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# **Education Committee**

**Monday, February 27, 2012**

**2:00 pm – 4:00 pm**

**Reed Hall – 102 HOB**

## **Action Packet**

**Dean Cannon  
Speaker**

**William Proctor  
Chair**

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

### Summary:

#### Education Committee

Monday February 27, 2012 02:00 pm

CS/CS/HB 859	Favorable With Committee Substitute	Yeas: 13	Nays: 4
Amendment 157145	Adopted Without Objection		
Amendment 394923	Adopted Without Objection		
Amendment 655679	Failed to Adopt		
Amendment 850741	Failed to Adopt		
Amendment 927363	Failed to Adopt		
CS/CS/HB 903	Favorable With Committee Substitute	Yeas: 14	Nays: 3
Amendment 355871	Adopted Without Objection		
Amendment 418321	Adopted Without Objection		
Amendment 627495	Adopted Without Objection		
Amendment 694555	Withdrawn		
Amendment 694647	Failed to Adopt		
Amendment 776587	Withdrawn		
Amendment 835739	Adopted Without Objection		
CS/CS/HB 1403	Favorable With Committee Substitute	Yeas: 12	Nays: 6
Amendment 941309	Adopted Without Objection		
CS/HB 4057	Temporarily Deferred		
Amendment 134127	Temporarily Deferred		
Amendment 167457	Temporarily Deferred		
Amendment 174425	Temporarily Deferred		
Amendment 466609	Temporarily Deferred		
Amendment 494323	Temporarily Deferred		
Amendment 777039	Temporarily Deferred		
CS/HB 7059	Favorable With Committee Substitute	Yeas: 12	Nays: 6
Amendment 384633	Withdrawn		
Amendment 407433	Withdrawn		
Amendment 447329	Adopted Without Objection		
Amendment 528409	Failed to Adopt		
Amendment 964637	Adopted Without Objection		
PCB EDC 12-03	Favorable With Amendments	Yeas: 18	Nays: 0
Amendment PCB EDC 12-03 Strike	Adopted Without Objection		

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
William Proctor (Chair)	X		
Janet Adkins	X		
Michael Bileca	X		
Jeffrey Brandes	X		
Dwight Bullard	X		
Gwyndolen Clarke-Reed	X		
Marti Coley	X		
Daniel Davis	X		
Erik Fresen	X		
Luis Garcia, Jr.	X		
Martin Kiar	X		
Jose Oliva	X		
H. Marlene O'Toole	X		
Betty Reed	X		
Jimmie Smith	X		
Cynthia Stafford	X		
Kelli Stargel	X		
John Tobia	X		
<b>Totals:</b>	<b>18</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 859 : Florida Tax Credit Scholarship Program**

*Favorable With Committee Substitute*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed	X				
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.			X		
Martin Kiar		X			
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed		X			
Jimmie Smith	X				
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia	X				
William Proctor (Chair)	X				
<b>Total Yeas: 13</b>		<b>Total Nays: 4</b>			

**CS/CS/HB 859 Amendments**

**Amendment 157145**

*Adopted Without Objection*

**Amendment 394923**

*Adopted Without Objection*

**Amendment 655679**

*Failed to Adopt*

**Amendment 850741**

*Failed to Adopt*

**Amendment 927363**

*Failed to Adopt*

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 859 : Florida Tax Credit Scholarship Program (continued)**

### Appearances:

Florida Tax Credit Scholarship Program  
Lasher, Denise (Lobbyist) - Waive In Support  
Step Up for Students  
PO Box 1440  
Lutz Florida 33548  
Phone: 813-240-4567

Florida Tax Credit Scholarship Program  
Patricia Levesque, Executive Director (Lobbyist) (General Public) - Waive In Support  
Foundation for Florida's Future  
215 S. Monroe Street, Ste 130  
Tallahassee FL undefined  
Phone: (850)391-3070

Florida Tax Credit Scholarship Program  
Colleen Wood (Lobbyist) - Opponent  
Parents, 50th No More  
450-106 SR 13, #142  
St. Johns FL 32259  
Phone: 904-591-3207

Danielle Thomas, President (State Employee) - Opponent  
Volusia County Council PTA  
7210 Westpoint Blvd, #1334  
Orlando Florida 32835  
Phone: 386-846-7346

Melton, Ruth (Lobbyist) - Opponent  
Florida School Boards Association  
203 S Monroe St  
Tallahassee FL 32301  
Phone: (850)414-2578

Dickinson, Brenda (Lobbyist) - Proponent  
Florida Council of Independent Schools (FCIS)  
1211 N Westshore Blvd Ste 612  
Tampa FL 33607  
Phone: (850)264-2184

Stacey Webb (Lobbyist) - Information Only  
Florida Chamber of Commerce  
123 South Adams  
Tallahassee Florida 32301  
Phone: (850)510-2766

Russell, Lynda (Lobbyist) - Information Only  
Florida Education Association  
213 S Adams St  
Tallahassee FL 32301  
Phone: (850)224-2078

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 1A

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION 7 0 (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Stargel offered the following:

3  
4 **Substitute Amendment for Amendment (108631) by**  
5 **Representative Corcoran (with title amendment)**

6 Remove lines 74-78 and insert:

7 ~~(c) Household income for purposes of a student who is currently~~  
8 ~~in foster care as defined in s. 39.01 shall consist only of the~~  
9 ~~income that may be considered in determining whether he or she~~  
10 ~~qualifies for free or reduced-price school lunches under the~~  
11 ~~National School Lunch Act.~~

12  
13  
14  
15  
16 -----  
17 **T I T L E A M E N D M E N T**

18 Remove line 5 and insert:

394923 - h0859 line 71-78.docx

Published On: 2/27/2012 4:45:07 PM

Page 1 of 2

h0859-line 74-78

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 1A

19 | program; deleting provisions relating to household income for  
20 | students in foster care; increasing the tax credit cap amount

21 |

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	<input checked="" type="checkbox"/>	<i>superseded by substitute Amend. 14.</i>

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Corcoran offered the following:

3  
4  
5  
6  
7  
8  
9

**Amendment (with directory amendment)**

Remove lines 74-78

10  
11  
12  
13

-----  
**D I R E C T O R Y   A M E N D M E N T**

Remove line 33 and insert:

Section 1. Paragraphs (a) and (b) of subsection (3),  
paragraph (a) of subsection



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	___	

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Corcoran offered the following:

3  
4 **Amendment (with title amendment)**  
5 Remove lines 214-217 and insert:  
6 school board.

7  
8  
9  
10 -----

11 **T I T L E A M E N D M E N T**

12 Remove lines 19-20 and insert:  
13 requiring a school district to coordinate with  
14

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT ✓ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Bullard offered the following:

3  
4 **Amendment (with directory and title amendments)**

5 Between lines 40 and 41, insert:

6 (1) FINDINGS AND PURPOSE.—

7 (b) The purpose of this section is to:

8 1. Enable taxpayers to make private, voluntary  
9 contributions to nonprofit scholarship-funding organizations and  
10 to traditional public schools in order to promote the general  
11 welfare.

12 2. Provide taxpayers who wish to help parents with limited  
13 resources exercise their basic right to educate their children  
14 as they see fit with a means to do so.

15 3. Promote the general welfare by expanding educational  
16 opportunities for children of families that have limited  
17 financial resources.

18 4. Enable children in this state to achieve a greater  
19 level of excellence in their education.

850741 - h0859-line 40-41.docx

Published On: 2/27/2012 9:52:09 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 3

20 5. Improve the quality of education in this state, both by  
21 expanding educational opportunities for children and by creating  
22 incentives for schools to achieve excellence.

23 (2) DEFINITIONS.—As used in this section, the term:

24 (e) "Eligible contribution" means a monetary contribution  
25 from a taxpayer, subject to the restrictions provided in this  
26 section, to an eligible nonprofit scholarship-funding  
27 organization or to a traditional public school. The taxpayer  
28 making the contribution may not designate a specific child as  
29 the beneficiary of the contribution.

30  
31  
32 -----  
33 **D I R E C T O R Y A M E N D M E N T**

34 Remove line 33 and insert:

35 Section 1. Paragraph (b) of subsection (1), paragraph (e)  
36 of subsection (2), subsection (3), paragraph (a) of subsection  
37

38  
39 -----  
40 **T I T L E A M E N D M E N T**

41 Remove line 3 and insert:

42 Program; amending s. 1002.395, F.S.; providing that  
43 contributions under the program may be made to traditional  
44 public schools; revising student  
45

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                    \_\_\_ (Y/N)  
ADOPTED AS AMENDED        \_\_\_ (Y/N)  
ADOPTED W/O OBJECTION     \_\_\_ (Y/N)  
FAILED TO ADOPT            ✓ (Y/N)  
WITHDRAWN                  \_\_\_ (Y/N)  
OTHER                        \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Bullard offered the following:

4        **Amendment (with title amendment)**

5        Remove lines 92-248 and insert:

6        (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
7 PARTICIPATION.—

8        (e) The parent shall ensure that the student participating  
9 in the scholarship program takes the norm-referenced assessment  
10 offered by the private school. The parent may also choose to  
11 have the student participate in the statewide assessments  
12 pursuant to s. 1008.22. If the parent requests that the student  
13 participating in the scholarship program take statewide  
14 assessments pursuant to s. 1008.22, the private school shall  
15 administer the statewide assessments to that student ~~the parent~~  
16 ~~is responsible for transporting the student to the assessment~~  
17 ~~site designated by the school district.~~

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 4

18 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An  
19 eligible private school may be sectarian or nonsectarian and  
20 must:

21 (c) Be academically accountable to the parent for meeting  
22 the educational needs of the student by:

23 1. At a minimum, annually providing to the parent a  
24 written explanation of the student's progress.

25 2. Annually administering or making provision for students  
26 participating in the scholarship program in grades 3 through 10  
27 to take one of the nationally norm-referenced tests identified  
28 by the Department of Education or the statewide assessments  
29 pursuant to s. 1008.22. Students with disabilities for whom  
30 standardized testing is not appropriate are exempt from this  
31 requirement. A participating private school must report a  
32 student's scores to the parent. A participating private school  
33 must annually report by August 15 the scores of all  
34 participating students and to the independent research  
35 organization ~~selected by the Department of Education as~~  
36 described in paragraph (9) (j).

37 3. Cooperating with the scholarship student whose parent  
38 chooses to have the student participate in the statewide  
39 assessments pursuant to s. 1008.22 by administering the  
40 statewide assessments at the school.

41  
42 The inability of a private school to meet the requirements of  
43 this subsection shall constitute a basis for the ineligibility  
44 of the private school to participate in the scholarship program  
45 as determined by the Department of Education.

927363 - h0859-line 92-248.docx

Published On: 2/27/2012 9:53:28 AM

Amendment No. 4

46 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of  
47 Education shall:

48 (j) Select an independent research organization, which may  
49 be a public or private entity or university, to which  
50 participating private schools must report the scores of  
51 participating students on the nationally norm-referenced tests  
52 or the statewide assessments administered by the private school  
53 in grades 3 through 10.

54 1. The independent research organization must annually  
55 report to the Department of Education on the year-to-year  
56 learning gains of participating students:

57 a. On a statewide basis. The report shall also include, to  
58 the extent possible, a comparison of these learning gains to the  
59 statewide learning gains of public school students with  
60 socioeconomic backgrounds similar to those of students  
61 participating in the scholarship program. To minimize costs and  
62 reduce time required for the independent research organization's  
63 analysis and evaluation, the Department of Education shall  
64 conduct analyses of matched students from public school  
65 assessment data and calculate control group learning gains using  
66 an agreed-upon methodology outlined in the contract with the  
67 independent research organization; and

68 b. According to each participating private school in which  
69 there are at least 30 participating students who have scores for  
70 tests administered during or after the 2009-2010 school year for  
71 2 consecutive years at that private school.

72 2. The sharing and reporting of student learning gain data  
73 under this paragraph must be in accordance with requirements of

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 4

74 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy  
75 Act, and shall be for the sole purpose of creating the annual  
76 report required by subparagraph 1. All parties must preserve the  
77 confidentiality of such information as required by law. The  
78 annual report must not disaggregate data to a level that will  
79 identify individual participating schools, except as required  
80 under sub-subparagraph 1.b., or disclose the academic level of  
81 individual students.

82 3. The annual report required by subparagraph 1. shall be  
83 published by the Department of Education on its website.

84 (n)1. Conduct ~~random~~ site visits to private schools  
85 participating in the Florida Tax Credit Scholarship Program. The  
86 purpose of the site visits is solely to verify the information  
87 reported by the schools concerning the enrollment and attendance  
88 of students, the credentials of teachers, background screening  
89 of teachers, and teachers' fingerprinting results. The  
90 Department of Education may not make more than seven ~~random~~ site  
91 visits each year; however, the department may make additional  
92 site visits at any time to any school that has received a notice  
93 of noncompliance or a notice of proposed action within the  
94 previous 2 years ~~and may not make more than one random site~~  
95 ~~visit each year to the same private school.~~

96 2. Annually, by December 15, report to the Governor, the  
97 President of the Senate, and the Speaker of the House of  
98 Representatives the Department of Education's actions with  
99 respect to implementing accountability in the scholarship  
100 program under this section and s. 1002.421, any substantiated  
101 allegations or violations of law or rule by an eligible private

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 4

102 school under this program concerning the enrollment and  
103 attendance of students, the credentials of teachers, background  
104 screening of teachers, and teachers' fingerprinting results and  
105 the corrective action taken by the Department of Education.

106 (p) Upon the request of a participating private school,  
107 provide the same materials and support to a private school that  
108 it provides to a public school in administering the statewide  
109 assessments under s. 1008.22. A private school shall follow the  
110 requirements set forth in ss. 1008.22 and 1008.24, rules adopted  
111 by the State Board of Education to implement those sections, and  
112 district-level testing policies established by the district  
113 school board. The department shall publish an accountability  
114 report that presents the results of the student assessments at  
115 private schools.

116 (10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.-

117 (a) Upon the request of any eligible nonprofit  
118 scholarship-funding organization, a school district shall inform  
119 all households within the district receiving free or reduced-  
120 priced meals under the National School Lunch Act of their  
121 eligibility to apply for a tax credit scholarship. The form of  
122 such notice shall be provided by the eligible nonprofit  
123 scholarship-funding organization, and the district shall include  
124 the provided form, if requested by the organization, in any  
125 normal correspondence with eligible households. If an eligible  
126 nonprofit scholarship-funding organization requests a special  
127 communication to be issued to households within the district  
128 receiving free or reduced-price meals under the National School



Amendment No. 4

129 Lunch Act, the organization shall reimburse the district for the  
130 cost of postage. Such notice is limited to once a year.

131 (b) Upon the request of the Department of Education, a  
132 school district shall coordinate with the department to provide  
133 to a participating private school the statewide assessments  
134 administered under s. 1008.22 and any related materials for  
135 administering the assessments. A school district is responsible  
136 for the:

137 1. Provision of training for private school staff on test  
138 security and assessment administration procedures;

139 2. Provision of the required format for a private school  
140 to submit information to the district for test administration  
141 and enrollment purposes; and

142 3. Provision of any required assistance, monitoring, or  
143 investigation at a private school.

144  
145

146

-----  
**T I T L E A M E N D M E N T**

147

Remove lines 8-24 and insert:

148

schools participating in the program; providing that a private

149

school shall administer statewide assessments at the school;

150

revising Department of Education duties relating to site visits;

151

requiring the department to provide statewide assessments and

152

related materials to a school that makes such a request;

153

requiring a private school to follow statutory requirements,

154

State Board of Education rules, and district testing policies;

155

requiring the department to publish an accountability report;

156

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 4

157 | requiring a school district to coordinate with the department to  
158 | provide statewide assessments and related materials to a private  
159 | school upon the department's request; providing school district  
160 | responsibilities; revising the conditions upon which

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 859 (2012)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>  ✓  </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

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1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Clarke-Reed offered the following:

3  
4 **Amendment**

5 Remove line 80 and insert:

6 (a)1. The tax credit cap amount is \$219 million in  
7

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

Location: Reed Hall (102 HOB)

CS/CS/HB 903 : Charter Schools

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed		X			
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.	X				
Martin Kiar	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed				X	
Jimmie Smith	X				
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia	X				
William Proctor (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 3</b>			

### CS/CS/HB 903 Amendments

#### Amendment 355871

Adopted Without Objection

#### Amendment 418321

Adopted Without Objection

#### Amendment 627495

Adopted Without Objection

#### Amendment 694555

Withdrawn

#### Amendment 694647

Failed to Adopt

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 903 : Charter Schools (continued)**

### **Amendment 776587**

*Withdrawn*

### **Amendment 835739**

*Adopted Without Objection*

### **Appearances:**

#### Charter Schools

Dr. Rich Swier (General Public) - Waive In Support

6718 Paseo Castille

Sarasota FL 34238

Phone: 941-922-0578

#### Charter Schools

Michelle Touchstone, Vice Chair (General Public) - Waive In Support

Parents for Charter Schools

1002 Brookwood Drive

Tallahassee FL 32308

Phone: 850-216-1498

#### Charter Schools

Traci Steen, AVP Gov Relations (Lobbyist) - Waive In Support

State College of Florida-Manatee-Sarasota

5840 26th Street, W.

Bradenton FL 34207

Phone: 727-752-5220

#### Charter Schools

Cheri Shannon, CEO (General Public) - Waive In Support

Florida Charter Alliance

1900 Biscayne Blvd.

Miami FL 33132

Phone: 954-881-5467

#### Charter Schools

Linda Kobert (General Public) - Waive In Opposition

Fund Education Now

1215 Delaney Avenue

Orlando FL 32806

Phone: 407-422-2888

#### Charter Schools

Dr. Carolyn Scott, Principal (General Public) - Waive In Support

Pepin Academics

3916 E. Hillsborough

Tampa FL 33610

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 903 : Charter Schools (continued)**

**Appearances: (continued)**

Charter Schools

Ruth Melton (Lobbyist) (General Public) - Waive In Opposition

Florida School Boards Association

203 S Monroe St

Tallahassee FL 32301

Phone: 850-414-2578

Charter Schools

Natalie King, Government Affairs (Lobbyist) - Information Only

Pipin Heart Institute

235 W. Brandon Blvd., Ste 640

Brandon Florida 33511

Phone: 813-924-8218

Colleen Wood - Opponent

Parent

450 - 106, SR 13, #142

St. Johns Florida 32259

Phone: 904-591-3207

Amendment #4 and #5

Coleen Wood - Opponent

Parent

450 - 106, SR 13, #142

St. Johns Florida 32259

Phone: 904-591-3207

Amendment #4

Iraida Mendez-Cartaya, Assistant Superintendent - Opponent

Miami-Dade County Public Schools

1450 NE 2nd Avenue

Miami Florida 33132

Amendment #4

Beth Sweeny, Coordinator, Gov't Relations (Lobbyist) - Opponent

St. Johns Public Schools

40 Orange Street

St. Augustine Florida 32804

Phone: 904-547-7673

Michelle Touchstone, Vice Chair - Proponent

Parents for Charter Schools

1002 Brookwood Drive

Tallahassee Florida 32308

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 903 : Charter Schools (continued)**

**Appearances: (continued)**

Amendment #4

Darvin Boothe, Legislative Liason - Opponent  
School Board of Seminole County  
1606 N Westmoreland Drive  
Orlando Florida 32804  
Phone: 407-592-5263

Amendment #4 and #5

O'Farrell, Michael (Lobbyist) - Opponent  
Duval County Public Schools  
3020 Godfrey Place  
Tallahassee Florida 32309  
Phone: (850)509-6372

Dr. Rich Swier - Proponent

6718 Paseo Castille  
Sarasota Florida 34238  
Phone: 941-922-0578

HB 903 and Amendment 4

Linda Robdert - Opponent  
1215 Delaney Avenue  
Orlando Florida  
Phone: 407-422-2888

Amendment #2

Cerra, Thomas (Lobbyist) - Opponent  
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HB 903 and Amendments #2 and #4

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Amendment #694555

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Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Adkins offered the following:

3  
4 **Amendment (with directory and title amendments)**

5 Between lines 96 and 97, insert:

6  
7 (6) APPLICATION PROCESS AND REVIEW.—Charter school  
8 applications are subject to the following requirements:

9 (b) A sponsor shall receive and review all applications  
10 for a charter school using an evaluation instrument developed by  
11 the Department of Education. A sponsor shall receive and  
12 consider charter school applications received on or before  
13 August 1 of each calendar year for charter schools to be opened  
14 at the beginning of the school district's next school year, or  
15 to be opened at a time agreed to by the applicant and the  
16 sponsor. A sponsor may receive applications later than this date  
17 if it chooses. A sponsor may not charge an applicant for a  
18 charter any fee for the processing or consideration of an  
19 application, and a sponsor may not base its consideration or

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 1

20 approval of an application upon the promise of future payment of  
21 any kind. Before approving or denying any application, the  
22 sponsor shall allow the applicant, upon receipt of written  
23 notification, at least 7 calendar days to make technical or  
24 nonsubstantive corrections and clarifications, including, but  
25 not limited to, corrections of grammatical, typographical, and  
26 like errors or missing signatures, if such errors are identified  
27 by the sponsor as cause to deny the application.

