile radius of such school.  A “school of hope” could also be a school operated pursuant to a district selection as a district turnaround option for persistently low-performing schools that did not improve. This school would be eligible for hope funds.  A hope operator seeking to open a school of hope must submit a notice of intent that includes all of the statutory criteria. New/modified criteria include the requirement to provide the specific location for the proposed school or the plan to use the district-owned facilities of the persistently low-performing school.  Facilities – A school of hope that is located within the zoned-area must use facilities that comply with the Florida Building Code, except for SREF. A school of hope that is selected as one of the district-managed turnaround options and receives hope supplemental services must use the district-owned facilities of the persistently low-performing school.  Funding – Schools of hope that open within the zone of the persistently low-performing school are eligible for receive funds from the Schools of Hope Program. Schools of hope that are selected by a district as a turnaround option are eligible to receive funds from the hope supplemental services allocation.  The $2,000 per FTE is replaced with a hope supplemental services allocation.  Prohibits a hope operator or owner to serve as the principal of any school that he/she manages. |
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| Section 11 | **Creates s. 1002.334 – Franchise model schools.**  A “franchise model school” is defined as a persistently low-performing school led by a highly effective principal in addition to the principal’s currently assigned school. If a franchise model school achieves a “C” or higher, the school may retain its status as a franchise model school at the discretion of the district. A district that has one ore more persistently low-performing schools may use a franchise model school as a school turnaround option. A franchise model school principal must be rated highly effective, may lead two or more schools as specified, may allocate resources and personnel between schools under his/her administration, but hope supplemental services allocation funds, must be spent at the franchise model school, and is eligible to receive a Best and Brightest Principal award. |
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| Section 12 | **Amends s. 1002.385 – The Gardiner Scholarship.**  Clarifies a rare disorder.  Deletes private tutoring program as program for which program funds may be used. |
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| Section 13 | **Amends s. 1002.39 – McKay Scholarships.**  Deletes private tutoring program as program for which scholarship funds may be used.  Provides enhanced accountability measures.  Requires annual report from CPA for private school that receives more than $250,000 in funds. |
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| Section 14 | **Amends s. 1002.395 – Florida Tax Credit Scholarship Program.**  Deletes private tutoring program as program for which scholarship funds may be used.  Provides enhanced accountability measures. |
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| Section 15 | **Creates s. 1002.40 – 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 a victim of a substantiated incident of battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school.  Tax credit is limited to a single payment of $20. |
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| Section 16 | **Amends s. 1002.421 – Accountability of private school participating in state school choice scholarship programs.**  Defines “owner or operator.”  Requires teachers to hold a baccalaureate or higher degree hired after July 1, 2018.  Provides enhanced accountability measures. |
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| Section 17 | **Repeals s. 1002.43 – Private tutoring programs** |
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| Section 18 | **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 19 | **Amends s. 1003.01 – Definitions.**  Modifies definitions of “regular school attendance,” etc. Deletes private tutoring program. |
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| Section 20 | **Amends s. 1003.26 – Enforcement of school attendance.**  Technical/conforming |
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| Section 21 | **Amends s. 1003.41 – Next Generation Sunshine State Standards.**  Requires personal financial literacy and money management for students entering 9th grade in the 2018-2019 school year. |
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| Section 22 | **Amends s. 1003.4282 – Requirements for standard high school diploma.**  Requires financial literacy course. Reduces electives by ½ credit. |
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| Section 23 | **Creates s. 1003.457 – Instruction in cardiopulmonary resuscitation**.  Requires students to study and practice the psychomotor skills associated with performing CPR at least once before graduating from high school. The instruction must be part of the PE curriculum or other required curriculum selected by the district. |
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| Section 24 | **Amends s. 1003.453 – School wellness and physical education policies; nutrition guidelines.**  Conforming. |
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| Section 25 | **Amends s. 1006.061 – Child abuse, abandonment, and neglect policy.**  Conforming. |
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| Section 26 | **Amends s. 1006.07 – District school board duties relating to student discipline and school safety.**  Requires emergency drills specifically related to hostage and active shooter situations. Requires such drills to be conducted by law enforcement or first responders.  Requires school districts to conduct security risk assessments as each public school.  Develop a plan that includes having a secure, single point of entry onto school grounds.  Requires a public or private school principal or governing board to allow a law enforcement agency designated as first responders to tour each campus once every 3 years. Any recommendations must be documented. |
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| Section 27 | **Amends s. 1006.12 – School resource officers and school safety officers.**  Requires school boards to have school safety officers at each school facility. |
