

**2010 Session of the Florida Legislature  
Week 4 Committee Meetings  
Quick Summary**

**Tuesday, March 23, 2010**

**House Full Appropriations Council on Education and Economic Development**

The Council took action on the following appropriations conforming bill:

**H5101 GENERAL BILL/CS by Full Appropriations Council on Education & Economic Development; PreK-12 Appropriations (CEED); Flores (Compare CS/[H 0623](#), CS/[H 1287](#), [H 7039](#), [S 0002](#), CS/[S 1368](#), [S 1970](#))** Prekindergarten through Grade 12 Education Funding; Revises provisions relating to school capital outlay surtax, transfer of funds for class size reduction, appropriation of funds for regional consortium service organizations, calculations for funding lab schools, capital outlay funding for charter schools, calculations for funding Florida Virtual School, certain scholarship payments, & school district virtual instruction programs; revises requirements for maximum class size.

The bill passed as a Council Substitute and was placed on the House Special Order Calendar.

**Senate Education Pre-K – 12 Committee**

The Committee took action on the following bills:

**S1058 GENERAL BILL/CS by Criminal Justice; Aronberg (Compare CS/[H 0603](#))** Notification of School Personnel/Child Felony [SPSC]; Requires that specified school personnel be notified when a child of any age is formally charged by a state attorney with a felony or a delinquent act that would be a felony if committed by an adult and the disposition of the charges.

The Criminal Justice Committee amended the original bill to add school bus drivers to the notification list and approved the bill as a Committee Substitute. The Pre-K – 12 Committee then added an amendment to make the bill consistent with FERPA regulations. The amended bill passed as a Committee Substitute for the Committee Substitute.

**S2118 GENERAL BILL by Gardiner; (CO-INTRODUCERS) Fasano; Dean; Storms (Similar [H 0081](#), Compare [S 2616](#))** Students with Disabilities/Seclusion/Restraint [SPSC]; Provides that manual physical restraint shall be used only in an emergency

when there is an imminent risk of serious injury or death to the student or others. Prohibits school personnel from placing a student in seclusion. Requires that school personnel be trained and certified in the use of manual physical restraint. Requires the school to prepare an incident report after each occasion of student restraint and specifies contents of report.

The bill was Temporarily Postponed, Sen. Gardiner's wife was having a baby.

**S2686 GENERAL BILL by Garcia; (CO-INTRODUCERS) Villalobos; Wilson (Identical [H 1451](#)) District School Costs Study [SPSC]; Requires the Department of Education to contract with an out-of-state postsecondary educational institution to conduct a study to analyze Florida's district cost differential amenities index and to develop a cost-of-education index. Requires a report and submission of the report to the Legislature and the Governor.**

The bill passed by a unanimous vote.

**S2580 GENERAL BILL by Gaetz (Compare [H 1021](#)) Group Insurance for Public Employees [SPSC]; Requires that school districts procure certain types of insurance through interlocal agreements. Requires that each school district in this state enter into a specified type of interlocal agreement and establish the School District Insurance Consortium. Requires that the consortium be governed by a board of directors consisting of a specified number of members. Requires that the DMS provide administrative services to the consortium.**

The bill was amended to add a person to the board experienced in running an employee benefits system. Also, the board is required rather than permitted to advertise for competitive bids. The bill was passed as a Committee Substitute.

**S2602 GENERAL BILL by Storms (Compare [H 1261](#)) Grade K-12 Schools/Locker Rooms [SPSC]; Requires that locker rooms in K-12 schools be locked when not in use by students or other authorized persons and be directly supervised by faculty or staff when in use by students. Provides fines for violations. Provides for the use of any fines that are collected.**

The bill passed by a unanimous vote.

**Thursday, March 25, 2010**

### **House Education PreK – 12 Policy Committee**

**H461 GENERAL BILL by Kelly; (CO-SPONSORS) Bullard; Burgin; Coley; McBurney; Van Zant (Compare [CS/S 0820](#)) Participation in Fine Arts Courses; Revises basis for designation of school grades to include participation rates of students who are enrolled in fine arts courses.**

The bill passed as a Committee Substitute.