28 1. In order to facilitate an accurate budget projection  
29 process, a sponsor shall be held harmless for FTE students who  
30 are not included in the FTE projection due to approval of  
31 charter school applications after the FTE projection deadline.  
32 In a further effort to facilitate an accurate budget projection,  
33 within 15 calendar days after receipt of a charter school  
34 application, a sponsor shall report to the department ~~Department~~  
35 ~~of Education~~ the name of the applicant entity, the proposed  
36 charter school location, and its projected FTE.

37 2. In order to ensure fiscal responsibility, an  
38 application for a charter school shall include a full accounting  
39 of expected assets, a projection of expected sources and amounts  
40 of income, including income derived from projected student  
41 enrollments and from community support, and an expense  
42 projection that includes full accounting of the costs of  
43 operation, including start-up costs.

44 3.a. A sponsor shall by a majority vote approve or deny an  
45 application no later than 60 calendar days after the application  
46 is received, unless the sponsor and the applicant mutually agree  
47 in writing to temporarily postpone the vote to a specific date,

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Amendment No. 1

48 at which time the sponsor shall by a majority vote approve or  
49 deny the application. If the sponsor fails to act on the  
50 application, an applicant may appeal to the State Board of  
51 Education as provided in paragraph (c). If an application is  
52 denied, the sponsor shall, within 10 calendar days after such  
53 denial, articulate in writing the specific reasons, based upon  
54 good cause, supporting its denial of the charter application and  
55 shall provide the letter of denial and supporting documentation  
56 to the applicant and to the department ~~Department of Education~~.

57 b. An application submitted by a high-performing charter  
58 school identified pursuant to s. 1002.331 may be denied by the  
59 sponsor only if the sponsor demonstrates by clear and convincing  
60 evidence that:

61 (I) The application does not materially comply with the  
62 requirements in paragraph (a);

63 (II) The charter school proposed in the application does  
64 not materially comply with the requirements in paragraphs  
65 (9)(a)-(f);

66 (III) The proposed charter school's educational program  
67 does not substantially replicate that of the applicant or one of  
68 the applicant's high-performing charter schools;

69 (IV) The applicant has made a material misrepresentation  
70 or false statement or concealed an essential or material fact  
71 during the application process; or

72 (V) The proposed charter school's educational program and  
73 financial management practices do not materially comply with the  
74 requirements of this section.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 1

76 Material noncompliance is a failure to follow requirements or a  
77 violation of prohibitions applicable to charter school  
78 applications, which failure is quantitatively or qualitatively  
79 significant either individually or when aggregated with other  
80 noncompliance. An applicant is considered to be replicating a  
81 high-performing charter school if the proposed school is  
82 substantially similar to at least one of the applicant's high-  
83 performing charter schools and the organization or individuals  
84 involved in the establishment and operation of the proposed  
85 school are significantly involved in the operation of replicated  
86 schools.

87 c. If the sponsor denies an application submitted by a  
88 high-performing charter school, the sponsor must, within 10  
89 calendar days after such denial, state in writing the specific  
90 reasons, based upon the criteria in sub-subparagraph b.,  
91 supporting its denial of the application and must provide the  
92 letter of denial and supporting documentation to the applicant  
93 and to the department ~~Department of Education~~. The applicant may  
94 appeal the sponsor's denial of the application ~~directly~~ to the  
95 state board ~~State Board of Education~~ pursuant to paragraph sub-  
96 subparagraph (c)3.b.

97 4. For budget projection purposes, the sponsor shall  
98 report to the department ~~Department of Education~~ the approval or  
99 denial of a charter application within 10 calendar days after  
100 such approval or denial. In the event of approval, the report to  
101 the department ~~Department of Education~~ shall include the final  
102 projected FTE for the approved charter school.

COMMITTEE/SUBCOMMITTEE AMENDMENT

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Amendment No. 1

103 5. Upon approval of a charter application, the initial  
104 startup shall commence with the beginning of the public school  
105 calendar for the district in which the charter is granted unless  
106 the sponsor allows a waiver of this subparagraph for good cause.

107 (c)1. An applicant may appeal any denial of that  
108 applicant's application or failure to act on an application to  
109 the state board ~~State Board of Education~~ no later than 30  
110 calendar days after receipt of the sponsor's decision or failure  
111 to act and shall notify the sponsor of its appeal. Any response  
112 of the sponsor shall be submitted to the state board ~~State Board~~  
113 ~~of Education~~ within 30 calendar days after notification of the  
114 appeal. Upon receipt of notification from the state board ~~State~~  
115 ~~Board of Education~~ that a charter school applicant is filing an  
116 appeal, the Commissioner of Education shall convene a meeting of  
117 the Charter School Appeal Commission to study and make  
118 recommendations to the state board ~~State Board of Education~~  
119 regarding its pending decision about the appeal. The commission  
120 shall forward its recommendation to the state board no later  
121 than 7 calendar days prior to the date on which the appeal is to  
122 be heard. An appeal regarding the denial of an application  
123 submitted by a high-performing charter school pursuant to s.  
124 1002.331 shall be conducted by the state board in accordance  
125 with this paragraph and paragraph (d), except that the  
126 commission is not convened to make recommendations regarding the  
127 appeal.

128 2. The Charter School Appeal Commission or, in the case of  
129 an appeal regarding an application submitted by a high-  
130 performing charter school, the state board may reject an appeal

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 1

131 submission for failure to comply with procedural rules governing  
132 the appeals process. The rejection shall describe the submission  
133 errors. The appellant shall have 15 calendar days after notice  
134 of rejection in which to resubmit an appeal that meets the  
135 requirements set forth in state board ~~State Board of Education~~  
136 rule. An appeal submitted subsequent to such rejection is  
137 considered timely if the original appeal was filed within 30  
138 calendar days after receipt of notice of the specific reasons  
139 for the sponsor's denial of the charter application.

140 3.a. The state board ~~State Board of Education~~ shall by  
141 majority vote accept or reject the decision of the sponsor no  
142 later than 90 calendar days after an appeal is filed in  
143 accordance with state board ~~State Board of Education~~ rule. The  
144 state board ~~State Board of Education~~ shall remand the  
145 application to the sponsor with its written decision that the  
146 sponsor approve or deny the application. The sponsor shall  
147 implement the decision of the state board ~~State Board of~~  
148 ~~Education~~. The decision of the state board ~~State Board of~~  
149 ~~Education~~ is not subject to the provisions of the Administrative  
150 Procedure Act, chapter 120.

151 b. If an appeal concerns an application submitted by a  
152 high-performing charter school identified pursuant to s.  
153 1002.331, the state board ~~State Board of Education~~ shall  
154 determine whether the sponsor's denial of the application is in  
155 conformance with the requirements in sub-subparagraph (b)3.b.  
156 ~~sponsor has shown, by clear and convincing evidence, that:~~

157 ~~(I) The application does not materially comply with the~~  
158 ~~requirements in paragraph (a);~~

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 1

159 ~~(II) The charter school proposed in the application does~~  
160 ~~not materially comply with the requirements in paragraphs~~  
161 ~~(9)(a)-(f);~~

162 ~~(III) The proposed charter school's educational program~~  
163 ~~does not substantially replicate that of the applicant or one of~~  
164 ~~the applicant's high-performing charter schools;~~

165 ~~(IV) The applicant has made a material misrepresentation~~  
166 ~~or false statement or concealed an essential or material fact~~  
167 ~~during the application process; or~~

168 ~~(V) The proposed charter school's educational program and~~  
169 ~~financial management practices do not materially comply with the~~  
170 ~~requirements of this section.~~

171

172 The state board ~~State Board of Education~~ shall approve or reject  
173 the sponsor's denial of an application no later than 90 calendar  
174 days after an appeal is filed in accordance with state board  
175 ~~State Board of Education~~ rule. The state board ~~State Board of~~  
176 ~~Education~~ shall remand the application to the sponsor with its  
177 written decision that the sponsor approve or deny the  
178 application. The sponsor shall implement the decision of the  
179 state board ~~State Board of Education~~. The decision of the state  
180 board ~~State Board of Education~~ is not subject to the  
181 Administrative Procedure Act, chapter 120.

182 (d) The sponsor shall act upon the decision of the state  
183 board ~~State Board of Education~~ within 30 calendar days after it  
184 is received. The state board's ~~State Board of Education's~~  
185 decision is a final action subject to judicial review in the  
186 district court of appeal.

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Amendment No. 1

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**D I R E C T O R Y   A M E N D M E N T**

Remove line 34 and insert:

Section 1. Paragraph (b) of subsection (5), paragraphs (b), (c),  
and (d) of subsection (6), paragraph (a)

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**T I T L E   A M E N D M E N T**

Remove line 6 and insert:

criteria are met; clarifying that the Charter School Appeal  
Commission shall not be convened when denial of an application  
submitted by a high-performing charter school is appealed;  
requiring a sponsor to not renew or

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Adkins offered the following:

3  
4 **Amendment (with directory and title amendments)**

5 Remove lines 97-114  
6  
7

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9 -----  
10 **D I R E C T O R Y A M E N D M E N T**

11 Remove lines 34-35 and insert:

12 Section 1. Paragraph (b) of subsection (5) and paragraph (c) of  
13 subsection (17) of  
14  
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16  
17 -----  
18 **T I T L E A M E N D M E N T**

19 Remove lines 6-8 and insert:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 2

20 criteria are met; requiring charter schools to maintain

21

*DeVita*

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                    — (Y/N)  
ADOPTED AS AMENDED                   — (Y/N)  
ADOPTED W/O OBJECTION                ✓ (Y/N)  
FAILED TO ADOPT                        — (Y/N)  
WITHDRAWN                               — (Y/N)  
OTHER                                     —

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Adkins offered the following:

3  
4       **Amendment (with directory and title amendments)**

5       Between lines 125 and 126, insert:

6       (16) EXEMPTION FROM STATUTES.—

7       (b) Additionally, a charter school shall be in compliance  
8 with the following statutes:

9       1. Section 286.011, relating to public meetings and  
10 records, public inspection, and criminal and civil penalties.

11       2. Chapter 119, relating to public records.

12       3. Section 1003.03, relating to the maximum class size,  
13 except that the calculation for compliance pursuant to s.  
14 1003.03 shall be the average at the school level.

15       4. Section 1012.22(1)(c) 5.b., relating to the  
16 implementation of a compensation system that awards annual  
17 salary adjustments to instructional personnel based upon  
18 performance and salary schedules.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 3

19 5. Section 1012.33(5), relating to workforce reductions,  
20 if the charter school awards contracts to instructional  
21 personnel and the term of the contract is longer than one year.  
22 This subparagraph does not apply to charter school instructional  
23 personnel who are at-will employees.

24 6. Section 1012.335, relating to contracts with  
25 instructional personnel hired on or after July 1, 2011, if the  
26 charter school awards contracts to instructional personnel and  
27 the term of the contract is longer than one year. This  
28 subparagraph does not apply to charter school instructional  
29 personnel who are at-will employees.

30 7. Section 1012.34(2), relating to ~~the substantive~~  
31 ~~requirements for~~ performance evaluations for instructional  
32 personnel and school administrators.

33  
34 For purposes of compliance with the statutes listed in this  
35 paragraph, the duties assigned to a district school  
36 superintendent apply to the charter school head master or his or  
37 her equivalent and the duties assigned to a district school  
38 board apply to the charter school's governing board.

-----  
44 **D I R E C T O R Y   A M E N D M E N T**

45 Remove line 35 and insert:

Amendment No. 3

46 of subsection (8), paragraph (b) of subsection (16), and  
47 paragraph (c) of subsection (17) of

48

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-----  
**T I T L E A M E N D M E N T**

53

Remove line 13 and insert:

54

posted on the website; revising provisions requiring compliance

55

with statutes relating to instructional personnel compensation

56

and contracts, workforce reductions, and instructional personnel

57

and school administrator performance evaluations; providing

58

guidelines for construing statutes for which compliance is

59

required; providing requirements for the

60



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 4

19 in s. 1013.62(2)(d)-(h), or for the lease of permanent or  
20 relocatable school facilities.

21 2. The annual calculation of the charter school facility  
22 stipend shall be equal to 80 percent of the amount of revenue  
23 generated by the district levy of the capital improvement  
24 millage per student for the school district in which the charter  
25 school is operated, less any funding per student received by the  
26 charter school from the allocation of maintenance, repair,  
27 renovation, and remodeling funding from the Public Education  
28 Capital Outlay and Debt Service Trust Fund in the General  
29 Appropriations Act, less any funds provided to the charter  
30 school pursuant to s. 1011.71 (2), and less any expenditures  
31 associated with the provision of facilities to charter schools  
32 by the school district as specified in the charter. The charter  
33 school facility stipend shall be based upon the number of FTE  
34 students reported by the eligible non-conversion charter school  
35 in the October student membership count.

36 3. No student enrolled and funded in an eligible non-  
37 conversion charter school shall generate more total state and  
38 local funding for operations and fixed capital outlay than a  
39 student enrolled and funded in a school operated by the school  
40 district.

41 4. If an eligible non-conversion charter school dissolves  
42 or is otherwise terminated, all unencumbered charter school  
43 stipend funds and all equipment and property purchased with  
44 stipend funds shall automatically revert to full ownership by  
45 the sponsor, subject to complete satisfaction of any lawful  
46 liens or encumbrances.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 4

47 5. An eligible non-conversion charter school must:

48 a. Be accredited by the Commission on Schools of the  
49 Southern Association of Colleges and Schools or is actively  
50 seeking accreditation;

51 b. Be a graded charter school under s. 1008.34, and must  
52 not have earned a grade below "C" in most recent school year  
53 unless:

54 1. The charter school has assumed operation of a public  
55 school pursuant to s. 1008.33(5)(a)3. With a school grade of "D"  
56 or "F," that school's grade shall not be considered in  
57 determining compliance with this provision for a period of 3  
58 years;

59 2. The charter school serves a student population the  
60 majority of which resides in a school zone served by a district  
61 public school that earned a grade of "F" in the year before the  
62 charter school opened and the charter school earns at least a  
63 grade of "C" in its third year of operation; and

64 c. Have received an unqualified opinion on the most recent  
65 annual financial audit required under s. 218.39.

66  
67 The requirements of this paragraph shall not be construed to  
68 require an increase in funding for operations in the Florida  
69 Education Finance Program or revenues generated from s.  
70 1011.71(2).

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 4

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**DIRECTORY AMENDMENT**

Remove line 33 and insert:  
of subsection (8), paragraph (c) of subsection (17), and  
subsection (19) of

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**TITLE AMENDMENT**

Remove line 17 and insert:  
reimbursement; requiring approval of the use of funds; requiring  
the Department of Education to annually calculate a charter  
school facility stipend to be remitted to a charter school by  
the school district; providing uses for the stipend; amending s.  
1002.331, F.S.,



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                     (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                 ✓   (Y/N)  
OTHER                                         

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Adkins offered the following:

3  
4            **Amendment (with title amendment)**

5            Between lines 200 and 201, insert:

6            Section 4. Subsection (2) of section 1011.71, is amended  
7 to read

8            (2) In addition to the maximum millage levy as provided in  
9 subsection (1), each school board may levy not more than 1.5  
10 mills against the taxable value for school purposes for district  
11 schools, including charter schools at the discretion of the  
12 school board, except that such revenue sharing shall be  
13 subordinate to the use of such revenues to pay debt service or  
14 make other necessary payments on bonds, lease-purchase-  
15 agreements, certificates of participation or other similar  
16 obligations of the district, to fund:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 5

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**T I T L E   A M E N D M E N T**

Remove line 30 and insert:

maintain eligibility; amending s. 1011.71, F.S., relating to  
district school tax; providing that sharing of revenues is  
subordinate to other debts and obligations; providing an  
effective date.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Adkins offered the following:

**Amendment (with title amendment)**

Between lines 161 and 162, insert:

7 Section 1. Subsections (26) and (27) of section 1002.33,  
 8 Florida Statutes, are renumbered as subsections (27) and (28),  
 9 respectively, and subsection (26) is added to that section, to  
 10 read:

11 1002.33 Charter schools.—

12 (26) CHARTER SCHOOLS SERVING STUDENTS WITH DISABILITIES.

13 (a) To be eligible to operate under the provisions of this  
 14 subsection, a charter school must:

15 1. Serve a population of 90 percent or more students with  
 16 disabilities as defined in 1007.02(2);

17 2. Be accredited by the Commission on Schools of the  
 18 Southern Association of Colleges and Schools;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 6

19 3. Have an unqualified opinion on each financial audit  
20 required under s. 218.39 in the most recent 3 fiscal years for  
21 which such audits are available; and

22 4. Be either ungraded, or once graded pursuant to s.  
23 1008.34, receive a grade no lower than a "B", or once rated  
24 pursuant to s. 1008.341, receive a school improvement rating of  
25 "Improving."

26 (b) A charter school that meets the requirements of  
27 paragraph (a) may:

28 1. Increase its student enrollment once per school year by  
29 up to 15 percent more than the capacity identified in the  
30 charter.

31 2. Add grade levels not already served within kindergarten  
32 through grade 12 provided any annual enrollment increase  
33 resulting from grade level expansion is within the limit  
34 established in sub-paragraph 1. and the student population  
35 continues to meet requirements of sub-paragraph (a)1.

36 3. Submit a quarterly, rather than a monthly, financial  
37 statement to the sponsor pursuant to s. 1002.33(9)(g).

38 4. Consolidate under a single charter the charters of  
39 charter schools operated in the same school district by the  
40 charter schools' governing board regardless of the renewal  
41 cycle.

42 5. Receive a modification of its charter to a term of 15  
43 years or a 15-year charter renewal. The charter may be modified  
44 or renewed for a shorter term at the option of the high-  
45 performing charter school. The charter must be consistent with  
46 s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual

Amendment No. 6

47 review by the sponsor, and may be terminated during its term  
48 pursuant to s. 1002.33(8).

49 (c) The administrative fee authorized pursuant to s.  
50 1002.33(20) shall be calculated based on unweighted full-time  
51 equivalent students.

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**T I T L E   A M E N D M E N T**

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Remove line 18 and insert:

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establishing criteria for charter schools serving students with

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disabilities; authorizing certain charter schools servicing

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students with disabilities to increase enrollment, expand grade

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levels served, submit a quarterly financial statement,

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consolidate the charters of certain charter schools, and receive

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certain modification or renewal of its charter; providing for

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calculation of administrative fee; amending s. 1002.331, F.S.,

66

relating to high-

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 7

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Bullard offered the following:

3  
4 **Amendment (with directory and title amendments)**

5 Between lines 161 and 162, insert:

6 (23) ANALYSIS OF CHARTER SCHOOL PERFORMANCE.—Upon receipt  
7 of the annual report required by paragraph (9)(k), the  
8 Department of Education shall provide to the State Board of  
9 Education, the Commissioner of Education, the Governor, the  
10 President of the Senate, and the Speaker of the House of  
11 Representatives an analysis and comparison of the overall  
12 performance of charter school students, to include all students  
13 whose scores are counted as part of the statewide assessment  
14 program, versus comparable public school students in the  
15 district as determined by the statewide assessment program  
16 currently administered in the school district, and other  
17 assessments administered pursuant to s. 1008.22(3). For purposes  
18 of evaluating a charter school's performance, the effectiveness  
19 of its instructional personnel, and student learning growth

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 903 (2012)

Amendment No. 7

20 pursuant to s. 1012.34, a student enrolled in a charter school  
21 shall remain enrolled in that charter school for a minimum of 3  
22 school years unless exempt from this requirement according to  
23 district school board policy.