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| Section 28 | **Amends s. 1007.273 – Structured high school acceleration programs (replaces Collegiate high school program).**  The language substantially modifies the collegiate high school program. The structured program must prioritize dual enrollment courses that are applicable toward general education core courses or common prerequisite course requirements over electives. A school board may not limit the number of eligible students who may enroll in structured programs. The language specifies that each school board and its local Florida College System institution must execute a contract to establish one ore more structured programs. If a local Florida College System institution does not establish a structured program with a school board in its service area, another institution may execute a contract with the school board. |
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| Section 29 | **Amends s 1008.33 – Authority to enforce public school improvement.**  Language is added to authorize a district-managed turnaround plan to include a proposal to implement an extended school day, a summer program, or a combination of an extended school day and summer program.  Unless the SBE authorizes an additional implementation year, a school that has completed 2 school years of a district-managed turnaround plan and has not improved to a “C” or higher must implement one of several options. Some of the current options are modified. If the district closes the school and reopens as a charter school, such charter school is eligible for funding for the hope supplemental services allocation. A district-managed charter school is eligible for funding from the hope supplemental services allocation.  An additional option is a hope operator that submits to a district a notice of intent of a performance-based agreement. A school of hope established under this provision is eligible for funding from the hope supplemental services allocation for up to 5 years if the school:   * Is established at the district-owned facilities of the persistently low performing school; * Gives priority enrollment to students enrolled in, or living in the attendance zone of the persistently low-performing school; and * Meets the requirements of its performance-based agreement.   Another option is to implement a franchise model school.  If the school does not improve to a “C” or higher after 2 school year of implementing the turnaround options authorized above, the district must implement another turnaround option. |
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| Section 30 | **Amends s. 1011.62 – Funds for operation of schools.**   * Creates Hope Supplemental Services Allocation. * Creates Mental Health Assistance Allocation. * Creates Funding Compression Allocation. |
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| Section 31 | **Amends s. 1011.69 – Equity in School-Level Funding Act.**  The language eases the current restrictions relating to the district’s authority to withhold funds at the district level. The 8 percent cap on administration is repealed and the language is modified to allow districts to retain a reasonable amount for administration and the district’s approved indirect cost rate. Districts may also withhold a reasonable amount to provide extended learning opportunities and supplemental academic and enrichment services, staff development, and planning and curriculum, as well as wrap-around services. Eligible schools are also allowed to use the remaining funds that are distributed for district-level services provided by the school district. |
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| Section 32 | **Amends s. 1011.71 – District school tax.**  A school district is authorized to expend up to $150 (up from $100) on vehicles and property/casualty insurance premiums. |
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| Section 33 | **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 34 | **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.  Repeals language authorizing the $1200 or $800 scholarship award for teachers. |
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| Section 35 | **Amends s. 1012.732 – Florida Best and Brightest Principal Scholarship Program.**  Provides that franchise model school principal eligible for scholarship. |
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| Section 36 | **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 37 | **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 38 | **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 39 | **Amends s 1013.62 – Charter schools capital outlay funding.**  The language inserts the prohibition of personal financial enrichment by owners, operators, etc. of charter schools.  The language modifies the calculation methodology that the DOE must use to determine the amount of revenue that a school district must distribute to each charter school if the school board levies the authorized local discretionary millage.  This section also provides that for each charter school within each district, the net capital outlay amount from local funds must be calculated in the same manner as the state funds appropriated in the GAA to eligible charter schools, except that the base charter school per weighted FTE allocation amount shall be determined by dividing the net total capital outlay amount from local funds by the total weighted FTE for all eligible charter schools within the district. This change weights the shared local capital outlay funds for charter schools with a student population in which 75 percent or greater are eligible for a free or reduced-price school meal, 25 percent or greater have a disability, or both. The per weighted FTE allocation amount from local funds must be multiplied by the weighted FTE for each charter school to determine each charter school’s capital outlay allocation from local funds.  The revised calculation may alter the amount of funds distributed in each charter school’s capital outlay allocation from local funds. |
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| Section 40 | **Amends s. 212.08 – Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.**  Effective July 1, 2019, the exemption specified in s. 623.09 is repealed. |
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| Section 41 | **Provides appropriations:**  $2,596,560 from recurring GR and $392,134 in nonrecurring GR to DOE for:  $2 million to implement Hope Scholarship Program.  $596,560 and $142,134 for additional oversight responsibilities.  $250,000 to issue competitive grant. |
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| Section 42 | Department of Revenue may adopt emergency rules to administer the act. |
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| Section 43 | Except as otherwise provided, July 1, 2018, effective date. |
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