**H747 GENERAL BILL/CS by PreK-12 Policy (EPC); N. Thompson; (CO-SPONSORS) Jones; Kreegel; Renuart; Van Zant (Compare [H 0593](#), [S 0896](#), [S 1954](#)) Treatment of Diabetes**; Revises Diabetes Advisory Council membership; prohibits school districts from restricting assignment of diabetic students to certain schools for certain reasons; authorizes student to manage diabetes while at school, school-sponsored activities, or in transit thereto with written authorization from parent & physician; requires State Board of Education to adopt rules; provides for indemnification of specified employees, volunteers, & entities.  
The bill passed as a Committee Substitute.

**H1073 GENERAL BILL/CS by PreK-12 Policy (EPC); Llorente; Hukill; (CO-SPONSORS) Ambler; Anderson; Brandenburg; Burgin; Flores; Ford; Fresen; Glorioso; Gonzalez; Heller; Hudson; Jenne; Kiar; McBurney; Nehr; Pafford; Planas; Porth; Precourt; Rader; Reed; Sachs; Schenck; Schultz; Schwartz; Skidmore; Soto; Stargel; Steinberg; Tobia; T. Williams; Zapata (Compare [S 2118](#), [S 2472](#), [S 2616](#)) Education of Children with Disabilities**; (THIS BILL COMBINES H1073 & H81) Requires minimum training for child care personnel to include identification & care of children with developmental disabilities; provides requirements for use, monitoring, & reduction of unnecessary seclusion & restraint on students with disabilities in public schools; requires regional autism centers to provide certain support for serving children with developmental disabilities.

**H81 GENERAL BILL by Hukill; (CO-SPONSORS) Ambler; Anderson; Bernard; Brandenburg; Burgin; Flores; Fresen; Glorioso; Gonzalez; Heller; Hudson; Jenne; Kiar; Llorente; Mayfield; McBurney; Nehr; Pafford; Planas; Porth; Precourt; Rader; Reed; Sachs; Schenck; Schultz; Schwartz; Skidmore; Soto; Stargel; Steinberg; Tobia; T. Williams; Zapata Seclusion/Restraint/Students with Disabilities**; (THIS BILL COMBINED IN CS/H1073 & H81) Provides that manual physical restraint shall be used only in emergency when there is imminent risk of serious injury or death to student or others; provides restrictions on use of manual physical restraint; prohibits use of manual physical restraint by school personnel who are not trained & certified to use district-approved methods for applying restraint techniques.

House bills 1073 and 81 were combined and passed as a Committee Substitute.

The Committee also passed PCB PT 10-02, a bill that is almost identical to SB 6 pertaining to employee appraisal, salary schedules and contracts. The bill may be accessed at the following link:  
[http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2462&Session=2010&DocumentType=Proposed%20Committee%20Bills%20\(PCBs\)&FileName=PCB%20PT%2010-02.pdf](http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2462&Session=2010&DocumentType=Proposed%20Committee%20Bills%20(PCBs)&FileName=PCB%20PT%2010-02.pdf)

**Friday, March 26, 2010**

**House Education PreK – 12 Appropriations Committee**

**H623 GENERAL BILL/CS by PreK-12 Policy (EPC); Burgin; (CO-SPONSORS) Nehr; Plakon; Rouson (Compare [H 1173](#), CS/[H 5101](#), [S 1124](#), [S 2262](#)) Instructional Materials for K-12 Public Education**; Includes computer hardware in definition of term "adequate instructional materials"; requires district school boards to provide technology as needed for educational program; authorizes use of certain funds for purchase of computer hardware by district school boards; provides restrictions.

The Committee passed the bill with one amendment. The amendment replaces the inclusion of "hardware" in the definition of adequate instructional materials with "electronic" textbooks, does the same thing in the authorization to purchase materials not on the adopted materials list, and delays the use of instructional materials funds for hardware until 2012-13.

**H1061 GENERAL BILL/CS by PreK-12 Policy (EPC); Heller; (CO-SPONSORS) Brandenburg; Kriseman; Steinberg (Identical CS/[S 0434](#)) Suicide Prevention Education**; Requires that district school boards provide access to suicide prevention educational resources to all instructional & administrative personnel as part of school district professional development system.

The Committee passed the bill with one amendment adding membership to the Suicide Prevention Coordinating Council.

**H1233 GENERAL BILL by Jenne; (CO-SPONSORS) Kiar (Identical [S 2356](#)) Educational Plant Surveys**; Authorizes extension to school district educational plant survey submission deadline; provides requirements for submission to DOE of request for extension & requires department approval; provides restrictions on school district construction during extension period; requires State Board of Education to adopt rules.