24

25

26

27

-----

28

**D I R E C T O R Y   A M E N D M E N T**

29

Remove line 35 and insert:

30

of subsection (8), paragraph (c) of subsection (17), and

31

subsection (23) of

32

33

34

35

-----

36

**T I T L E   A M E N D M E N T**

37

Between lines 17 and 18, insert:

38

providing requirements relating to student enrollment for

39

purposes of performance evaluation;

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

Location: Reed Hall (102 HOB)

CS/CS/HB 1403 : High School Athletics

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed		X			
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.		X			
Martin Kiar		X			
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed		X			
Jimmie Smith	X				
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia	X				
William Proctor (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 6</b>			

### CS/CS/HB 1403 Amendments

#### Amendment 941309

Adopted Without Objection

#### Appearances:

High School Athletics

Roger Dearing, Executive Director (General Public) - Opponent

Florida High School Athletic Association

1801 NW 80th BLVD

Gainesville FL 32606

Phone: 352-372-9551

High School Athletics

Jon Fox, Athletic Director - Waive In Opposition

Duval County

1720 Lansdowne Dr.

Jacksonville FL 32211

Phone: 904-858-6142

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM



# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 1403 : High School Athletics (continued)**

**Appearances: (continued)**

High School Athletics

Paul Lambert - Waive In Support

Florida Chiropractic Assoc.

502 N. Adams Street

Tallahassee FL 32301

Phone: 850-224-9393

High School Athletics

Jon Moyle - Waive In Support

118 N. Gadsden Street

Tallahassee FL

High School Athletics

Richard Finlayson, Principal - Waive In Opposition

Aucilla Christian Academy/FCIS

7803 Aucilla Highway

Monticello FL 32344

Phone: 850-997-3597

High School Athletics

Bonnie Watkins, Athletic Director - Opponent

Tavares High School

315 E. Croton Way

Howey in the Hills FL 34737

Phone: 352-406-2592

High School Athletics

Don Bridges, Director of Athletics - Opponent

Polk County Schools

1925 S. Floral Avenue

Bartow FL 33830

Phone: 863-534-0635

High School Athletics

Jim Clark, Athletic Representative - Waive In Opposition

Sarasota County School Board

5692 Country Walk Lane

Sarasota FL 34233

Phone: 941-915-0022

High School Athletics

Nick Grasso - Waive In Opposition

Pinella County Schools

301 4th SW

Largo FL

Phone: 727-588-6125

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 1403 : High School Athletics (continued)**

**Appearances: (continued)**

Jody Phillips - Information Only  
Forest High School and FIAAA  
5000 SE Maricamp Road  
Ocala Florida 34480  
Phone: 352-671-4700

High School Athletics  
Derek Kurnitsky, Teacher/Coach - Waive In Opposition  
Port St. Joe High School  
129 Hunter Circle  
Port St. Joe FL 32456  
Phone: 850-340-1960

Dan Worley - Opponent  
Trinity Christain Academy  
12366 Anarania Drive  
Jacksonville FL 32220  
Phone: 904-728-2995

High School Athletics  
Bruce Sheffield - Waive In Opposition  
Citrus Co. Schools  
1007 W. Main Street  
Inversness FL 34450  
Phone: 352-726-1931

Larry Roziers - Opponent  
1701 Prudential Drive  
Jacksonville FL

Sherry Singleary - Information Only  
Florida Parent - Educators Association Director  
1475 Bethel Church Road  
Tallahassee FL 32304  
Phone: 850-508-5098

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1403 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION ✓ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Stargel offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:  
6 Section 1. Paragraph (a) of subsection (17) of section  
7 1002.20, Florida Statutes, is amended to read:

8 1002.20 K-12 student and parent rights.—Parents of public  
9 school students must receive accurate and timely information  
10 regarding their child's academic progress and must be informed  
11 of ways they can help their child to succeed in school. K-12  
12 students and their parents are afforded numerous statutory  
13 rights including, but not limited to, the following:

14 (17) ATHLETICS; PUBLIC HIGH SCHOOL.—

15 (a) Eligibility.—Eligibility requirements for all students  
16 participating in high school athletic competition must allow a  
17 student to be eligible in the school in which he or she first  
18 enrolls each school year, the school in which the student ~~or~~  
19 makes himself or herself a candidate for an athletic team by

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20 engaging in practice before enrolling, or the school to which  
21 the student has transferred with approval of the district school  
22 board, in accordance with the provisions of s. 1006.20(2)(a).

23 Section 2. Section 1006.20, Florida Statutes, is amended  
24 to read:

25 1006.20 Athletics in public K-12 schools.—

26 (1) GOVERNING NONPROFIT ORGANIZATION.—The Florida High  
27 School Athletic Association (FHSAA) is designated as the  
28 governing nonprofit organization of athletics in Florida public  
29 schools. If the FHSAA Florida High School Athletic Association  
30 fails to meet the provisions of this section, the commissioner  
31 shall designate a nonprofit organization to govern athletics  
32 with the approval of the State Board of Education. The FHSAA  
33 ~~organization~~ is not ~~to be~~ a state agency as defined in s.  
34 120.52. The FHSAA organization shall be subject to the  
35 provisions of s. 1006.19. A private school that wishes to engage  
36 in high school athletic competition with a public high school  
37 may become a member of the FHSAA organization. Any high school  
38 in the state, including charter schools, virtual schools, and  
39 home education cooperatives, may become a member of the FHSAA  
40 and participate in the activities of the FHSAA. However,  
41 membership in the FHSAA is not mandatory for any school. The  
42 bylaws of the FHSAA organization are ~~to be~~ the rules by which  
43 high school athletic programs in its member schools, and the  
44 students who participate in them, are governed, unless otherwise  
45 specifically provided by statute. For the purposes of this  
46 section, "high school" includes grades 6 through 12.

47 (2) ADOPTION OF BYLAWS.—

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48 (a) The FHSAA organization shall adopt bylaws that, unless  
49 specifically provided by statute, establish eligibility  
50 requirements for all students who participate in high school  
51 athletic competition in its member schools. The bylaws governing  
52 residence and transfer shall allow the student to be eligible in  
53 the school in which he or she first enrolls each school year, or  
54 the school in which the student makes himself or herself a  
55 candidate for an athletic team by engaging in a practice prior  
56 to enrolling in the any member school. The bylaws shall also  
57 allow the student to be eligible in the school to which the  
58 student has transferred during the school year if the transfer  
59 is made by a deadline established by the FHSAA, which may not be  
60 prior to the date authorized for the beginning of practice for  
61 the sport. These transfers shall be allowed pursuant to the  
62 district school board policies in the case of transfer to a  
63 public school or pursuant to the private school policies in the  
64 case of transfer to a private school. The student shall be  
65 eligible in that school so long as he or she remains enrolled in  
66 that school. Subsequent eligibility shall be determined and  
67 enforced through the FHSAA's organization's bylaws. Requirements  
68 governing eligibility and transfer between member schools shall  
69 be applied similarly to public school students and private  
70 school students.

71 (b) The FHSAA organization shall adopt bylaws that  
72 specifically prohibit the recruiting of students for athletic  
73 purposes. The bylaws shall prescribe penalties and an appeals  
74 process for athletic recruiting violations. If it is determined  
75 that a school has recruited a student in violation of FHSAA

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76 bylaws, the FHSAA may require the school to participate in a  
77 higher classification for the sport in which the recruited  
78 student competes for a minimum of one classification cycle, in  
79 addition to any other appropriate fine and sanction imposed on  
80 the school, its coaches, or adult representatives who violate  
81 recruiting rules. A student may not be declared ineligible based  
82 on violation of recruiting rules unless the student or parent  
83 has falsified any enrollment or eligibility document or accepted  
84 any benefit or any promise of benefit if such benefit is not  
85 generally available to the school's students or family members  
86 or is based in any way on athletic interest, potential, or  
87 performance.

88 (c) The FHSAA ~~organization~~ shall adopt bylaws that require  
89 all students participating in interscholastic athletic  
90 competition or who are candidates for an interscholastic  
91 athletic team to satisfactorily pass a medical evaluation each  
92 year prior to participating in interscholastic athletic  
93 competition or engaging in any practice, tryout, workout, or  
94 other physical activity associated with the student's candidacy  
95 for an interscholastic athletic team. Such medical evaluation  
96 may ~~can only~~ be administered only by a practitioner licensed  
97 under ~~the provisions of~~ chapter 458, chapter 459, chapter 460,  
98 or s. 464.012, and in good standing with the practitioner's  
99 regulatory board. The bylaws shall establish requirements for  
100 eliciting a student's medical history and performing the medical  
101 evaluation required under this paragraph, which shall include a  
102 physical assessment of the student's physical capabilities to  
103 participate in interscholastic athletic competition as contained

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104 in a uniform preparticipation physical evaluation and history  
105 form. The evaluation form shall incorporate the recommendations  
106 of the American Heart Association for participation  
107 cardiovascular screening and shall provide a place for the  
108 signature of the practitioner performing the evaluation with an  
109 attestation that each examination procedure listed on the form  
110 was performed by the practitioner or by someone under the direct  
111 supervision of the practitioner. The form shall also contain a  
112 place for the practitioner to indicate if a referral to another  
113 practitioner was made in lieu of completion of a certain  
114 examination procedure. The form shall provide a place for the  
115 practitioner to whom the student was referred to complete the  
116 remaining sections and attest to that portion of the  
117 examination. The preparticipation physical evaluation form shall  
118 advise students to complete a cardiovascular assessment and  
119 shall include information concerning alternative cardiovascular  
120 evaluation and diagnostic tests. Results of such medical  
121 evaluation must be provided to the school. No student shall be  
122 eligible to participate in any interscholastic athletic  
123 competition or engage in any practice, tryout, workout, or other  
124 physical activity associated with the student's candidacy for an  
125 interscholastic athletic team until the results of the medical  
126 evaluation have been received and approved by the school.

127 (d) Notwithstanding the provisions of paragraph (c), a  
128 student may participate in interscholastic athletic competition  
129 or be a candidate for an interscholastic athletic team if the  
130 parent of the student objects in writing to the student  
131 undergoing a medical evaluation because such evaluation is

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132 contrary to his or her religious tenets or practices. However,  
133 in such case, there shall be no liability on the part of any  
134 person or entity in a position to otherwise rely on the results  
135 of such medical evaluation for any damages resulting from the  
136 student's injury or death arising directly from the student's  
137 participation in interscholastic athletics where an undisclosed  
138 medical condition that would have been revealed in the medical  
139 evaluation is a proximate cause of the injury or death.

140 (e) The FHSAA shall adopt bylaws that regulate persons who  
141 conduct investigations on behalf of the FHSAA. The bylaws shall  
142 include provisions that require an investigator to:

143 1. Undergo level 2 background screening under s. 435.04,  
144 establishing that the investigator has not committed any  
145 disqualifying offense listed in s. 435.04, unless the  
146 investigator can provide proof of compliance with level 2  
147 screening standards submitted within the previous 5 years to  
148 meet any professional licensure requirements, provided:

149 a. The investigator has not had a break in service from a  
150 position that requires level 2 screening for more than 90 days;  
151 and

152 b. The investigator submits, under penalty of perjury, an  
153 affidavit verifying that the investigator has not committed any  
154 disqualifying offense listed in s. 435.04 and is in full  
155 compliance with this paragraph.

156 2. Be appointed as an investigator by the executive  
157 director.

158 3. Carry a photo identification card that shows the FHSAA  
159 name, logo, and the investigator's official title.

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160 4. Adhere to the following guidelines:

161 a. Investigate only those alleged violations assigned by  
162 the executive director or the board of directors.

163 b. Conduct interviews on Monday through Friday between the  
164 hours of 9 a.m. and 7 p.m. only, unless previously agreed to by  
165 the interviewee.

166 c. Allow the parent of any student being interviewed to be  
167 present during the interview.

168 d. Search residences or other private areas only with the  
169 permission of the executive director and the written consent of  
170 the student's parent and only with a parent or a representative  
171 of the parent present.

172 (f) The FHSAA shall adopt bylaws that establish sanctions  
173 for coaches who have committed major violations of the FHSAA's  
174 bylaws and policies.

175 1. Major violations include, but are not limited to,  
176 knowingly allowing an ineligible student to participate in a  
177 contest representing a member school in an interscholastic  
178 contest or committing a violation of the FHSAA's recruiting or  
179 sportsmanship policies.

180 2. Sanctions placed upon an individual coach may include,  
181 but are not limited to, prohibiting or suspending the coach from  
182 coaching, participating in, or attending any athletic activity  
183 sponsored, recognized, or sanctioned by the FHSAA and the member  
184 school for which the coach committed the violation. If a coach  
185 is sanctioned by the FHSAA and the coach transfers to another  
186 member school, those sanctions remain in full force and effect  
187 during the term of the sanction.

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188 3. If a member school is assessed a financial penalty as a  
189 result of a coach committing a major violation, the coach shall  
190 reimburse the member school before being allowed to coach,  
191 participate in, or attend any athletic activity sponsored,  
192 recognized, or sanctioned by the FHSAA and a member school.

193 4. The FHSAA shall establish a due process procedure for  
194 coaches sanctioned under this paragraph, consistent with the  
195 appeals procedures set forth in subsection (7).

196 (g) The FHSAA shall adopt bylaws establishing the process  
197 and standards by which FHSAA determinations of eligibility are  
198 made. Such bylaws shall provide that:

199 1. Ineligibility must be established by clear and  
200 convincing evidence;

201 2. Student athletes, parents, and schools must have notice  
202 of the initiation of any investigation or other inquiry into  
203 eligibility and may present, to the investigator and to the  
204 individual making the eligibility determination, any information  
205 or evidence that is credible, persuasive, and of a kind  
206 reasonably prudent persons rely upon in the conduct of serious  
207 affairs;

208 3. An investigator may not determine matters of  
209 eligibility but must submit information and evidence to the  
210 executive director or a person designated by the executive  
211 director or by the board of directors for an unbiased and  
212 objective determination of eligibility; and

213 4. A determination of ineligibility must be made in  
214 writing, setting forth the findings of fact and specific  
215 violation upon which the decision is based.

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216        (h) In lieu of bylaws adopted under paragraph (g), the  
217 FHSAA may adopt bylaws providing as a minimum the procedural  
218 safeguards of ss. 120.569 and 120.57, making appropriate  
219 provision for appointment of unbiased and qualified hearing  
220 officers.

221        (i) The FHSAA bylaws may not limit the competition of  
222 student athletes prospectively for rule violations of their  
223 school or its coaches or their adult representatives. The FHSAA  
224 bylaws may not unfairly punish student athletes for eligibility  
225 or recruiting violations perpetrated by a teammate, coach, or  
226 administrator. Contests may not be forfeited for inadvertent  
227 eligibility violations unless the coach or a school  
228 administrator should have known of the violation. Contests may  
229 not be forfeited for other eligibility violations or recruiting  
230 violations in excess of the number of contests that the coaches  
231 and adult representatives responsible for the violations are  
232 prospectively suspended.

233        (3) GOVERNING STRUCTURE OF THE ORGANIZATION.—

234        (a) The FHSAA organization shall operate as a  
235 representative democracy in which the sovereign authority is  
236 within its member schools. Except as provided in this section,  
237 the FHSAA organization shall govern its affairs through its  
238 bylaws.

239        (b) Each member school, on its annual application for  
240 membership, shall name its official representative to the FHSAA  
241 organization. This representative must be either the school  
242 principal or his or her designee. That designee must either be

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243 an assistant principal or athletic director housed within that  
244 same school.

245 (c) The FHSAA's ~~organization's~~ membership shall be divided  
246 along existing county lines into four contiguous and compact  
247 administrative regions, each containing an equal or nearly equal  
248 number of member schools to ensure equitable representation on  
249 the FHSAA's ~~organization's~~ board of directors, representative  
250 assembly, and appeals committees ~~committee on appeals~~.

251 (4) BOARD OF DIRECTORS.—

252 (a) The executive authority of the FHSAA ~~organization~~  
253 shall be vested in its board of directors. Any entity that  
254 appoints members to the board of directors shall examine the  
255 ethnic and demographic composition of the board when selecting  
256 candidates for appointment and shall, to the greatest extent  
257 possible, make appointments that reflect state demographic and  
258 population trends. The board of directors shall be composed of  
259 16 persons, as follows:

260 1. Four public member school representatives, one elected  
261 from among its public school representative members within each  
262 of the four administrative regions.

263 2. Four nonpublic member school representatives, one  
264 elected from among its nonpublic school representative members  
265 within each of the four administrative regions.

266 3. Three representatives appointed by the commissioner,  
267 one appointed from the two northernmost administrative regions  
268 and one appointed from the two southernmost administrative  
269 regions. The third representative shall be appointed to balance  
270 the board for diversity or state population trends, or both.

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271 4. Two district school superintendents, one elected from  
272 the two northernmost administrative regions by the members in  
273 those regions and one elected from the two southernmost  
274 administrative regions by the members in those regions.

275 5. Two district school board members, one elected from the  
276 two northernmost administrative regions by the members in those  
277 regions and one elected from the two southernmost administrative  
278 regions by the members in those regions.

279 6. The commissioner or his or her designee from the  
280 department executive staff.

281 (b) A quorum of the board of directors shall consist of  
282 nine members.

283 (c) The board of directors shall elect a president and a  
284 vice president from among its members. These officers shall also  
285 serve as officers of the FHSAA ~~organization~~.

286 (d) Members of the board of directors shall serve terms of  
287 3 years and are eligible to succeed themselves only once. A  
288 member of the board of directors, other than the commissioner or  
289 his or her designee, may serve a maximum of 6 consecutive years.  
290 The FHSAA's ~~organization's~~ bylaws shall establish a rotation of  
291 terms to ensure that a majority of the members' terms do not  
292 expire concurrently.

293 (e) The authority and duties of the board of directors,  
294 acting as a body and in accordance with the FHSAA's  
295 ~~organization's~~ bylaws, are as follows:

296 1. To act as the incorporated FHSAA's ~~organization's~~ board  
297 of directors and to fulfill its obligations as required by the  
298 FHSAA's ~~organization's~~ charter and articles of incorporation.

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299 2. To establish such guidelines, regulations, policies,  
300 and procedures as are authorized by the bylaws.

301 3. To ~~employ provide~~ an FHSAA executive director  
302 ~~organization commissioner~~, who shall have the authority to waive  
303 the bylaws of the FHSAA organization in order to comply with  
304 statutory changes.

305 4. To levy annual dues and other fees and to set the  
306 percentage of contest receipts to be collected by the FHSAA  
307 ~~organization~~.

308 5. To approve the budget of the FHSAA organization.

309 6. To organize and conduct statewide interscholastic  
310 competitions, which may or may not lead to state championships,  
311 and to establish the terms and conditions for these  
312 competitions.

313 7. To act as an administrative board in the interpretation  
314 of, and final decision on, all questions and appeals arising  
315 from the directing of interscholastic athletics of member  
316 schools.

317 (5) REPRESENTATIVE ASSEMBLY.—

318 (a) The legislative authority of the FHSAA organization is  
319 vested in its representative assembly.

320 (b) The representative assembly shall be composed of the  
321 following:

322 1. An equal number of member school representatives from  
323 each of the four administrative regions.

324 2. Four district school superintendents, one elected from  
325 each of the four administrative regions by the district school  
326 superintendents in their respective administrative regions.

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327 3. Four district school board members, one elected from  
328 each of the four administrative regions by the district school  
329 board members in their respective administrative regions.

330 4. The commissioner or his or her designee from the  
331 department executive staff.

332 (c) The FHSAA's ~~organization's~~ bylaws shall establish the  
333 number of member school representatives to serve in the  
334 representative assembly from each of the four administrative  
335 regions and shall establish the method for their selection.

336 (d) No member of the board of directors other than the  
337 commissioner or his or her designee can serve in the  
338 representative assembly.

339 (e) The representative assembly shall elect a chairperson  
340 and a vice chairperson from among its members.

341 (f) Elected members of the representative assembly shall  
342 serve terms of 2 years and are eligible to succeed themselves  
343 for two additional terms. An elected member, other than the  
344 commissioner or his or her designee, may serve a maximum of 6  
345 consecutive years in the representative assembly.

346 (g) A quorum of the representative assembly consists of  
347 one more than half of its members.

348 (h) The authority of the representative assembly is  
349 limited to its sole duty, which is to consider, adopt, or reject  
350 any proposed amendments to the FHSAA's ~~organization's~~ bylaws.

351 (i) The representative assembly shall meet as a body  
352 annually. A two-thirds majority of the votes cast by members  
353 present is required for passage of any proposal.

354 (6) PUBLIC LIAISON ADVISORY COMMITTEE.-

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355 (a) The FHSAA ~~organization~~ shall establish, sustain, fund,  
356 and provide staff support to a public liaison advisory committee  
357 composed of the following:

- 358 1. The commissioner or his or her designee.
- 359 2. A member public school principal.
- 360 3. A member private school principal.
- 361 4. A member school principal who is a member of a racial  
362 minority.
- 363 5. An active athletic director.
- 364 6. An active coach, who is employed full time by a member  
365 school.
- 366 7. A student athlete.
- 367 8. A district school superintendent.
- 368 9. A district school board member.
- 369 10. A member of the Florida House of Representatives.
- 370 11. A member of the Florida Senate.
- 371 12. A parent of a high school student.
- 372 13. A member of a home education association.
- 373 14. A representative of the business community.
- 374 15. A representative of the news media.

375 (b) No member of the board of directors, committee on  
376 appeals, or representative assembly is eligible to serve on the  
377 public liaison advisory committee.

378 (c) The public liaison advisory committee shall elect a  
379 chairperson and vice chairperson from among its members.

380 (d) The authority and duties of the public liaison  
381 advisory committee are as follows:



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382 1. To act as a conduit through which the general public  
383 may have input into the decisionmaking process of the FHSAA  
384 ~~organization~~ and to assist the FHSAA ~~organization~~ in the  
385 development of procedures regarding the receipt of public input  
386 and disposition of complaints related to high school athletic  
387 and competition programs.

388 2. To conduct public hearings annually in each of the four  
389 administrative regions during which interested parties may  
390 address issues regarding the effectiveness of the rules,  
391 operation, and management of the FHSAA ~~organization~~.

392 3. To conduct an annual evaluation of the FHSAA  
393 ~~organization~~ as a whole and present a report of its findings,  
394 conclusion, and recommendations to the board of directors, to  
395 the commissioner, and to the respective education committees of  
396 the Florida Senate and the Florida House of Representatives. The  
397 recommendations must delineate policies and procedures that will  
398 improve the implementation and oversight of high school athletic  
399 programs by the FHSAA ~~organization~~.

400 (e) The public liaison advisory committee shall meet four  
401 times annually. Additional meetings may be called by the  
402 committee chairperson, the FHSAA ~~organization~~ president, or the  
403 FHSAA executive director ~~organization commissioner~~.

404 (7) APPEALS.—

405 (a) The FHSAA ~~organization~~ shall establish a procedure of  
406 due process which ensures each student the opportunity to appeal  
407 an unfavorable ruling with regard to his or her eligibility to  
408 compete. The initial appeal shall be made to a committee on  
409 appeals within the administrative region in which the student

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Published On: 2/27/2012 10:44:46 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1403 (2012)

Amendment No. 1

410 lives. The FHSAA's ~~organization's~~ bylaws shall establish the  
411 number, size, and composition of each ~~the~~ committee on appeals.

412 (b) No member of the board of directors is eligible to  
413 serve on a ~~the~~ committee on appeals.

414 (c) Members of a ~~the~~ committee on appeals shall serve  
415 terms of 3 years and are eligible to succeed themselves only  
416 once. A member of a ~~the~~ committee on appeals may serve a maximum  
417 of 6 consecutive years. The FHSAA's ~~organization's~~ bylaws shall  
418 establish a rotation of terms to ensure that a majority of the  
419 members' terms do not expire concurrently.

420 (d) The authority and duties of a ~~the~~ committee on appeals  
421 shall be to consider requests by member schools seeking  
422 exceptions to bylaws and regulations, to hear undue hardship  
423 eligibility cases filed by member schools on behalf of student  
424 athletes, and to hear appeals filed by member schools or student  
425 athletes.

426 (e) A student athlete or member school that receives an  
427 unfavorable ruling from a committee on appeals shall be entitled  
428 to appeal that decision to the board of directors at its next  
429 regularly scheduled meeting or called meeting. The board of  
430 directors shall have the authority to uphold, reverse, or amend  
431 the decision of the committee on appeals. In all such cases, the  
432 decision of the board of directors shall be final.

433 (f) The FHSAA shall expedite the appeals process on  
434 determinations of ineligibility so that disposition of the  
435 appeal can be made before the end of the applicable sports  
436 season, if possible.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1403 (2012)

Amendment No. 1

437 (g) In any appeal from a decision on eligibility made by  
438 the executive director or a designee, a school or student  
439 athlete filing the appeal must be permitted to present  
440 information and evidence that was not available at the time of  
441 the initial determination or if the determination was not made  
442 by an unbiased, objective individual using a process allowing  
443 full due process rights to be heard and to present evidence. If  
444 evidence is presented on appeal, a de novo decision must be made  
445 by the committee or board hearing the appeal, or the  
446 determination may be suspended and the matter remanded for a new  
447 determination based on all the evidence. If a de novo decision  
448 is made on appeal, the decision must be made in writing, setting  
449 forth the findings of fact and specific violation upon which the  
450 decision is based. If a de novo decision is not required, the  
451 decision appealed must be set aside if the decision on  
452 ineligibility was not based on clear and convincing evidence.  
453 Any further appeal shall be considered on a record that includes  
454 all evidence presented.

455 (8) AMENDMENT OF BYLAWS.—Each member school  
456 representative, the board of directors acting as a whole or as  
457 members acting individually, any advisory committee acting as a  
458 whole to be established by the FHSAA organization, and the  
459 FHSAA's executive director ~~organization's commissioner~~ are  
460 empowered to propose amendments to the bylaws. Any other  
461 individual may propose an amendment by securing the sponsorship  
462 of any of the aforementioned individuals or bodies. All proposed  
463 amendments must be submitted directly to the representative  
464 assembly for its consideration. The representative assembly,

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Published On: 2/27/2012 10:44:46 AM

Amendment No. 1

465 while empowered to adopt, reject, or revise proposed amendments,  
466 may not, in and of itself, as a body be allowed to propose any  
467 amendment for its own consideration.

468 ~~(9) RULES ADOPTION. The bylaws of the organization shall~~  
469 ~~require member schools to adopt rules for sports, which have~~  
470 ~~been established by a nationally recognized sanctioning body,~~  
471 ~~unless waived by at least a two-thirds vote of the board of~~  
472 ~~directors.~~

473 Section 3. Paragraph (g) is added to subsection (2) of  
474 section 1012.468, Florida Statutes, to read:

475 1012.468 Exceptions to certain fingerprinting and criminal  
476 history checks.—

477 (2) A district school board shall exempt from the  
478 screening requirements set forth in ss. 1012.465 and 1012.467  
479 the following noninstructional contractors:

480 (g) An investigator for the Florida High School Athletic  
481 Association (FHSA) who meets the requirements under s.  
482 1006.20(2)(e).

483 Section 4. This act shall take effect July 1, 2012.

484

485

486

-----  
**T I T L E A M E N D M E N T**

487  
488 Remove the entire title and insert:

489 A bill to be entitled

490 An act relating to high school athletics; amending s. 1002.20,  
491 F.S.; conforming provisions; amending s. 1006.20, F.S.;

492 authorizing high schools, including charter schools, virtual  
941309 - h1403-strike.docx

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1403 (2012)

Amendment No. 1

493 schools, and home education cooperatives, to become members of  
494 the FHSAA; requiring the FHSAA to adopt bylaws to allow a  
495 student who transfers schools to be eligible to participate in  
496 athletics if certain conditions are met; authorizing certain  
497 penalties for a recruiting violation; requiring the FHSAA to  
498 adopt bylaws to regulate investigators and sanction coaches who  
499 commit major violations; specifying sanctions and procedures;  
500 requiring the FHSAA to adopt bylaws establishing the process and  
501 standards by which determinations of eligibility are made;  
502 authorizing the FHSAA to adopt bylaws providing certain  
503 procedural safeguards; prohibiting FHSAA bylaws from  
504 prospectively limiting the competition of certain student  
505 athletes and from unfairly punishing student athletes for  
506 violations perpetrated by a teammate, coach, or administrator;  
507 providing requirements for the forfeiture of contests under  
508 certain conditions; requiring an expedited appeals process on  
509 determinations of ineligibility; authorizing a school or student  
510 athlete filing an appeal to present information and evidence;  
511 providing requirements for de novo decisions on appeal; deleting  
512 provisions relating to rule adoption; amending s. 1012.468,  
513 F.S.; providing background screening exceptions for certain  
514 investigators for the FHSAA; providing an effective date.

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/HB 4057 : Physical Education in the Public Schools**

*Temporarily Deferred*

### **CS/HB 4057 Amendments**

#### **Amendment 134127**

*Temporarily Deferred*

#### **Amendment 167457**

*Temporarily Deferred*

#### **Amendment 174425**

*Temporarily Deferred*

#### **Amendment 466609**

*Temporarily Deferred*

#### **Amendment 494323**

*Temporarily Deferred*

#### **Amendment 777039**

*Temporarily Deferred*

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER ✓ TP

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Garcia offered the following:

4 **Amendment (with title amendment)**

5 Remove lines 15-21 and insert:  
6 through grade 5 and for students in grade 6 who are enrolled in  
7 a school that contains one or more elementary grades so that on  
8 any day during which physical education instruction is conducted  
9 there are at least 30 consecutive minutes per day. ~~Beginning~~  
10 ~~with the 2009-2010 school year,~~ The equivalent of one class  
11 period per day of physical education for one semester of each  
12 year is required for students enrolled in grades 6 through 8.

14 -----  
15 **T I T L E A M E N D M E N T**

16 Remove lines 4-6 and insert:  
17 an obsolete provision; providing an effective date.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)

ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)

ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)

FAILED TO ADOPT \_\_\_\_\_ (Y/N)

WITHDRAWN \_\_\_\_\_ (Y/N)

OTHER ✓ TP

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Garcia offered the following:

3  
4 **Amendment**

5 Remove lines 15-16 and insert:  
6 through grade 5 and for students in grade 6 who are enrolled in  
7 a school that contains one or more elementary grades so that on



Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER	✓ TP	

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Garcia offered the following:

**Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsections (3), (4), and (5) of section  
 7 1003.455, Florida Statutes, are amended to read:

8 1003.455. Physical education; assessment.-

9 (3) Each district school board shall provide 150 minutes  
 10 of physical education each week for students in kindergarten  
 11 through grade 5 and for students in grade 6 who are enrolled in  
 12 a school that contains one or more elementary grades so that on  
 13 any day during which physical education instruction is conducted  
 14 there are at least 30 consecutive minutes per day.

15 (4) ~~Beginning with the 2009-2010 school year,~~ The  
 16 equivalent of one class period per day of physical education for  
 17 one semester of each year is required for students enrolled in  
 18 grades 6 through 8. Students enrolled in such instruction shall  
 19 be reported through the periodic student membership surveys, and

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 3

20 records of such enrollment shall be audited pursuant to s.  
21 1010.305. Such instruction may be provided by any instructional  
22 personnel as defined in s. 1012.01(2), regardless of  
23 certification, who are designated by the school principal.

24 (5)(4) The requirements requirement in subsections (3) and  
25 (4) subsection (3) shall be waived for one semester per school  
26 year for a student who meets one of the following criteria:

27 (a) The student is enrolled or required to enroll in a  
28 remedial course.

29 (b) The student's parent requests ~~indicates~~ in writing ~~to~~  
30 ~~the school that:~~

31 ~~1. The parent requests that the student enroll in another~~  
32 ~~course, which may include, but is not limited to, from among~~  
33 ~~these~~ courses offered as options by the school district; or

34 (c)2. The student's parent certifies in writing and  
35 provides documentation to the school that the student is  
36 participating in physical activities outside the school day  
37 which are equal to or in excess of the mandated requirement.

38 (6)(5) Each school district shall notify the student's  
39 parent of the options available under subsection (5) subsection  
40 ~~(4)~~ before scheduling the student to participate in physical  
41 education.

42 Section 2. This act shall take effect July 1, 2012.

-----  
45 **T I T L E A M E N D M E N T**

46 Remove the entire title and insert:

47 A bill to be entitled

134127 - amendmentdraft41164.docx

Published On: 2/27/2012 10:34:25 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 3

48 An act relating to physical education in the public  
49 schools; amending s. 1003.455, F.S.; limiting the  
50 parental waiver of physical education requirements for  
51 students in kindergarten through grade 8 to one  
52 semester per school year; revising requirements for  
53 the parental waivers; deleting an obsolete provision;  
54 reorganizing and conforming provisions; providing an  
55 effective date.

56

57 WHEREAS, every year, an estimated 300,000 people in the  
58 United States die because they are overweight or obese, and

59 WHEREAS, since 1970, the number of overweight children in  
60 the state has increased by 300 percent, and

61 WHEREAS, overweight or obese children experience the same  
62 risk factors associated with heart disease in adults, such as  
63 high blood pressure, high cholesterol levels, and Type 2  
64 diabetes, formerly cited as adult-onset diabetes, and

65 WHEREAS, studies have shown that up to 80 percent of  
66 overweight adolescents become overweight adults, and

67 WHEREAS, the annual economic impact on the health care  
68 system of the United States from obesity is estimated by the  
69 Centers for Disease Control and Prevention to be \$147 billion,  
70 and

71 WHEREAS, a recent study by a major insurance carrier stated  
72 that 50 percent of all Americans will develop diabetes by 2020,  
73 which is estimated to cost the health care system approximately  
74 \$3.35 trillion if current trends in obesity are not abated, and

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 3

75 WHEREAS, early education on proper physical fitness and  
76 nutrition provide a foundation for a child's future, in a  
77 similar manner as learning to read, which prepares the child for  
78 success in his or her life and academic achievement, NOW,  
79 THEREFORE,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER	✓ TP	

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Garcia offered the following:

3  
 4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:  
 6 Section 1. Subsections (3), (4), and (5) of section

7 1003.455, Florida Statutes, are amended to read:  
 8 1003.455 Physical education; assessment.-

9 (3) Each district school board shall provide 150 minutes  
 10 of physical education each week for students in kindergarten  
 11 through grade 5 ~~and for students in grade 6 who are enrolled in~~  
 12 ~~a school that contains one or more elementary grades~~ so that on  
 13 any day during which physical education instruction is conducted  
 14 there are at least 30 consecutive minutes per day.

15 (4) Each district school board shall provide 225 minutes  
 16 of physical education each week for students in grade 6 who are  
 17 enrolled in a school that contains one or more elementary grades  
 18 so that on any day during which physical education instruction  
 19 is conducted there are at least 45 consecutive minutes per day.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 4

20 (5) ~~Beginning with the 2009-2010 school year,~~ The  
21 equivalent of one class period per day of physical education for  
22 one semester of each year is required for students enrolled in  
23 grades 6 through 8. Students enrolled in such instruction shall  
24 be reported through the periodic student membership surveys, and  
25 records of such enrollment shall be audited pursuant to s.  
26 1010.305. Such instruction may be provided by any instructional  
27 personnel as defined in s. 1012.01(2), regardless of  
28 certification, who are designated by the school principal.

29 (6)-(4) The requirements ~~requirement~~ in subsections (3)-(5)  
30 ~~subsection (3)~~ shall be waived for one semester per school year  
31 for a student who meets one of the following criteria:

32 (a) The student is enrolled or required to enroll in a  
33 remedial course.

34 (b) The student's parent requests ~~indicates~~ in writing ~~to~~  
35 ~~the school that:~~

36 ~~1. The parent requests that the student enroll in another~~  
37 course, which may include, but is not limited to, from among  
38 ~~these~~ courses offered as options by the school district; or

39 (c)2. The student's parent certifies in writing and  
40 provides documentation to the school that the student is  
41 participating in physical activities outside the school day  
42 which are equal to or in excess of the mandated requirement.

43 (7)-(5) Each school district shall notify the student's  
44 parent of the options available under subsection (6) ~~subsection~~  
45 ~~(4)~~ before scheduling the student to participate in physical  
46 education.

47 Section 2. This act shall take effect July 1, 2012.

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Published On: 2/27/2012 10:35:29 AM

Amendment No. 4

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**T I T L E   A M E N D M E N T**

51

Remove the entire title and insert:

52

A bill to be entitled

53

An act relating to physical education in the public

54

schools; amending s. 1003.455, F.S.; revising the

55

amount of physical education that district school

56

boards must provide each week for students in grade 6

57

who are enrolled in schools that contain one or more

58

elementary grades; limiting the parental waiver of

59

physical education requirements for students in

60

kindergarten through grade 8 to one semester per

61

school year; revising requirements for the parental

62

waivers; deleting an obsolete provision; reorganizing

63

and conforming provisions; providing an effective

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date.

65

66

WHEREAS, every year, an estimated 300,000 people in the

67

United States die because they are overweight or obese, and

68

WHEREAS, since 1970, the number of overweight children in

69

the state has increased by 300 percent, and

70

WHEREAS, overweight or obese children experience the same

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risk factors associated with heart disease in adults, such as

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high blood pressure, high cholesterol levels, and Type 2

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diabetes, formerly cited as adult-onset diabetes, and

74

WHEREAS, studies have shown that up to 80 percent of

75

overweight adolescents become overweight adults, and

174425 - amendmentdraft41165.docx

Published On: 2/27/2012 10:35:29 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 4

76 WHEREAS, the annual economic impact on the health care  
77 system of the United States from obesity is estimated by the  
78 Centers for Disease Control and Prevention to be \$147 billion,  
79 and

80 WHEREAS, a recent study by a major insurance carrier stated  
81 that 50 percent of all Americans will develop diabetes by 2020,  
82 which is estimated to cost the health care system approximately  
83 \$3.35 trillion if current trends in obesity are not abated, and

84 WHEREAS, early education on proper physical fitness and  
85 nutrition provide a foundation for a child's future, in a  
86 similar manner as learning to read, which prepares the child for  
87 success in his or her life and academic achievement, NOW,  
88 THEREFORE,



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)

ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)

ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)

FAILED TO ADOPT \_\_\_\_\_ (Y/N)

WITHDRAWN \_\_\_\_\_ (Y/N)

OTHER

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1 Committee/Subcommittee hearing bill: Education Committee

2 Representative Kiar offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove line 15 and insert:

6 through grade 8 ~~5~~ and for students in grade ~~6~~ who are enrolled  
7 in

8  
9  
10  
11 -----  
12 **T I T L E A M E N D M E N T**

13 Remove line 3 and insert:

14 schools; amending s. 1003.455, F.S.; revising

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER  TP

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Kiar offered the following:

3  
 4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6  
 7 Section 1. Subsections (3), (4), and (5) of section  
 8 1003.455, Florida Statutes, are amended to read:

9 1003.455 Physical education; assessment.—

10 (3) Each district school board shall provide 150 minutes  
 11 of physical education each week for students in kindergarten  
 12 through grade 5 and for students in grade 6 who are enrolled in  
 13 a school that contains one or more elementary grades so that on  
 14 any day during which physical education instruction is conducted  
 15 there are at least 30 consecutive minutes per day.

16 ~~(4) Beginning with the 2009-2010 school year,~~ The  
 17 equivalent of one class period per day of physical education for  
 18 one semester of each year is required for students enrolled in  
 19 grades 6 through 8. Students enrolled in such instruction shall

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 6

20 be reported through the periodic student membership surveys, and  
21 records of such enrollment shall be audited pursuant to s.  
22 1010.305. Such instruction shall ~~may~~ be provided by a certified  
23 physical education teacher to ensure that physical education  
24 instruction is delivered by a highly qualified teacher  
25 commensurate with the subject area ~~any instructional personnel~~  
26 ~~as defined in s. 1012.01(2), regardless of certification, who~~  
27 ~~are designated by the school principal.~~

28 ~~(5)(4)~~ The requirement in subsection (4) ~~(3)~~ shall be  
29 waived for a student for a period of one semester each year who  
30 meets one of the following criteria:

31 (a) The student is enrolled or required to enroll in a  
32 remedial course.

33 (b) The student's parent indicates in writing to the  
34 school that:

35 ~~1. The parent requests that the student is enrolled enroll~~  
36 ~~in another course, including, but not limited to, from among~~  
37 ~~these courses offered as options by the school district, or~~

38 (c)2. The student's parent indicates in writing and  
39 provides documentation to the school that the student is  
40 participating in physical activities outside the school day  
41 which are equal to or in excess of the mandated requirement.

42 ~~(6)(5)~~ Each school district shall notify the student's  
43 parent of the options available under subsection (5) ~~(4)~~ before  
44 scheduling the student to participate in physical education.

45 Section 2. This act shall take effect July 1, 2012.

Amendment No. 6

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**T I T L E   A M E N D M E N T**

Remove the entire title and insert:

A bill to be entitled

An act relating to physical education in the public schools; amending s. 1003.455, F.S.; requiring that students in grades 6 through 8 shall receive physical education instruction by a certified physical education teacher; providing that a student may have the physical education requirement waived for a period of one semester each year under certain circumstances; providing an effective date.