The Committee passed the bill with one amendment limiting the number of extensions to four.

**H1505 GENERAL BILL/CS by PreK-12 Policy (EPC); Flores; (CO-SPONSORS) Crisafulli; Porth; Precourt (Compare [S 2746](#)) McKay Scholarship/Students with Disabilities Prog.**; Revises student eligibility requirements for participation in John M. McKay Scholarships for Students with Disabilities Program; authorizes students who are eligible to enter kindergarten to receive John M. McKay Scholarship; provides eligibility requirements for student identified with developmental delay; authorizes students who were enrolled & reported by school district for funding during any prior year FEFP surveys to receive scholarship.

The Committee passed the bill.

**H1569 GENERAL BILL/CS by PreK-12 Policy (EPC); Stargel Charter Schools;** Provides requirements for designation & operation as high-performing charter school; revises requirements for providing financial statements to charter school sponsor; revises requirements for establishment of charter school-in-the-workplace & authorizes capital outlay funding; prohibits school district from imposing certain restrictions relating to charter school facilities; provides for exemption from certain exactions.

The Committee passed the bill with one amendment limiting startup charter school site development restrictions no more stringent than the State Requirements for Educational Facilities of the Florida Building Code.

### **Senate Policy & Steering Committee of Ways and Means**

**S1368 GENERAL BILL/CS by Education Pre-K - 12 Appropriations; Wise (Compare CS/H 5101, H 7039, S 0002, CS/CS/S 0690) Public School Funding [WPSC];** Deletes a requirement that school boards imposing the school capital outlay surtax freeze noncapital local school property taxes for at least 3 years. Extends the duration of a provision specifying methods to calculate the salary of a school board member. Removes the repeal of provisions authorizing a reduction in the incentive grants that are awarded to consortium service organizations.

This the Education Conforming Bill to the Appropriations Act. The bill was passed with 3 amendments and will be placed on the Special Order Calendar. The bill is essentially the same as the information supplied to you last week. A more detailed analysis will be sent next week.

### **Retirement**

**Retirement bills move to senate and house special order calendars for consideration.**

**Both the House and Senate have made one significant change that will affect personnel in the Districts and any participants in the Florida Retirement System. The session is still young, so we will continue to follow these and other issues affecting retirement and other benefits.**

**S2022 GENERAL BILL by Alexander**

**Florida Retirement System [WPSC];** Expresses the legislative intent to revise laws relating to the Florida Retirement System. EFFECTIVE DATE: 07/01/2010.

02/15/10 SENATE Filed

03/01/10 SENATE Referred to Policy & Steering Committee on Ways and Means; Governmental Oversight and Accountability; Rules

03/02/10 SENATE Introduced, referred to Policy & Steering Committee on Ways and Means; Governmental Oversight and Accountability; Rules

-SJ 00137

03/22/10 SENATE On Committee agenda-- Policy & Steering Committee on Ways and Means, 03/25/10, 1:30 pm, 412-K

03/25/10 SENATE CS by Policy & Steering Committee on Ways and Means; YEAS 15  
NAYS 8

03/31/10 SENATE Placed on Special Order Calendar --If received

### **PCB 2022**

- Changes all FRS retirement plans to be partially contributory effective January 1, 2011; each participant shall contribute one quarter of one percent to their own retirement...
- Statutory changes are made in bill to implement changes

House

### **H5701 GENERAL BILL by Full Appropriations Council on Education & Economic**

#### **Development; Rivera**

Health Insurance Subsidies; Revises provisions relating to health insurance subsidies; provides for elimination of retiree health insurance subsidies to certain new retirees or beneficiaries; provides for future repeal of certain retiree health insurance subsidies; revises employer contribution requirements; provides for future repeal of required employer contributions on behalf of specified members, etc.  
EFFECTIVE DATE: 07/01/2010 except as otherwise provided.

03/23/10 HOUSE Filed; Introduced -HJ 00370; Referred to Calendar -HJ 00370

03/31/10 HOUSE Placed on Special Order Calendar

### **PCB CEED 10-4**

- Eliminates the Health Insurance Subsidy for all retirees effective January 1, 2011.
- Changes statutes to implement bill

### **Next Week**

House and Senate will convene on Wednesday and Thursday next week. The objective will be to have the appropriations process reach a conference posture by week's end.

Questions, requests, comments and suggestions may be addressed to [mike@mixonandassociates.com](mailto:mike@mixonandassociates.com)