WHEREAS, every year an estimated 300,000 people in the United States die because they are overweight or obese, and

WHEREAS, since 1970, the number of overweight children in Florida has increased by 300 percent, and

WHEREAS, overweight or obese children experience the same risk factors associated with heart disease in adults such as high blood pressure, high cholesterol levels, and Type 2 diabetes, once known as adult-onset diabetes, and

WHEREAS, studies have shown that up to 80 percent of overweight adolescents become overweight adults, and

WHEREAS, the annual economic impact in the United States from obesity on our health care system is estimated by the Centers for Disease Control and Prevention at \$147 billion, and

WHEREAS, a recent study by a major insurance carrier stated that 50 percent of all Americans will develop diabetes by 2020,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

Amendment No. 6

76 | which will cost the health care system approximately \$3.35

77 | trillion if current trends in obesity are not abated, and

78 |       WHEREAS, early education on proper physical fitness and

79 | nutrition will provide a foundation for a child's future as does

80 | learning to read, which prepares a child for success in his or

81 | her life and academic achievement, NOW, THEREFORE,

82 |

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

Location: Reed Hall (102 HOB)

CS/HB 7059 : Acceleration Options in Public Education

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed		X			
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.		X			
Martin Kiar		X			
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed		X			
Jimmie Smith	X				
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia	X				
William Proctor (Chair)	X				
<b>Total Yeas: 12</b>		<b>Total Nays: 6</b>			

### CS/HB 7059 Amendments

#### Amendment 384633

Withdrawn

#### Amendment 407433

Withdrawn

#### Amendment 447329

Adopted Without Objection

#### Amendment 528409

Failed to Adopt

#### Amendment 964637

Adopted Without Objection

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/HB 7059 : Acceleration Options in Public Education (continued)**

### Appearances:

Acceleration Options in Public Education

David Miller, Superintendent of Schools (General Public) - Proponent

Wakulla Co. Schools

P.O. Box 100

Crawfordville FL

Phone: 850-926-0065

Acceleration Options in Public Education

Ta'tyana Simon-Jones, Student (General Public) - Proponent

AP-Students

111 Mt Zion Rd

Crawfordville FL 32327

Phone: 850-661-9922

Acceleration Options in Public Education

Alec Potter, Student (General Public) - Proponent

AP Students

82 Pine Lane

Crawfordville FL 32327

Phone: 850-925-7881

Acceleration Options in Public Education

Sunny Chancy, Asst. Principal (General Public) - Waive In Support

3237 Coastal Hwy

Crawfordville FL 32327

Phone: 850-926-7125

Acceleration Options in Public Education

Beth O'Donnell, Asst. Superintendent for Instruction (General Public) - Waive In Support

Wakulla Co. Schools

2211 Mendoza Ave.

Tallahassee FL 323014

Phone: 850-841-0822

Patricia Levesque, Executive Director (Lobbyist) - Waive In Support

Foundation for Florida's Future

215 S. Monroe Street, Ste 130

Tallahassee FL 32302

Phone: 850-391-3080

Acceleration Options in Public Education

Zachary B. Ansley - Waive In Opposition

7555 Hearland Circle

Tallahassee FL 32312

Phone: 850-294-7335

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

**Location:** Reed Hall (102 HOB)

**CS/HB 7059 : Acceleration Options in Public Education (continued)**

**Appearances: (continued)**

Acceleration Options in Public Education

Sarah Marquez, AP Teacher - Waive In Support

Amos P. Godby High School

3660 Biltmore Avenue

Tallahassee FL 32311

Phone: 850-766-8813

Acceleration Options in Public Education

Zachary B. Ansley - Waive In Support

7555 Hearland Circle

Tallahassee FL 32312

Phone: 850-294-7335

Acceleration Options in Public Education

Alan Cox, Principal - Waive In Support

7200 Chiles Lance

Tallahassee FL 32312

Phone: 850-488-1756

Acceleration Options in Public Education

Gillian Stewart Gregory, Principal (General Public) - Waive In Support

Amos P. Godby High School

1717 W. Tharpe Street

Tallahassee FL 32303

Phone: 850-617-4700

Principal

Allen Burch, Principal - Waive In Support

Lincoln High School

3838 Trojan Trail

Tallahassee FL 32311

Phone: 850-487-2110

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Stargel offered the following:

3  
4 **Amendment (with directory and title amendments)**

5 Remove lines 472-546 and insert:

6 Section 15. Section 1007.271, Florida Statutes, is amended  
7 to read:

8 1007.271 Dual enrollment programs.—

9 (1) The dual enrollment program is the enrollment of an  
10 eligible secondary student or home education student in a  
11 postsecondary course creditable toward high school completion  
12 and a career certificate or an associate or baccalaureate  
13 degree. A student who is enrolled in postsecondary instruction  
14 that is not creditable toward a high school diploma may not be  
15 classified as a dual enrollment student.

16 (2) For the purpose of this section, an eligible secondary  
17 student is a student who is enrolled in a Florida public  
18 secondary school or in a Florida private secondary school which  
19 is in compliance with s. 1002.42(2) and provides ~~conducts~~ a

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h7059-line 472-546

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 1

20 secondary curriculum pursuant to s. 1003.428, s. 1003.429, or s.  
21 1003.43. Students enrolled in postsecondary instruction that is  
22 not creditable toward the high school diploma shall not be  
23 classified as dual enrollments. Students who are eligible for  
24 dual enrollment pursuant to this section may ~~shall be permitted~~  
25 ~~to~~ enroll in dual enrollment courses conducted during school  
26 hours, after school hours, and during the summer term. However,  
27 if the student is projected to graduate from high school before  
28 the scheduled completion date of a postsecondary course, the  
29 student may not register for that course through dual  
30 enrollment. The student may apply to the postsecondary  
31 institution and pay the required registration, tuition, and fees  
32 if the student meets the postsecondary institution's admissions  
33 requirements under s. 1007.263. Instructional time for dual ~~such~~  
34 enrollment may vary from 900 hours; however, the school district  
35 may only report the student for a maximum of 1.0 FTE, as  
36 provided in s. 1011.61(4). Any student ~~so~~ enrolled as a dual  
37 enrollment student is exempt from the payment of registration,  
38 tuition, and laboratory fees. Vocational-preparatory  
39 instruction, college-preparatory instruction, and other forms of  
40 precollegiate instruction, as well as physical education courses  
41 that focus on the physical execution of a skill rather than the  
42 intellectual attributes of the activity, are ineligible for  
43 inclusion in the dual enrollment program. Recreation and leisure  
44 studies courses shall be evaluated individually in the same  
45 manner as physical education courses for potential inclusion in  
46 the program.

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h7059-line 472-546

Amendment No. 1

47 (3) ~~The Department of Education shall adopt guidelines~~  
48 ~~designed to achieve comparability across school districts of~~  
49 ~~both student qualifications and teacher qualifications for dual~~  
50 ~~enrollment courses. Student qualifications must demonstrate~~  
51 ~~readiness for college level coursework if the student is to be~~  
52 ~~enrolled in college courses. Student qualifications must~~  
53 ~~demonstrate readiness for career level coursework if the student~~  
54 ~~is to be enrolled in career courses. In addition to the common~~  
55 ~~placement examination, Student eligibility requirements~~  
56 ~~qualifications for initial enrollment in college credit dual~~  
57 ~~enrollment courses must include a 3.0 unweighted high school~~  
58 ~~grade point average, and the minimum score on a common placement~~  
59 ~~test adopted by the State Board of Education~~

60  
61  
62 -----  
63 **D I R E C T O R Y A M E N D M E N T**

64 Remove lines 433-437 and insert:

65 Section 14. Subsections (6) through (9) of section  
66 1007.27, Florida Statutes, are renumbered as subsections (5)  
67 through (8), respectively, and present subsections (1) and (5)  
68 of that section are amended to read:

69  
70  
71 -----  
72 **T I T L E A M E N D M E N T**

73 Remove lines 44-45 and insert:

74 admission; amending

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Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN  (Y/N)  
 OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
 2 Representative Brandes offered the following:

**Amendment (with directory and title amendments)**

Remove lines 472-546 and insert:

Section 15. Section 1007.271, Florida Statutes, is amended to read:

1007.271 Dual enrollment programs.—

(1) The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. A student who is enrolled in postsecondary instruction that is not creditable toward a high school diploma may not be classified as a dual enrollment student.

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides ~~conducts~~ a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 2

20 secondary curriculum pursuant to s. 1003.428, s. 1003.429, or s.  
21 1003.43. ~~Students enrolled in postsecondary instruction that is~~  
22 ~~not creditable toward the high school diploma shall not be~~  
23 ~~classified as dual enrollments.~~ Students who are eligible for  
24 dual enrollment pursuant to this section ~~may shall be permitted~~  
25 ~~to~~ enroll in dual enrollment courses conducted during school  
26 hours, after school hours, and during the summer term. However,  
27 if the student is projected to graduate from high school before  
28 the scheduled completion date of a postsecondary course, the  
29 student may not register for that course through dual  
30 enrollment. The student may apply to the postsecondary  
31 institution and pay the required registration, tuition, and fees  
32 if the student meets the postsecondary institution's admissions  
33 requirements under s. 1007.263. Instructional time for dual such  
34 enrollment may vary from 900 hours; however, the school district  
35 may only report the student for a maximum of 1.0 FTE, as  
36 provided in s. 1011.61(4). Any student ~~se~~ enrolled as a dual  
37 enrollment student is exempt from the payment of registration,  
38 tuition, and laboratory fees. Vocational-preparatory  
39 instruction, college-preparatory instruction, and other forms of  
40 precollegiate instruction, as well as physical education courses  
41 that focus on the physical execution of a skill rather than the  
42 intellectual attributes of the activity, are ineligible for  
43 inclusion in the dual enrollment program. Recreation and leisure  
44 studies courses shall be evaluated individually in the same  
45 manner as physical education courses for potential inclusion in  
46 the program.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 2

47 (3) ~~The Department of Education shall adopt guidelines~~  
48 ~~designed to achieve comparability across school districts of~~  
49 ~~both student qualifications and teacher qualifications for dual~~  
50 ~~enrollment courses. Student qualifications must demonstrate~~  
51 ~~readiness for college-level coursework if the student is to be~~  
52 ~~enrolled in college courses. Student qualifications must~~  
53 ~~demonstrate readiness for career-level coursework if the student~~  
54 ~~is to be enrolled in career courses. In addition to the common~~  
55 ~~placement examination,~~ Student eligibility requirements  
56 qualifications for initial enrollment in college credit dual  
57 enrollment courses must include a 3.0 unweighted high school  
58 grade point average, and the minimum score on a common placement  
59 test adopted by the State Board of Education  
60  
61

62 -----  
63 **D I R E C T O R Y A M E N D M E N T**

64 Remove lines 433-437 and insert:

65 Section 14. Subsections (6) through (9) of section  
66 1007.27, Florida Statutes, are renumbered as subsections (5)  
67 through (8), respectively, and present subsections (1) and (5)  
68 of that section are amended to read:  
69  
70

71 -----  
72 **T I T L E A M E N D M E N T**

73 Remove lines 44-45 and insert:

74 admission; amending

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN  (Y)  (N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Garcia offered the following:

3  
4 **Amendment (with directory and title amendments)**

5 Remove lines 472-546 and insert:

6 Section 15. Section 1007.271, Florida Statutes, is amended  
7 to read:

8 1007.271 Dual enrollment programs.—

9 (1) The dual enrollment program is the enrollment of an  
10 eligible secondary student or home education student in a  
11 postsecondary course creditable toward high school completion  
12 and a career certificate or an associate or baccalaureate  
13 degree. A student who is enrolled in postsecondary instruction  
14 that is not creditable toward a high school diploma may not be  
15 classified as a dual enrollment student.

16 (2) For the purpose of this section, an eligible secondary  
17 student is a student who is enrolled in a Florida public  
18 secondary school or in a Florida private secondary school which  
19 is in compliance with s. 1002.42(2) and provides ~~conducts~~ a

384633 - HB 7059 - AP Course Standards.docx

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## COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 3

20 secondary curriculum pursuant to s. 1003.428, s. 1003.429, or s.  
21 1003.43. ~~Students enrolled in postsecondary instruction that is~~  
22 ~~not creditable toward the high school diploma shall not be~~  
23 ~~classified as dual enrollments.~~ Students who are eligible for  
24 dual enrollment pursuant to this section ~~may~~ shall be permitted  
25 ~~to~~ enroll in dual enrollment courses conducted during school  
26 hours, after school hours, and during the summer term. However,  
27 if the student is projected to graduate from high school before  
28 the scheduled completion date of a postsecondary course, the  
29 student may not register for that course through dual  
30 enrollment. The student may apply to the postsecondary  
31 institution and pay the required registration, tuition, and fees  
32 if the student meets the postsecondary institution's admissions  
33 requirements under s. 1007.263. Instructional time for dual such  
34 enrollment may vary from 900 hours; however, the school district  
35 may only report the student for a maximum of 1.0 FTE, as  
36 provided in s. 1011.61(4). Any student ~~se~~ enrolled as a dual  
37 enrollment student is exempt from the payment of registration,  
38 tuition, and laboratory fees. Vocational-preparatory  
39 instruction, college-preparatory instruction, and other forms of  
40 precollegiate instruction, as well as physical education courses  
41 that focus on the physical execution of a skill rather than the  
42 intellectual attributes of the activity, are ineligible for  
43 inclusion in the dual enrollment program. Recreation and leisure  
44 studies courses shall be evaluated individually in the same  
45 manner as physical education courses for potential inclusion in  
46 the program.



Amendment No. 3

47 (3) ~~The Department of Education shall adopt guidelines~~  
48 ~~designed to achieve comparability across school districts of~~  
49 ~~both student qualifications and teacher qualifications for dual~~  
50 ~~enrollment courses. Student qualifications must demonstrate~~  
51 ~~readiness for college-level coursework if the student is to be~~  
52 ~~enrolled in college courses. Student qualifications must~~  
53 ~~demonstrate readiness for career-level coursework if the student~~  
54 ~~is to be enrolled in career courses. In addition to the common~~  
55 ~~placement examination,~~ Student eligibility requirements  
56 qualifications for initial enrollment in college credit dual  
57 enrollment courses must include a 3.0 unweighted high school  
58 grade point average, and the minimum score on a common placement  
59 test adopted by the State Board of Education

60 -----  
61  
62 **DIRECTORY AMENDMENT**

63 Remove lines 433-437 and insert:

64 Section 14. Subsections (6) through (9) of section  
65 1007.27, Florida Statutes, are renumbered as subsections (5)  
66 through (8), respectively, and present subsections (1) and (5)  
67 of that section are amended to read:

68  
69  
70 -----  
71 **TITLE AMENDMENT**

72 Remove lines 44-45 and insert:

73 admission; amending

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Stargel offered the following:

4 **Amendment (with title amendment)**

5 Between lines 399 and 400, insert:

6 Section 1. Section 1003.493, Florida Statutes, is amended  
7 to read:

8 1003.493 Career and professional academies and career-  
9 themed courses.—

10 (1) (a) A "career and professional academy" is a research-  
11 based program that integrates a rigorous academic curriculum  
12 with an industry-specific curriculum aligned directly to  
13 priority workforce needs established by the regional workforce  
14 board or the Department of Economic Opportunity. Career and  
15 professional academies shall be offered by public schools and  
16 school districts. The Florida Virtual School is encouraged to  
17 develop and offer rigorous career and professional courses as  
18 appropriate. Students completing career and professional academy  
19 programs must receive a standard high school diploma, the

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

20 highest available industry certification, and opportunities to  
21 earn postsecondary credit if the academy partners with a  
22 postsecondary institution approved to operate in the state.

23 (b) A "career-themed course" is a course, or a course in a  
24 series of courses, that lead to an industry certification  
25 identified in the Industry Certification Funding List pursuant  
26 to rules adopted by the State Board of Education. Career-themed  
27 courses have industry-specific curriculum aligned directly to  
28 priority workforce needs established by the regional workforce  
29 board or the Department of Economic Opportunity. School  
30 districts shall offer at least two career-themed courses and  
31 each secondary school is encouraged to offer at least one  
32 career-themed course. The Florida Virtual School is encouraged  
33 to develop and offer rigorous career-themed courses as  
34 appropriate. Students completing a career-themed course must be  
35 provided opportunities to earn postsecondary credit if the  
36 credit for the career-themed course can be articulated to a  
37 postsecondary institution approved to operate in the state.

38 (2) The goals of a career and professional academy and  
39 career-themed courses are to:

40 (a) Increase student academic achievement and graduation  
41 rates through integrated academic and career curricula.

42 (b) Prepare graduating high school students to make  
43 appropriate choices relative to employment and future  
44 educational experiences.

45 (c) Focus on career preparation through rigorous academics  
46 and industry certification.

Amendment No. 4

47 (d) Raise student aspiration and commitment to academic  
48 achievement and work ethics through relevant coursework.

49 (e) Promote acceleration mechanisms, such as dual  
50 enrollment, articulated credit, ~~or occupational completion~~  
51 ~~points~~, so that students may earn postsecondary credit while in  
52 high school.

53 (f) Support the state's economy by meeting industry needs  
54 for skilled employees in high-skill, high wage, and high-demand  
55 occupations.

56 (3) (a) Career-themed courses may be offered in any public  
57 secondary school.

58 (b) Existing career education courses may serve as a  
59 foundation for the creation of a career and professional  
60 academy. A career and professional academy may be offered as one  
61 of the following small learning communities:

62 1. ~~(a)~~ A school-within-a-school career academy, as part of  
63 an existing high school, that provides courses in one or more  
64 occupational clusters ~~cluster~~. Students who attend ~~in~~ the high  
65 school are not required to attend ~~be students in~~ the academy.

66 2. ~~(b)~~ A total school configuration that provides courses  
67 in one or more ~~providing multiple academies, each structured~~  
68 around an occupational clusters ~~cluster~~. Every student who  
69 attends ~~in~~ the school also attends the ~~is in an~~ academy.

70 (4) Each career and professional academy and secondary  
71 school providing a career-themed course must:

72 (a) Provide a rigorous standards-based academic curriculum  
73 integrated with a career curriculum; - consider ~~The curriculum~~  
74 ~~must take into consideration~~ multiple styles of student

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

75 learning; promote learning by doing through application and  
76 adaptation; maximize relevance of the subject matter; enhance  
77 each student's capacity to excel; and include an emphasis on  
78 work habits and work ethics.

79 (b) Include one or more partnerships with postsecondary  
80 institutions, businesses, industry, employers, economic  
81 development organizations, or other appropriate partners from  
82 the local community. Such partnerships with postsecondary  
83 institutions shall be delineated in articulation agreements and  
84 include any career and professional academy courses or career-  
85 themed ~~to provide for career-based~~ courses that earn  
86 postsecondary credit. Such agreements may include articulation  
87 between the secondary school academy and public or private 2-  
88 year and 4-year postsecondary institutions and technical  
89 centers. The Department of Education, in consultation with the  
90 Board of Governors, shall establish a mechanism to ensure  
91 articulation and transfer of credits to postsecondary  
92 institutions in this state. Such partnerships must provide  
93 opportunities for:

94 1. Instruction from highly skilled professionals who  
95 possess industry-certification credentials for courses they are  
96 teaching.

97 2. Internships, externships, and on-the-job training.

98 3. A postsecondary degree, diploma, or certificate.

99 4. The highest available level of industry certification.

100 5. Maximum articulation of credits pursuant to s. 1007.23  
101 upon program completion.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

102 ~~(c) Provide shared, maximum use of private sector~~  
103 ~~facilities and personnel.~~

104 ~~—— (d) Provide personalized student advisement, including a~~  
105 ~~parent participation component, and coordination with middle~~  
106 ~~schools to promote and support career exploration and education~~  
107 ~~planning as required under s. 1003.4156. Coordination with~~  
108 ~~middle schools must provide information to middle school~~  
109 ~~students about secondary and postsecondary career education~~  
110 ~~programs and academies.~~

111 (c)-(e) Promote and provide opportunities for students  
112 enrolled in a career and professional academy or a career-themed  
113 course ~~students~~ to attain, at minimum, the Florida Gold Seal  
114 Vocational Scholars award pursuant to s. 1009.536.

115 (d)-(f) Provide instruction in careers designated as high-  
116 skill, high-wage, and high-demand ~~high growth, high demand, and~~  
117 ~~high pay~~ by the regional workforce development board, the  
118 chamber of commerce, economic development agencies, or the  
119 Department of Economic Opportunity.

120 (e)-(g) Deliver academic content through instruction  
121 relevant to the career, including intensive reading and  
122 mathematics intervention required by s. 1003.428, with an  
123 emphasis on strengthening reading for information skills.

124 (f)-(h) Offer applied courses that combine academic content  
125 with technical skills.

126 (g)-(i) Provide instruction resulting in competency,  
127 certification, or credentials in workplace skills, including,  
128 but not limited to, communication skills, interpersonal skills,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

129 decisionmaking skills, the importance of attendance and  
130 timeliness in the work environment, and work ethics.

131 ~~(j) Include a plan to sustain career and professional~~  
132 ~~academies.~~

133 ~~(k) Redirect appropriated career funding to career and~~  
134 ~~professional academies.~~

135 (5) All career courses offered in a career and  
136 professional academy and each career-themed course offered by a  
137 secondary school must lead to industry certification or college  
138 credit ~~linked directly to the career theme of the course~~. If the  
139 passage rate on an industry certification examination that is  
140 associated with the career and professional academy or a career-  
141 themed course falls below 50 percent, the strategic 3-year plan  
142 must be amended to include specific strategies to improve the  
143 passage rate of the academy or career-themed course ~~the academy~~  
144 ~~must discontinue enrollment of new students the following school~~  
145 ~~year and each year thereafter until such time as the passage~~  
146 ~~rate is above 50 percent or the academy is discontinued.~~

147 (6) Workforce Florida, Inc., ~~through the secondary career~~  
148 ~~academies initiatives~~, shall serve in an advisory role and offer  
149 technical assistance in the development and deployment of newly  
150 established career and professional academies and career-themed  
151 courses.

152 Section 2. Section 1003.491, Florida Statutes, is amended  
153 to read:

154 1003.491 Florida Career and Professional Education Act.-  
155 The Florida Career and Professional Education Act is created to  
156 provide a statewide planning partnership between the business

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

157 and education communities in order to attract, expand, and  
158 retain targeted, high-value industry and to sustain a strong,  
159 knowledge-based economy.

160 (1) The primary purpose of the Florida Career and  
161 Professional Education Act is to:

162 (a) Improve middle and high school academic performance by  
163 providing rigorous and relevant curriculum opportunities;

164 (b) Provide rigorous and relevant career-themed courses  
165 that articulate to postsecondary-level coursework and lead to  
166 industry certification;

167 (c) Support local and regional economic development;

168 (d) Respond to Florida's critical workforce needs; and

169 (e) Provide state residents with access to high-wage and  
170 high-demand careers.

171 (2) Each district school board shall develop, in  
172 collaboration with regional workforce boards, economic  
173 development agencies, and postsecondary institutions approved to  
174 operate in the state, a strategic 3-year ~~5-year~~ plan to address  
175 and meet local and regional workforce demands. If involvement of  
176 a regional workforce board or an economic development agency in  
177 the strategic plan development is not feasible, the local school  
178 board, with the approval of the Department of Economic  
179 Opportunity, shall collaborate with the most appropriate  
180 regional business leadership board. Two or more school districts  
181 may collaborate in the development of the strategic plan and  
182 offer career-themed courses, as defined in s. 1003.493(1)(b), or  
183 a career and professional academy as a joint venture. The  
184 strategic plan must describe in detail provisions for the

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

185 efficient transportation of students, the maximum use of shared  
186 resources, access to courses aligned to state curriculum  
187 standards through virtual education providers legislatively  
188 authorized to provide part-time instruction to middle school  
189 students, and an objective review of proposed career and  
190 professional academy courses and other career-themed courses to  
191 determine if the courses will lead to the attainment of industry  
192 certifications included on the Industry Certified Funding List  
193 pursuant to rules adopted by the State Board of Education. Each  
194 strategic plan shall be reviewed, updated, and jointly approved  
195 every 3 ~~5~~ years by the local school district, regional workforce  
196 boards, economic development agencies, and state-approved  
197 postsecondary institutions.

198 (3) The strategic 3-year ~~5-year~~ plan developed jointly by  
199 the local school district, regional workforce boards, economic  
200 development agencies, and state-approved postsecondary  
201 institutions shall be constructed and based on:

202 (a) Research conducted to objectively determine local and  
203 regional workforce needs for the ensuing 3 ~~5~~ years, using labor  
204 projections of the United States Department of Labor and the  
205 Department of Economic Opportunity;

206 (b) Strategies to develop and implement career academies  
207 or career-themed courses based on those careers determined to be  
208 high wage, high skill, and ~~in~~ high demand;

209 (c) Strategies to provide shared, maximum use of private  
210 sector facilities and personnel;

211 (d) Strategies that ensure instruction by industry-  
212 certified faculty and standards and strategies to maintain

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 4

213 current industry credentials and for recruiting and retaining  
214 faculty to meet those standards;

215 (e) Strategies to provide personalized student advisement,  
216 including a parent-participation component, and coordination  
217 with middle schools to promote and support career-themed courses  
218 and education planning as required under s. 1003.4156.

219 (f)-(e) Alignment of requirements for middle school career  
220 exploration, middle and high school career and professional  
221 academies or career-themed courses leading to industry  
222 certification or postsecondary credit, and high school  
223 graduation requirements;

224 (g)-(f) Provisions to ensure that career-themed courses and  
225 courses offered through career and professional academies are  
226 academically rigorous, meet or exceed appropriate state-adopted  
227 subject area standards, result in attainment of industry  
228 certification, and, when appropriate, result in postsecondary  
229 credit;

230 (h) Plans to sustain and improve career-themed courses and  
231 career and professional academies;

232 (i)-(g) Strategies to improve the passage rate for industry  
233 certification examinations if the rate falls below 50 percent;

234 (j)-(h) Strategies to recruit students into career-themed  
235 courses and Establishment of student eligibility criteria in  
236 career and professional academies which include opportunities  
237 for students who have been unsuccessful in traditional  
238 classrooms but who are interested in enrolling in career-themed  
239 courses or a career and professional academy show aptitude to  
240 participate in academies. School boards shall address the

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241 ~~analysis of eighth grade student achievement data to provide~~  
242 opportunities for students who may be deemed as potential  
243 dropouts to enroll in career-themed courses or participate in  
244 career and professional academies;

245 ~~(k)(i)~~ Strategies to provide sufficient space within  
246 academies to meet workforce needs and to provide access to all  
247 interested and qualified students;

248 ~~(l)(j)~~ Strategies to implement career-themed courses or  
249 career and professional academy training that lead leads to  
250 industry certification in juvenile justice education programs at  
251 ~~Department of Juvenile Justice facilities;~~

252 ~~(m)(k)~~ Opportunities for high school students to earn  
253 weighted or dual enrollment credit for higher-level career and  
254 technical courses;

255 ~~(n)(l)~~ Promotion of the benefits of the Gold Seal Bright  
256 Futures Scholarship;

257 ~~(o)(m)~~ Strategies to ensure the review of district pupil-  
258 progression plans and to amend such plans to include career-  
259 themed courses and career and professional academy courses and  
260 to include courses that may qualify as substitute courses for  
261 core graduation requirements and those that may be counted as  
262 elective courses; ~~and~~

263 ~~(p)(n)~~ Strategies to provide professional development for  
264 secondary guidance counselors on the benefits of career and  
265 professional academies and career-themed courses that lead to  
266 industry certification;

267 (q) Strategies to redirect appropriated career funding in  
268 secondary and postsecondary institutions to support career

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269 academies and career-themed courses that lead to industry  
270 certification.

271 (4) The State Board of Education shall establish a process  
272 for the continual and uninterrupted review of newly proposed  
273 core secondary courses and existing courses requested to be  
274 considered as core courses to ensure that sufficient rigor and  
275 relevance is provided for workforce skills and postsecondary  
276 education and aligned to state curriculum standards.

277 (a) The review of newly proposed core secondary courses  
278 shall be the responsibility of a curriculum review committee  
279 whose membership is approved by the Workforce Florida, Inc.,  
280 ~~Board as described in s. 445.004,~~ and shall include:

281 1.(a) Three certified high school guidance counselors  
282 recommended by the Florida Association of Student Services  
283 Administrators.

284 2.(b) Three assistant superintendents for curriculum and  
285 instruction, recommended by the Florida Association of District  
286 School Superintendents and who serve in districts that operate  
287 successful career and professional academies pursuant to s.  
288 1003.492 or a successful series of courses that lead to industry  
289 certification. Committee members in this category shall employ  
290 the expertise of appropriate subject area specialists in the  
291 review of proposed courses.

292 3.(c) Three workforce representatives recommended by the  
293 Department of Economic Opportunity.

294 4.(d) Three admissions directors of postsecondary  
295 institutions accredited by the Southern Association of Colleges  
296 and Schools, representing both public and private institutions.

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297 5.(e) The ~~Deputy~~ Commissioner of Education, or his or her  
298 designee, responsible for K-12 curriculum and instruction. The  
299 ~~Deputy~~ Commissioner shall employ the expertise of appropriate  
300 subject area specialists in the review of proposed courses.

301 (b)(5) The curriculum review committee shall review  
302 ~~submission and review of~~ newly proposed core courses ~~shall be~~  
303 ~~conducted electronically.~~ ~~and~~ Each proposed core course shall  
304 be approved or denied within ~~3060~~ days of submission by a  
305 district school board or regional workforce board. All courses  
306 approved as core courses for purposes of middle school promotion  
307 and high school graduation shall be immediately added to the  
308 Course Code Directory. Approved core courses shall also be  
309 reviewed and considered for approval for dual enrollment credit.  
310 The Board of Governors and the Commissioner of Education shall  
311 jointly recommend an annual deadline for approval of new core  
312 courses to be included for purposes of postsecondary admissions  
313 and dual enrollment credit the following academic year. The  
314 State Board of Education shall establish an appeals process in  
315 the event that a proposed course is denied which shall require a  
316 consensus ruling by the Department of Economic Opportunity and  
317 the Commissioner of Education within 15 days.

318 Section 3. Section 1003.492, Florida Statutes, is amended  
319 to read:

320 1003.492 Industry-certified career education programs.—

321 (1) Secondary schools offering career-themed courses, as  
322 defined in s. 1003.493(1)(b), and career and professional  
323 academies shall be coordinated with the relevant and appropriate  
324 ~~industry indicating that all components of the program are~~

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325 ~~relevant and appropriate~~ to prepare a the student for further  
326 education or for employment in that industry.

327 (2) The State Board of Education shall use the expertise  
328 of Workforce Florida, Inc., to develop and adopt rules pursuant  
329 to ss. 120.536(1) and 120.54 for implementing an industry  
330 certification process. Industry certification shall be defined  
331 by the Department of Economic Opportunity, based upon the  
332 highest available national standards for specific industry  
333 certification, to ensure student skill proficiency and to  
334 address emerging labor market and industry trends. A regional  
335 workforce board or a school principal career and professional  
336 ~~academy~~ may apply to Workforce Florida, Inc., to request  
337 additions to the approved list of industry certifications based  
338 on high-skill, high-wage, and high-demand job requirements in  
339 the regional economy. The list of industry certifications  
340 approved by Workforce Florida, Inc., and the Department of  
341 Education shall be published and updated annually by a date  
342 certain, to be included in the adopted rule.

343 (3) The Department of Education shall collect student  
344 achievement and performance data in industry-certified career  
345 education programs and career-themed courses and shall work with  
346 Workforce Florida, Inc., in the analysis of collected data. The  
347 data collection and analyses shall examine the performance of  
348 participating students over time. Performance factors shall  
349 include, but not be limited to, graduation rates, retention  
350 rates, Florida Bright Futures Scholarship awards, additional  
351 educational attainment, employment records, earnings, industry  
352 certification, and employer satisfaction. The results of this

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353 study shall be submitted to the President of the Senate and the  
354 Speaker of the House of Representatives annually by December 31.

355 Section 4. Section 1003.4935, Florida Statutes, is amended  
356 to read:

357 1003.4935 Middle school career and professional academy  
358 courses and career-themed courses.-

359 (1) Beginning with the 2011-2012 school year, each  
360 district school board, in collaboration with regional workforce  
361 boards, economic development agencies, and state-approved  
362 postsecondary institutions, shall include plans to implement a  
363 career and professional academy or a career-themed course, as  
364 defined in s. 1003.493(1)(b), in at least one middle school in  
365 the district as part of the strategic 3-year 5-year plan  
366 pursuant to s. 1003.491(2). The ~~middle school career and~~  
367 ~~professional academy component of the~~ strategic plan must  
368 provide students ensure the opportunity to transfer transition  
369 from a ef middle school career and professional academy or a  
370 career-themed course ~~students~~ to a high school career and  
371 professional academy or a career-themed course currently  
372 operating within the school district. Students who complete a  
373 middle school career and professional academy or a career-themed  
374 course must have the opportunity to earn an industry certificate  
375 and high school credit and participate in career planning, job  
376 shadowing, and business leadership development activities.

377 (2) Each middle school career and professional academy or  
378 career-themed course must be aligned with at least one high  
379 school career and professional academy or career-themed course  
380 offered in the district and maintain partnerships with local

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381 business and industry and economic development boards. Middle  
382 school career and professional academies and career-themed  
383 courses must:

384 (a) ~~Lead Provide instruction in courses leading~~ to careers  
385 in occupations designated as high-skill, high-wage, and high-  
386 demand high growth, high demand, and high pay in the Industry  
387 Certification Funding List approved under rules adopted by the  
388 State Board of Education;

389 (b) ~~Offer career and professional academy courses that~~  
390 Integrate content from core subject areas;

391 (c) ~~Offer courses that~~ Integrate career and professional  
392 academy or career-themed course content with intensive reading  
393 and mathematics pursuant to s. 1003.428;

394 (d) Coordinate with high schools to maximize opportunities  
395 for middle school ~~career and professional academy~~ students to  
396 earn high school credit;

397 (e) Provide access to virtual instruction courses provided  
398 by virtual education providers legislatively authorized to  
399 provide part-time instruction to middle school students. The  
400 virtual instruction courses must be aligned to state curriculum  
401 standards for middle school career and professional academy  
402 courses or career-themed courses ~~students~~, with priority given  
403 to students who have required course deficits;

404 (f) Provide instruction from highly skilled professionals  
405 who hold industry certificates in the career area in which they  
406 teach;

407 (g) Offer externships; and



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408 (h) Provide personalized student advisement that includes  
409 a parent-participation component.

410 (3) Beginning with the 2012-2013 school year, if a school  
411 district implements a middle school career and professional  
412 academy or a career-themed course, the Department of Education  
413 shall collect and report student achievement data pursuant to  
414 performance factors identified under s. 1003.492(3) for ~~academy~~  
415 students enrolled in an academy or a career-themed course.

416 Section 5. Paragraph (o) of subsection (1) of section  
417 1011.62, Florida Statutes, is amended to read:

418 1011.62 Funds for operation of schools.—If the annual  
419 allocation from the Florida Education Finance Program to each  
420 district for operation of schools is not determined in the  
421 annual appropriations act or the substantive bill implementing  
422 the annual appropriations act, it shall be determined as  
423 follows:

424 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
425 OPERATION.—The following procedure shall be followed in  
426 determining the annual allocation to each district for  
427 operation:

428 (o) Calculation of additional full-time equivalent  
429 membership based on certification of successful completion of  
430 industry-certified career and professional academy programs or a  
431 career-themed course pursuant to ss. 1003.491, 1003.492,  
432 1003.493, and 1003.4935 and who is issued the highest level of  
433 industry certification identified in the Industry Certified  
434 Funding List pursuant to rules adopted by the State Board of  
435 Education.—A value of 0.1, 0.2, or 0.3 full-time equivalent

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436 student membership shall be calculated for each student who  
437 completes an industry-certified career and professional academy  
438 program or a career-themed course under ss. 1003.491, 1003.492,  
439 1003.493, and 1003.4935 and who is issued the highest level of  
440 industry certification identified annually in the Industry  
441 Certification Funding List approved under rules adopted by the  
442 State Board of Education and a high school diploma. The maximum  
443 full-time equivalent student membership value for any student is  
444 0.3. The Department of Education shall assign the appropriate  
445 full-time equivalent value for each certification, 50 percent of  
446 which is based on rigor and the remaining 50 percent on  
447 employment value. The State Board of Education shall include the  
448 assigned values in the Industry Certification Funding List under  
449 rules adopted by the state board. Rigor shall be based on the  
450 number of instructional hours, including work experience hours,  
451 required to earn the certification, with a bonus for industry  
452 certifications that have a statewide articulation agreement for  
453 college credit approved by the State Board of Education.  
454 Employment value shall be based on the entry wage, growth rate  
455 in employment for each occupational category, and average annual  
456 openings for the primary occupation linked to the industry  
457 certification. The ~~Such~~ value shall be added to the total full-  
458 time equivalent student membership in secondary career education  
459 programs for grades 9 through 12 in the subsequent year for  
460 courses that were not funded through dual enrollment. The  
461 additional full-time equivalent membership authorized under this  
462 paragraph may not exceed 0.3 per student. Each district must  
463 allocate at least 80 percent of the funds provided for industry

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464 certification, in accordance with this paragraph, to the program  
465 that generated the funds. Unless a different amount is specified  
466 in the General Appropriations Act, the appropriation for this  
467 calculation is limited to \$15 million annually. If the  
468 appropriation is insufficient to fully fund the total  
469 calculation, the appropriation shall be prorated.

470

471

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473

474

-----

475

**T I T L E   A M E N D M E N T**

476

Remove line 36 and insert:

477

.System applies to the course level; amending s. 1003.493, F.S.;

478

amending s. 1003.491, F.S.; amending s. 1003.492, F.S.; amending

479

s. 1003.4935, F.S.; amending s. 1011.62, F.S.; repealing s.

480

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 7059 (2012)

Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Bullard offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove lines 1298-1398  
6  
7

8 -----  
9 **T I T L E A M E N D M E N T**

10 Remove lines 84-90 and insert:

11 Scholarship Program;

# COMMITTEE MEETING REPORT

## Education Committee

2/27/2012 2:00:00PM

Location: Reed Hall (102 HOB)

### PCB EDC 12-03 : Postsecondary Education

Favorable With Amendments

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed	X				
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.	X				
Martin Kiar	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed	X				
Jimmie Smith	X				
Cynthia Stafford	X				
Kelli Stargel	X				
John Tobia	X				
William Proctor (Chair)	X				
<b>Total Yeas: 18</b>		<b>Total Nays: 0</b>			

### PCB EDC 12-03 Amendments

#### Amendment PCB EDC 12-03 Strike

Adopted Without Objection

Committee meeting was reported out: Monday, February 27, 2012 9:56:49PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB EDC 12-03 (2012)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                    — (Y/N)  
ADOPTED AS AMENDED                   — (Y/N)  
ADOPTED W/O OBJECTION                ✓ (Y/N)  
FAILED TO ADOPT                       — (Y/N)  
WITHDRAWN                               — (Y/N)  
OTHER                                     —

1 Committee/Subcommittee hearing PCB: Education Committee  
2 Representative Proctor offered the following:

4           **Amendment (with title amendment)**

5           Remove everything after the enacting clause and insert:

6           Section 1. Paragraph (v) of subsection (2), paragraph (a)  
7 of subsection (3), paragraphs (b) and (d) of subsection (4), and  
8 paragraph (d) of subsection (6) of section 1001.02, Florida  
9 Statutes, are amended, and paragraph (w) is added to subsection  
10 (2) of that section, to read:

11           1001.02 General powers of State Board of Education.—

12           (2) The State Board of Education has the following duties:

13           (v) To develop, in conjunction with the Board of  
14 Governors, and periodically review for adjustment, a coordinated  
15 5-year plan for postsecondary enrollment, identifying enrollment  
16 and graduation expectations by baccalaureate degree program, and  
17 annually submit the plan to the Legislature as part of its  
18 legislative budget request.

PCB EDC 12-03 Strikel

Published On: 2/27/2012 9:39:24 AM

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB EDC 12-03 (2012)

Amendment No.

19       (w) To require each Florida College System institution  
20 prior to registration, beginning in the 2014-2015 academic year  
21 and annually thereafter, to provide each enrolled student  
22 electronic access to the economic security report of employment  
23 and earning outcomes prepared by the Department of Economic  
24 Opportunity pursuant to s. 445.07.

25       (3) (a) The State Board of Education shall adopt a  
26 strategic plan that specifies goals and objectives for the  
27 state's public schools and Florida College System institutions.  
28 The plan shall be formulated in conjunction with plans of the  
29 Board of Governors in order to provide for the roles of the  
30 universities and Florida College System institutions to be  
31 coordinated to best meet state needs and reflect cost-effective  
32 use of state resources. The strategic plan must clarify the  
33 mission statements of each Florida College System institution  
34 and the system as a whole and identify degree programs,  
35 including baccalaureate degree programs, to be offered at each  
36 Florida College System institution in accordance with the  
37 objectives provided in this subsection and the coordinated 5-  
38 year plan pursuant to paragraph (2) (v). The strategic plan must  
39 cover a period of 5 years, with modification of the program  
40 lists after 2 years. Development of each 5-year plan must be  
41 coordinated with and initiated after completion of the master  
42 plan. The strategic plans must specifically include programs and  
43 procedures for responding to the educational needs of teachers  
44 and students in the public schools of this state and consider  
45 reports and recommendations of the Higher Education Coordinating  
46 Council pursuant to s. 1004.015 and the Articulation

PCB EDC 12-03 Strikel

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COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB EDC 12-03 (2012)

Amendment No.

47 Coordinating Committee pursuant to s. 1007.01. The state board  
48 shall submit a report to the President of the Senate and the  
49 Speaker of the House of Representatives upon modification of the  
50 plan and as part of its legislative budget request.

51 (4) The State Board of Education shall:

52 (b) Specify, by rule, procedures to be used by the Florida  
53 College System institution boards of trustees in the annual  
54 evaluations of presidents and review the evaluations of  
55 presidents by the boards of trustees, including the extent to  
56 which presidents serve both institutional and system goals.

57 (d) Establish criteria for making recommendations for  
58 modifying district boundary lines for Florida College System  
59 institutions, including criteria for service delivery areas of  
60 Florida College System institutions authorized to grant  
61 baccalaureate degrees.

62 (6) The State Board of Education shall prescribe minimum  
63 standards, definitions, and guidelines for Florida College  
64 System institutions that will ensure the quality of education,  
65 coordination among the Florida College System institutions and  
66 state universities, and efficient progress toward accomplishing  
67 the Florida College System institution mission. At a minimum,  
68 these rules must address:

69 (d) Provisions for curriculum development, graduation  
70 requirements, college calendars, and program service areas.

71 These provisions must include rules that:

72 1. Provide for the award of an associate in arts degree to  
73 a student who successfully completes 60 semester credit hours at  
74 the Florida College System institution.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB EDC 12-03 (2012)

Amendment No.

75 2. Require all of the credits accepted for the associate  
76 in arts degree to be in the statewide course numbering system as  
77 credits toward a baccalaureate degree offered by a state  
78 university or a Florida College System institution.

79 3. Beginning with students initially entering a Florida  
80 College System institution in 2014-2015 and thereafter, require  
81 no more than 30 ~~36~~ semester credit hours in general education  
82 courses in the subject areas of communication, mathematics,  
83 social sciences, humanities, and natural sciences.

84  
85 The rules should encourage Florida College System institutions  
86 to enter into agreements with state universities that allow  
87 Florida College System institution students to complete upper-  
88 division-level courses at a Florida College System institution.  
89 An agreement may provide for concurrent enrollment at the  
90 Florida College System institution and the state university and  
91 may authorize the Florida College System institution to offer an  
92 upper-division-level course or distance learning.

93 Section 2. Subsection (16) is added to section 1001.03,  
94 Florida Statutes, to read:

95 1001.03 Specific powers of State Board of Education.—

96 (16) PLAN SPECIFYING GOALS AND OBJECTIVES.—By July 1,  
97 2013, the State Board of Education shall identify performance  
98 metrics for the Florida College System and develop a plan that  
99 specifies goals and objectives for each Florida College System  
100 institution. The plan must include:

101 (a) Performance metrics and standards common for all  
102 institutions and metrics and standards unique to institutions

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Amendment No.

103 depending on institutional core missions, including, but not  
104 limited to, remediation success, retention, graduation,  
105 employment, transfer rates, licensure passage, excess hours,  
106 student loan burden and default rates, job placement, faculty  
107 awards, and highly respected rankings for institution and  
108 program achievements.

109 (b) Student enrollment and performance data delineated by  
110 method of instruction, including, but not limited to,  
111 traditional, online, and distance learning instruction.

112 (17) UNIFIED STATE PLAN FOR SCIENCE, TECHNOLOGY,  
113 ENGINEERING, AND MATHEMATICS (STEM).-The State Board of  
114 Education, in consultation with the Board of Governors and the  
115 Department of Economic Opportunity, shall adopt a unified state  
116 plan to improve K-20 STEM education and prepare students for  
117 high-skill, high-wage, high-demand employment in STEM and STEM-  
118 related fields.

119 Section 3. Subsection (7) is added to section 1001.10,  
120 Florida Statutes, to read:

121 1001.10 Commissioner of Education; general powers and  
122 duties.-

123 (7) The commissioner, or the commissioner's designee, may  
124 conduct a review or investigation of practices, procedures, or  
125 actions at any Florida College System institution which appear  
126 to be inconsistent with sound financial, management, or academic  
127 practice.

128 Section 4. Paragraph (d) of subsection (8) of section  
129 1001.64, Florida Statutes, is amended to read:

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130 1001.64 Florida College System institution boards of  
131 trustees; powers and duties.—

132 (8) Each board of trustees has authority for policies  
133 related to students, enrollment of students, student records,  
134 student activities, financial assistance, and other student  
135 services.

136 (d) Boards of trustees shall identify their general  
137 education ~~core curricula, which shall include courses required~~  
138 ~~by the State Board of Education, pursuant to the provisions of~~  
139 s. 1007.25(6).

140 Section 5. Paragraph (c) of subsection (4), subsection  
141 (5), paragraph (a) of subsection (6), and subsections (9) and  
142 (10) of section 1001.706, Florida Statutes, are amended, and  
143 subsection (11) is added to that section, to read:

144 1001.706 Powers and duties of the Board of Governors.—

145 (4) POWERS AND DUTIES RELATING TO FINANCE.—

146 (c) The Board of Governors, or the board's designee, shall  
147 establish tuition and fees pursuant to ss. 1009.24 and 1009.26,  
148 unless otherwise provided in law.

149 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

150 (a) The Legislature intends that the Board of Governors  
151 shall align the missions of each constituent university with the  
152 academic success of its students; the national reputation of its  
153 faculty and its academic and research programs; the quantity of  
154 externally generated research, patents, and licenses; and the  
155 strategic and accountability plans required in paragraphs (b)  
156 and (c). The mission alignment and strategic plan shall consider  
157 peer institutions at the constituent universities. The mission

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158 alignment and strategic plan shall acknowledge that universities  
159 that have a national and international impact have the greatest  
160 capacity to promote the state's economic development through:  
161 new discoveries, patents, licenses, and technologies that  
162 generate state businesses of global importance; research  
163 achievements through external grants and contracts that are  
164 comparable to nationally recognized and ranked universities; the  
165 creation of a resource rich academic environment that attracts  
166 high-technology business and venture capital to the state; and  
167 this generation's finest minds focusing on solving the state's  
168 economic, social, environmental, and legal problems in the areas  
169 of life sciences, water, sustainability, energy, and health  
170 care. A nationally recognized and ranked university that has a  
171 global perspective and impact shall be afforded the opportunity  
172 to enable and protect the university's competitiveness on the  
173 global stage in fair competition with other institutions of  
174 other states in the highest Carnegie Classification.

175 (b) The Board of Governors shall develop a strategic plan  
176 specifying goals and objectives for the State University System  
177 and each constituent university, including each university's  
178 contribution to overall system goals and objectives. The  
179 strategic plan must:

180 1. Include performance metrics and standards common for  
181 all institutions and metrics and standards unique to  
182 institutions depending on institutional core missions,  
183 including, but not limited to, student admission requirements,  
184 retention, graduation, employment, continued education,  
185 licensure passage, excess hours, student loan burden and default

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186 rates, faculty awards, total annual research expenditures,  
187 patents, licenses and royalties, intellectual property, startup  
188 companies, annual giving, endowments, and well-known, highly  
189 respected national rankings for institutional and program  
190 achievements.

191 2. Consider reports and recommendations of the Higher  
192 Education Coordinating Council pursuant to s. 1004.015 and the  
193 Articulation Coordinating Committee pursuant to s. 1007.01.

194 3. Include student enrollment and performance data  
195 delineated by method of instruction, including, but not limited  
196 to, traditional, online, and distance learning instruction.

197 (c) The Board of Governors shall develop an accountability  
198 plan for the State University System and each constituent  
199 university. The accountability plan must address institutional  
200 and system achievement of goals and objectives specified in the  
201 strategic plan adopted pursuant to paragraph (b) and must be  
202 submitted as part of its legislative budget request.

203 (d) Prior to registration, beginning in the 2014-2015  
204 academic year and annually thereafter, the Board of Governors  
205 shall require a state university to provide each enrolled  
206 student electronic access to the economic security report of  
207 employment and earning outcomes prepared by the Department of  
208 Economic Opportunity pursuant to s. 445.07. In addition, the  
209 Board of Governors shall require a state university to provide  
210 each student electronic access to the following information each  
211 year prior to registration using the data described in s.  
212 1008.39:

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213        1. The top 25 percent of degrees reported by the  
214 university in terms of highest full-time job placement and  
215 highest average annualized earnings in the year after earning  
216 the degree.

217        2. The bottom 10 percent of degrees reported by the  
218 university in terms of lowest full-time job placement and lowest  
219 average annualized earnings in the year after earning the  
220 degree.

221        ~~(e)~~ (d) The Board of Governors shall maintain an effective  
222 information system to provide accurate, timely, and cost-  
223 effective information about each university. The board shall  
224 continue to collect and maintain, at a minimum, management  
225 information as such information existed on June 30, 2002.

226        ~~(f)~~ (e) If the Board of Governors of the State University  
227 System determines that a state university board of trustees is  
228 unwilling or unable to address substantiated allegations made by  
229 any person relating to waste, fraud, or financial mismanagement  
230 within the state university, the Office of the Inspector General  
231 shall investigate the allegations.

232        (g) The Board of Governors may consider waiving its  
233 regulations and may waive or modify the tuition differential use  
234 requirements under s. 1009.24(16) (a). If not currently  
235 authorized, the Board of Governors may request authority from  
236 the Legislature to waive or modify specific statutory  
237 requirements, including percentages and dollar amount  
238 limitations in s. 1009.24, in order to reduce barriers and  
239 support attainment of goals identified in institutional plans,  
240 as necessary for advancing system priorities and unique

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241 institutional priorities. Regulatory flexibilities authorized  
242 and statutory flexibilities authorized or requested by the Board  
243 of Governors pursuant to this paragraph must be included in the  
244 accountability plan prepared and submitted pursuant to paragraph  
245 (c).

246 (6) POWERS AND DUTIES RELATING TO PERSONNEL.—

247 (a) The Board of Governors, or the board's designee, shall  
248 establish the personnel program for all employees of a state  
249 university. The Board of Governors shall confirm the  
250 presidential selection and reappointment by a university board  
251 of trustees as a means of acknowledging that system cooperation  
252 is expected.

253 (9) COOPERATION WITH OTHER BOARDS.—The Board of Governors  
254 shall implement a plan for working on a regular basis with the  
255 State Board of Education, the Commission for Independent  
256 Education, the Higher Education Coordinating Council, the  
257 Articulation Coordinating Committee, the university boards of  
258 trustees, representatives of the Florida College System  
259 institution boards of trustees, representatives of the private  
260 colleges and universities, and representatives of the district  
261 school boards to achieve a seamless education system.

262 (10) PROHIBITION.—The Board of Governors is prohibited from  
263 assessing any fee on state universities, unless specifically  
264 authorized by law.

265 (11) AUTHORIZATION TO REVOKE OR MODIFY.—The Board of  
266 Governors may revoke or modify the scope of any power or duty it  
267 has delegated.

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PCB Name: PCB EDC 12-03 (2012)

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268 Section 6. Subsection (24) is added to section 1002.20,  
269 Florida Statutes, to read:

270 1002.20 K-12 student and parent rights.—Parents of public  
271 school students must receive accurate and timely information  
272 regarding their child's academic progress and must be informed  
273 of ways they can help their child to succeed in school. K-12  
274 students and their parents are afforded numerous statutory  
275 rights including, but not limited to, the following:

276 (24) ECONOMIC SECURITY REPORT.—Prior to registration,  
277 beginning in the 2014-2015 school year and annually thereafter,  
278 each middle school and high school student or the student's  
279 parent shall be provided a two-page summary of the Department of  
280 Economic Opportunity's economic security report of employment  
281 and earning outcomes prepared pursuant to s. 445.07 and  
282 electronic access to the report.

283 Section 7. Subsections (4), (5), and (6) of section  
284 1004.015, Florida Statutes, are amended to read:

285 1004.015 Higher Education Coordinating Council.—

286 (4) The council shall annually by December 31 submit to  
287 the Governor, the President of the Senate, the Speaker of the  
288 House of Representatives, the Board of Governors, and the State  
289 Board of Education a report outlining its recommendations ~~make~~  
290 ~~detailed recommendations~~ relating to:

291 (a) The primary core mission of public and nonpublic  
292 postsecondary education institutions in the context of state  
293 access demands and economic development goals.

294 (b) Performance outputs and outcomes designed to meet  
295 annual and long-term state goals, including, but not limited to,

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296 increased student access, preparedness, retention, transfer, and  
297 completion. Performance measures must be consistent across  
298 sectors and allow for a comparison of the state's performance to  
299 that of other states.

300 (c) The state's articulation policies and practices to  
301 ensure that cost benefits to the state are maximized without  
302 jeopardizing quality. The recommendations ~~recommendation~~ shall  
303 consider return on investment for both the state and students  
304 and propose systems to facilitate and ensure institutional  
305 compliance with state articulation policies.

306 (d) ~~A plan for~~ Workforce development education,  
307 specifically recommending improvements to that addresses:

308 ~~1. The alignment of school district and Florida College~~  
309 ~~System workforce development education programs to ensure cost~~  
310 ~~efficiency and mission delineation, including an examination of~~  
311 ~~the need for both college credit and noncollege credit~~  
312 ~~certificate programs, an evaluation of the merit of retaining~~  
313 ~~the associate in applied science degree, and the consolidation~~  
314 ~~of adult general education programs within school districts.~~

315 ~~2. the consistency of workforce education data collected~~  
316 ~~and reported by Florida College System institutions and school~~  
317 ~~districts, including the establishment of common elements and~~  
318 ~~definitions for any data that is used for state and federal~~  
319 ~~funding and program accountability.~~

320 ~~(5) The council shall submit a report outlining its~~  
321 ~~detailed recommendations to the Governor, the President of the~~  
322 ~~Senate, the Speaker of the House of Representatives, the Board~~  
323 ~~of Governors, and the State Board of Education by December 31,~~

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324 ~~2011, which specifically includes recommendations for~~  
325 ~~consideration by the Legislature for implementation in the 2012-~~  
326 ~~2013 fiscal year.~~

327 ~~(5)-(6)~~ The Board of Governors and the Department of  
328 Education shall provide administrative support for the council.

329 Section 8. Paragraph (i) of subsection (1) of section  
330 1005.22, Florida Statutes, is amended to read:

331 1005.22 Powers and duties of commission.-

332 (1) The commission shall:

333 (i) Serve as a central agency for collecting and  
334 distributing current information regarding institutions licensed  
335 by the commission. The commission shall collect, and all  
336 institutions licensed by the commission shall report, student-  
337 level data for each student who receives state funds. At a  
338 minimum, data shall be reported annually and include retention  
339 rates, transfer rates, completion rates, graduation rates,  
340 employment and placement rates, and earnings of graduates.

341 Section 9. Subsections (3), (4), and (5) of section  
342 1007.23, Florida Statutes, are renumbered (4), (5), and (6),  
343 respectively, and a new subsection (3) is added to that section  
344 to read:

345 1007.23 Statewide articulation agreement.-

346 (3) To improve articulation and reduce excess credit  
347 hours, the articulation agreement must require each student in  
348 the Florida College System who is seeking an associate in arts  
349 degree to indicate a baccalaureate degree program offered by an  
350 institution of interest by the time the student earns 30  
351 semester hours. The institution in which the student is enrolled

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352 shall inform the student of the prerequisites for the  
353 baccalaureate degree program offered by an institution of  
354 interest.

355 Section 10. Subsections (3), (6), (7), (8), and (10) of  
356 section 1007.25, Florida Statutes, are amended to read:

357 1007.25 General education courses; common prerequisites;  
358 other degree requirements.-

359 (3) The chair of the State Board of Education and the  
360 chair of the Board of Governors, or their designees, department  
361 shall jointly appoint faculty committees to identify statewide  
362 ~~these courses that meet~~ general education core course options.  
363 General education core course options shall consist of a maximum  
364 of five courses requirements within each of the subject areas of  
365 communication, mathematics, social sciences, humanities, and  
366 natural sciences. Each general education core course option must  
367 contain high-level academic and critical thinking skills and  
368 common competencies that students must demonstrate to  
369 successfully complete the course. Beginning with students  
370 initially entering a Florida College System institution or state  
371 university in 2014-2015 and thereafter, each student must  
372 complete at least one identified core course in each subject  
373 area as part of the general education course requirements. All  
374 public postsecondary educational institutions shall offer and  
375 accept these courses as meeting general education core course  
376 requirements. The remaining general education course  
377 requirements ~~courses~~ shall be identified by each institution and  
378 reported to the department by their statewide course ~~code~~  
379 number. The general education core course options shall be

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380 adopted in rule by the State Board of Education and in  
381 regulation by the Board of Governors. All public postsecondary  
382 educational institutions shall accept these general education  
383 courses.

384 (6) ~~The boards of trustees of the Florida College System~~  
385 ~~institutions shall identify their core curricula, which shall~~  
386 ~~include courses required by the State Board of Education. The~~  
387 ~~boards of trustees of the state universities shall identify~~  
388 ~~their core curricula, which shall include courses required by~~  
389 ~~the Board of Governors. The universities and Florida College~~  
390 ~~System institutions shall work with their school districts to~~  
391 ensure ~~assure~~ that high school curricula coordinate with the  
392 general education ~~core~~ curricula and to prepare students for  
393 college-level work. General education ~~Core~~ curricula for  
394 associate in arts programs shall be identified by each  
395 institution adopted in rule by the State Board of Education and,  
396 beginning with students initially entering a Florida College  
397 System institution or state university in 2014-2015 and  
398 thereafter, shall include 30 ~~36~~ semester hours ~~of general~~  
399 ~~education courses~~ in the subject areas of communication,  
400 mathematics, social sciences, humanities, and natural sciences.

401 (7) An associate in arts degree shall require no more than  
402 60 semester hours of college credit and, beginning with students  
403 initially entering a Florida College System institution or state  
404 university in 2014-2015 and thereafter, include 30 ~~including 36~~  
405 semester hours of general education coursework and demonstration  
406 of competency in a foreign language pursuant to s. 1007.262.

407 Except for college-preparatory coursework required pursuant to  
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408 s. 1008.30, all required coursework shall count toward the  
409 associate in arts degree or the baccalaureate degree.

410 (8) A baccalaureate degree program shall require no more  
411 than 120 semester hours of college credit and, beginning with  
412 students initially entering a Florida College System institution  
413 or state university in 2014-2015 and thereafter, include 30  
414 ~~including 36~~ semester hours of general education coursework,  
415 unless prior approval has been granted by the Board of Governors  
416 for baccalaureate degree programs offered by state universities  
417 and by the State Board of Education for baccalaureate degree  
418 programs offered by Florida College System institutions.

419 (10) Students at state universities may request associate  
420 in arts certificates if they have successfully completed the  
421 minimum requirements for the degree of associate in arts (A.A.).  
422 The university must grant the student an associate in arts  
423 degree if the student has successfully completed minimum  
424 requirements for college-level communication and computation  
425 skills adopted by the State Board of Education and 60 academic  
426 semester hours or the equivalent within a degree program area  
427 and, beginning with students initially entering a Florida  
428 College System institution or state university in 2014-2015 and  
429 thereafter, include 30 ~~with 36~~ semester hours in general  
430 education courses in the subject areas of communication,  
431 mathematics, social sciences, humanities, and natural sciences,  
432 consistent with the general education requirements specified in  
433 the articulation agreement pursuant to s. 1007.23.

434 Section 11. Subsections (5), (6), and (7) of section  
435 1007.33, Florida Statutes, are amended to read:

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436 1007.33 Site-determined baccalaureate degree access.—

437 (5) The approval process for baccalaureate degree programs  
438 shall require:

439 (a) Each Florida College System institution to submit a  
440 notice of its intent to propose a baccalaureate degree program  
441 to the Division of Florida Colleges at least 100 days before the  
442 submission of its proposal under paragraph (d). The notice must  
443 include a brief description of the program, the workforce demand  
444 and unmet need for graduates of the program to include evidence  
445 from entities independent of the institution, the geographic  
446 region to be served, and an estimated timeframe for  
447 implementation. Notices of intent may be submitted by a Florida  
448 College System institution at any time throughout the year. The  
449 notice must also include evidence that the Florida College  
450 System institution engaged in need, demand, and impact  
451 discussions with the state university and other regionally  
452 accredited postsecondary education providers in its service  
453 district.

454 (b) The Division of Florida Colleges to forward the notice  
455 of intent within 10 business days after receiving such notice to  
456 the Chancellor of the State University System, the President of  
457 the Independent Colleges and Universities of Florida, and the  
458 Executive Director of the Commission Council for Independent  
459 Education. State universities shall have 60 days following  
460 receipt of the notice by the Chancellor of the State University  
461 System to submit objections to the proposed new program or  
462 submit an alternative proposal to offer the baccalaureate degree  
463 program. If a proposal from a state university is not received

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464 within the 60-day period, the State Board of Education shall  
465 provide regionally accredited private colleges and universities  
466 30 days to submit objections to the proposed new program or  
467 submit an alternative proposal. Objections or alternative  
468 proposals shall be submitted to the Division of Florida Colleges  
469 and must be considered by the State Board of Education in making  
470 its decision to approve or deny a Florida College System  
471 institution's proposal.

472 (c) An alternative proposal submitted by a state  
473 university or private college or university to adequately  
474 address:

475 1. The extent to which the workforce demand and unmet need  
476 described in the notice of intent will be met.

477 2. The extent to which students will be able to complete  
478 the degree in the geographic region proposed to be served by the  
479 Florida College System institution.

480 3. The level of financial commitment of the college or  
481 university to the development, implementation, and maintenance  
482 of the specified degree program, including timelines.

483 4. The extent to which faculty at both the Florida College  
484 System institution and the college or university will  
485 collaborate in the development and offering of the curriculum.

486 5. The ability of the Florida College System institution  
487 and the college or university to develop and approve the  
488 curriculum for the specified degree program within 6 months  
489 after an agreement between the Florida College System  
490 institution and the college or university is signed.

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491 6. The extent to which the student may incur additional  
492 costs above what the student would expect to incur if the  
493 program were offered by the Florida College System institution.

494 (d) Each proposal submitted by a Florida College System  
495 institution to, at a minimum, include:

496 1. A description of the planning process and timeline for  
497 implementation.

498 2. An analysis of workforce demand and unmet need for  
499 graduates of the program on a district, regional, or statewide  
500 basis, as appropriate, including evidence from entities  
501 independent of the institution.

502 3. Identification of the facilities, equipment, and  
503 library and academic resources that will be used to deliver the  
504 program.

505 4. The program cost analysis of creating a new  
506 baccalaureate degree when compared to alternative proposals and  
507 other program delivery options.

508 5. The program's admission requirements, academic content,  
509 curriculum, faculty credentials, student-to-teacher ratios, and  
510 accreditation plan.

511 6. The program's enrollment projections and funding  
512 requirements.

513 7. A plan of action if the program is terminated.

514 (e) The Division of Florida Colleges to review the  
515 proposal, notify the Florida College System institution of any  
516 deficiencies in writing within 30 days following receipt of the  
517 proposal, and provide the Florida College System institution  
518 with an opportunity to correct the deficiencies. Within 45 days

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519 following receipt of a completed proposal by the Division of  
520 Florida Colleges, the Commissioner of Education shall recommend  
521 approval or disapproval of the proposal to the State Board of  
522 Education. The State Board of Education shall consider such  
523 recommendation, the proposal, and any objections or alternative  
524 proposals at its next meeting. If the State Board of Education  
525 disapproves the Florida College System institution's proposal,  
526 it shall provide the Florida College System institution with  
527 written reasons for that determination.

528 (f) The Florida College System institution to obtain from  
529 the Commission on Colleges of the Southern Association of  
530 Colleges and Schools accreditation as a baccalaureate-degree-  
531 granting institution if approved by the State Board of Education  
532 to offer its first baccalaureate degree program.

533 (g) The Florida College System institution to notify the  
534 Commission on Colleges of the Southern Association of Colleges  
535 and Schools of subsequent degree programs that are approved by  
536 the State Board of Education and to comply with the  
537 association's required substantive change protocols for  
538 accreditation purposes.

539 (h) The Florida College System institution to annually,  
540 and upon request of the State Board of Education, the  
541 Commissioner of Education, the Chancellor of the Florida College  
542 System, or the Legislature, report its status using the  
543 following performance and compliance indicators:

544 1. Obtaining and maintaining appropriate Southern  
545 Association of Colleges and Schools accreditation;

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- 546        2. Maintaining qualified faculty and institutional  
547 resources;  
548        3. Maintaining enrollment in previously approved programs;  
549        4. Managing fiscal resources appropriately;  
550        5. Complying with the primary mission and responsibility  
551 requirements in subsections (2) and (3); and  
552        6. Other indicators of success, including program  
553 completions, placements, and surveys of graduates and employers.  
554

555 The State Board of Education, upon review of the performance and  
556 compliance indicators, may require a Florida College System  
557 institution's board of trustees to modify or terminate a  
558 baccalaureate degree program authorized under this section.

559        ~~(6) (a) Beginning July 1, 2010, and each subsequent July 1,~~  
560 ~~the Division of Florida Colleges may accept and review~~  
561 ~~applications from a Florida College System institution to obtain~~  
562 ~~an exemption from the State Board of Education's approval for~~  
563 ~~subsequent degrees as required in subsection (5), if the Florida~~  
564 ~~College System institution is accredited by the Commission on~~  
565 ~~Colleges of the Southern Association of Colleges and Schools as~~  
566 ~~a baccalaureate degree-granting institution and has been~~  
567 ~~offering baccalaureate degree programs for 3 or more years. The~~  
568 ~~division shall develop criteria for determining eligibility for~~  
569 ~~an exemption based upon demonstrated compliance with the~~  
570 ~~requirements for baccalaureate degrees, primary mission, and~~  
571 ~~fiscal, including, but not limited to:~~

- 572        ~~1. Obtaining and maintaining appropriate SACS~~  
573 ~~accreditation;~~

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- 574       2. ~~The maintenance of qualified faculty and institutional~~  
575 ~~resources;~~
- 576       3. ~~The maintenance of enrollment projections in previously~~  
577 ~~approved programs;~~
- 578       4. ~~The appropriate management of fiscal resources;~~
- 579       5. ~~Compliance with the primary mission and responsibility~~  
580 ~~requirements in subsections (2) and (3);~~
- 581       6. ~~The timely submission of the institution's annual~~  
582 ~~performance accountability report; and~~
- 583       7. ~~Other indicators of success such as program completers,~~  
584 ~~placements, and surveys of students and employers.~~
- 585       (b) ~~If the Florida College System institution has~~  
586 ~~demonstrated satisfactory progress in fulfilling the eligibility~~  
587 ~~criteria in this subsection, the Division of Florida Colleges~~  
588 ~~may recommend to the State Board of Education that the~~  
589 ~~institution be exempt from the requirement in subsection (5) for~~  
590 ~~approval of future baccalaureate degree programs. The State~~  
591 ~~Board of Education shall review the division's recommendation~~  
592 ~~and determine if an exemption is warranted. If the State Board~~  
593 ~~of Education approves the application, the Florida College~~  
594 ~~System institution is exempt from subsequent program approval~~  
595 ~~under subsection (5) and such authority is delegated to the~~  
596 ~~Florida College System institution board of trustees. If the~~  
597 ~~State Board of Education disapproves of the Florida College~~  
598 ~~System institution's request for an exemption, the college shall~~  
599 ~~continue to be subject to the State Board of Education's~~  
600 ~~approval of subsequent baccalaureate degree programs.~~

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601 ~~(e) Prior to developing or proposing a new baccalaureate~~  
602 ~~degree program, all Florida College System institutions,~~  
603 ~~regardless of an exemption from subsection (5), shall:~~

604 ~~1. Engage in need, demand, and impact discussions with the~~  
605 ~~state university in their service district and other local and~~  
606 ~~regional, accredited postsecondary providers in their region.~~

607 ~~2. Send documentation, data, and other information from~~  
608 ~~the inter-institutional discussions regarding program need,~~  
609 ~~demand, and impact required in subparagraph 1. to the college's~~  
610 ~~board of trustees, the Division of Florida Colleges, and the~~  
611 ~~Chancellor of the State University System.~~

612 ~~3. Base board of trustees approval of the new program upon~~  
613 ~~the documentation, data, and other information required in this~~  
614 ~~paragraph and the factors in subsection (5) (d).~~

615  
616 ~~The Division of Florida Colleges shall use the documentation,~~  
617 ~~data, and other information required in this subsection,~~  
618 ~~including information from the Chancellor of the State~~  
619 ~~University System, in its compliance review.~~

620 ~~(d) The board of trustees of a Florida College System~~  
621 ~~institution that is exempt from subsection (5) must submit newly~~  
622 ~~approved programs to the Division of Florida Colleges and SACS~~  
623 ~~within 30 days after approval.~~

624 ~~(e) Within 30 days after receiving the approved~~  
625 ~~baccalaureate degree program, the Division of Florida Colleges~~  
626 ~~shall conduct a compliance review and notify the college if the~~  
627 ~~proposal meets the criteria for implementation based upon the~~  
628 ~~criteria in paragraphs (5) (d) and (6) (e). If the program fails~~

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629 ~~to meet the criteria for implementation as determined by the~~  
630 ~~Division of Florida Colleges, the college may not proceed with~~  
631 ~~implementation of the program until the State Board of Education~~  
632 ~~reviews the proposal and the compliance materials and gives its~~  
633 ~~final approval of the program.~~

634 (6)(7) The State Board of Education shall adopt rules to  
635 prescribe format and content requirements and submission  
636 procedures for notices of intent, proposals, and alternative  
637 proposals, and compliance reviews under subsection (5).

638 Section 12. Paragraphs (b), (c), (d), and (e) of  
639 subsection (3) of section 1008.31, Florida Statutes, are  
640 redesignated paragraphs (c), (d), (e), and (f), respectively,  
641 and a new paragraph (b) is added to that subsection to read:

642 1008.31 Florida's K-20 education performance  
643 accountability system; legislative intent; mission, goals, and  
644 systemwide measures; data quality improvements.-

645 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide  
646 data required to implement education performance accountability  
647 measures in state and federal law, the Commissioner of Education  
648 shall initiate and maintain strategies to improve data quality  
649 and timeliness. All data collected from state universities  
650 shall, as determined by the commissioner, be integrated into the  
651 K-20 data warehouse. The commissioner shall have unlimited  
652 access to such data solely for the purposes of conducting  
653 studies, reporting annual and longitudinal student outcomes, and  
654 improving college readiness and articulation. All public  
655 educational institutions shall provide data to the K-20 data  
656 warehouse in a format specified by the commissioner.

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657 (b) Colleges and universities eligible to participate in  
658 the William L. Boyd, IV, Florida Resident Access Grant Program  
659 shall report student-level data for each student who receives  
660 state funds in a format prescribed by the Department of  
661 Education. At a minimum, data shall be reported annually to the  
662 department and include retention rates, transfer rates,  
663 completion rates, graduation rates, employment and placement  
664 rates, and earnings of graduates.

665 Section 13. Section 1008.46, Florida Statutes, is amended  
666 to read:

667 1008.46 State university accountability process.—It is the  
668 intent of the Legislature that an accountability process be  
669 implemented that provides for the systematic, ongoing evaluation  
670 of quality and effectiveness of state universities. It is  
671 further the intent of the Legislature that this accountability  
672 process monitor performance at the system level in each of the  
673 major areas of instruction, research, and public service, while  
674 recognizing the differing missions of each of the state  
675 universities. The accountability process shall provide for the  
676 adoption of systemwide performance standards and performance  
677 goals for each standard identified through a collaborative  
678 effort involving state universities, the Board of Governors, the  
679 Legislature, and the Governor's Office, consistent with  
680 requirements specified in s. 1001.706. These standards and goals  
681 shall be consistent with s. 216.011(1) to maintain congruity  
682 with the performance-based budgeting process. This process  
683 requires that university accountability reports reflect measures  
684 defined through performance-based budgeting. The performance-

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685 based budgeting measures must also reflect the elements of  
686 teaching, research, and service inherent in the missions of the  
687 state universities.

688 (1) By December 31 of each year, the Board of Governors  
689 shall submit an annual accountability report providing  
690 information on the implementation of performance standards,  
691 actions taken to improve university achievement of performance  
692 goals, the achievement of performance goals during the prior  
693 year, and initiatives to be undertaken during the next year. The  
694 accountability reports shall be designed in consultation with  
695 the Governor's Office, the Office of Program Policy Analysis and  
696 Government Accountability, and the Legislature.

697 (2) The Board of Governors shall recommend in the annual  
698 accountability report any appropriate modifications to this  
699 section.

700 Section 14. Section 1011.905, Florida Statutes, is created  
701 to read:

702 1011.905 Performance funding for state universities.-

703 (1) For the 2012-2013 and 2013-2014 fiscal years, the  
704 Board of Governors shall review and rank each state university  
705 that applies for performance funding based on the following  
706 formula:

707 (a) Twenty-five percent of a state university's score  
708 shall be based on the percentage of employed graduates who have  
709 earned degrees in the following programs:

710 1. Computer and information science;

711 2. Computer engineering;

712 3. Information systems technology;

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713 4. Information technology; and

714 5. Management information systems.

715 (b) Twenty-five percent of a state university's score  
716 shall be based on the percentage of graduates who have earned  
717 baccalaureate degrees in the programs in paragraph (a) and who  
718 have earned industry certifications in a related field from a  
719 Florida College System institution or state university prior to  
720 graduation.

721 (c) Fifty percent of a state university's score shall be  
722 based on factors determined by the Board of Governors which  
723 relate to increasing the probability that graduates who have  
724 earned degrees in the programs described in paragraph (a) will  
725 be employed in high-skill, high-wage, and high-demand  
726 employment.

727 (2) The submission from a state university that has the  
728 highest score shall be ranked first, with each remaining  
729 submission from a state university ranked sequentially by score.

730 (3) (a) Each year, the Board of Governors shall award up to  
731 \$15 million to the highest-ranked state universities from funds  
732 appropriated for the purposes in this section and as specified  
733 in the General Appropriations Act. The award per state  
734 university shall be a minimum of 25 percent of the total amount  
735 appropriated pursuant to this section.

736 (b) The funds shall be awarded to the department of the  
737 state university which offers the degrees described in paragraph  
738 (1) (a).

739 (c) The funds may not be used to supplant funding for the  
740 degree programs described in paragraph (1) (a).

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741 (4) By December 31 of each year funds are appropriated for  
742 performance funding, the Board of Governors shall submit a  
743 report containing the rankings and award distributions to the  
744 Governor, the President of the Senate, and the Speaker of the  
745 House of Representatives.

746 Section 15. Section 445.07, Florida Statutes, is created  
747 to read:

748 445.07 Economic security report of employment and earning  
749 outcomes.—

750 (1) Beginning December 31, 2013, and annually thereafter,  
751 the Department of Economic Opportunity shall prepare, or  
752 contract with an entity to prepare, an economic security report  
753 of employment and earning outcomes for degrees or certificates  
754 earned at public postsecondary educational institutions.

755 (2) The report must be easily accessible to and readable  
756 by the public and shall be made available online. The report, by  
757 educational sector, must:

758 (a) Use the Florida Education and Training Placement  
759 Information Program for data relating to the employment,  
760 earnings, continued education, and receipt of public assistance  
761 by graduates of a degree or certificate program from a public  
762 postsecondary educational institution.

763 (b) Use the Integrated Postsecondary Education Data System  
764 or its equivalent for calculating the average student loan debt  
765 of a graduate of a degree or certificate program from a public  
766 postsecondary educational institution.

767 (c) Include data on the employment of graduates of a  
768 degree or certificate program from a public postsecondary

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769 educational institution the year after the degree or certificate  
770 is earned by number and percentage and for graduates employed  
771 full time in the year after graduation by number and percentage.  
772 Beginning with the 2014-2015 fiscal year, the report must  
773 include the employment data of graduates of a degree or  
774 certificate program from a public postsecondary educational  
775 institution 5 years after graduation by number and percentage.

776 (d) Include data on the earnings of graduates of a degree  
777 or certificate program from a public postsecondary educational  
778 institution the year after earning the degree or certificate by  
779 at least the following levels on a quarterly and annualized  
780 basis, rounded to the nearest dollar:

781 1. Quarterly wages of \$6,250 and annualized wages of  
782 \$25,000 and below.

783 2. Quarterly wages between \$6,251 and \$11,250 and  
784 annualized wages between \$25,001 and \$45,000.

785 3. Quarterly wages of \$11,251 and annualized wages of  
786 \$45,001 and above.

787 Section 16. This act shall take effect upon becoming a  
788 law.

789  
790

791 -----

792 **T I T L E A M E N D M E N T**

793 Remove the entire title and insert:

794 A bill to be entitled

795 An act relating to postsecondary education; amending s. 1001.02,  
796 F.S.; providing additional requirements for the State Board of

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797 Education's coordinated 5-year plan for postsecondary enrollment  
798 and its strategic plan specifying goals and objectives;  
799 providing a state board duty to require Florida College system  
800 institutions to provide students with electronic access to the  
801 economic security report of employment and earning outcomes;  
802 requiring state board rules to revise credit hour requirements  
803 in general education courses; amending s. 1001.03, F.S.;  
804 requiring the state board to identify performance metrics for  
805 the Florida College System and develop a plan that specifies  
806 goals and objectives for each Florida College System  
807 institution; amending s. 1001.10, F.S.; authorizing the  
808 Commissioner of Education to conduct a review of certain  
809 practices or actions at a Florida College System institution;  
810 amending s. 1001.64, F.S.; conforming provisions; amending s.  
811 1001.706, F.S.; providing additional requirements for the Board  
812 of Governors' strategic plan specifying goals and objectives for  
813 the State University System and each university and its  
814 accountability plan; providing a duty of the Board of Governors  
815 to require state universities to provide students with  
816 electronic access to the economic security report of employment  
817 and earning outcomes; authorizing the Board of Governors to  
818 waive or modify its regulations, statutory requirements, or  
819 certain fee requirements; authorizing the Board of Governors to  
820 revoke or modify certain powers or duties; amending s. 1002.20,  
821 F.S.; requiring certain public school students to be provided  
822 electronic access to the economic security report of employment  
823 and earning outcomes; amending s. 1004.015, F.S.; requiring the  
824 Higher Education Coordinating Council to annually report

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825 | recommendations for postsecondary education; amending s.  
826 | 1005.02, F.S.; requiring the Commission for Independent  
827 | Education to collect and report certain student data; amending  
828 | s. 1007.23, F.S.; providing that the statewide articulation  
829 | agreement must require certain Florida College System students  
830 | to provide information relating to continued education; amending  
831 | s. 1007.25, F.S.; revising provisions relating to general  
832 | education course requirements and associate and baccalaureate  
833 | degree requirements; providing requirements for general  
834 | education core course options; amending s. 1007.33, F.S.;  
835 | providing additional requirements for notice of intent to  
836 | propose a baccalaureate degree program at a Florida College  
837 | System institution; requiring an institution offering a  
838 | baccalaureate degree program to report its status using  
839 | specified performance and compliance standards; deleting  
840 | provisions relating to exemption from state board approval of  
841 | certain baccalaureate degree programs; amending s. 1008.31,  
842 | F.S.; requiring certain independent colleges and universities to  
843 | report data for students who receive state funds; amending s.  
844 | 1008.46, F.S.; conforming provisions; creating s. 1011.905,  
845 | F.S.; requiring the Board of Governors to review and rank each  
846 | state university that applies for performance funding based on  
847 | an established formula; requiring the Board of Governors to  
848 | award up to a specified amount to the highest-ranked state  
849 | universities; requiring a report to the Governor and  
850 | Legislature; creating s. 445.07, F.S.; requiring the Department  
851 | of Economic Opportunity to annually prepare, or contract with an  
852 | entity to prepare, an economic security report of employment and

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853 earning outcomes for degrees or certificates earned at public  
854 postsecondary educational institutions; providing an effective  
855 date.