



Capital Office for Administrative & Legislative Services

**January 9, 2018**

**TO: All Administrators**

**RE: Start of the Florida 2018 Legislative Session Capital Update**

**FROM: Dr. Howard G. Burke, Executive Director**

**Office of Administrative and Legislative Services**

With the Florida Legislature entering into their official 60-day Session this date there are a number of legislative bills that will impact Christian schools and the private sector especially if a school participates in any of the available scholarship programs (Step-Up/CTSP, McKay, Gardiner or the future HOPE option).

Specific bills address the Corporate Tax Credit Scholarship (due to all the negative press emanating from the Orlando Sentinel and Step-Up's desire to establish expanded revenue streams), the Gardiner Scholarship expansion and the HOPE Scholarship implementation, and the ramifications will all potentially be administered by the SFO Step-Up for Students and therefore elicit significant additional accountability measures. The McKay Scholarship (early entry) will likewise see action, and this too will find additional accountability controls added to expansion and growing dollar values.

Legislative actions will take place on several other areas such as the delivery of educational services, core course offerings, discriminatory and non-discriminatory issues from employment screening to gender identity, trans-gender and sexual orientation in public, private programs and at each level including criminal check prohibitions at employment occasions and postsecondary enrollment.

VPK and School Readiness legislative efforts have some interesting aspirations. Screening and background enhancements along with a new twist to extra funding for School Readiness programs that are Gold Seal recognized and hold an approved accreditation through an agency recognized by the DCF in addition to other strings will be added to several areas.

At this time we are going to take a giant leap of faith and tell you of a positive change in dual enrollment policy is well underway with potential significant favorable movement that has been underway through a variety of meetings and teleconferences for the past two months with the first bill filed. The bill has been posted on the FACCS website in the Legislative Services section.

Below is a comprehensive listing of impacting House and Senate Bills of interest at this early point to the private sector that have been prefilled for the Session.

### 1. **FL H 1**

**Author:** Donalds (R)

**Title:** Hope Scholarship Program

**Location:** House PreK-12 Appropriations Subcommittee

**Summary:** Establishes the Hope Scholarship Program; relates to students subjected to bullying or harassment; provides certain program eligibility requirements; prohibits the payment of a scholarship under certain circumstances; requires a school principal to investigate a report of physical violence or emotional abuse; provides for parent and student responsibilities for program participation; provides guidelines for the funding of payments; provides a scholarship funding tax credit.

**Status:** **01/09/2018 In HOUSE. On Committee agenda 11/08/17.**  
**01/09/2018 From HOUSE PRE-K-12 INNOVATION SUBCOMMITTEE: Reported favorably**  
**01/09/2018 To HOUSE PRE-K-12 APPROPRIATIONS SUBCOMMITTEE.**

### 2. **FL H 211**

**Author:** Geller (D)

**Title:** Crimes Evidencing Prejudice

**Location:** House Criminal Justice Subcommittee

**Summary:** Relates to crimes evidencing prejudice; provides for reclassification of offenses if the commission of the offenses evidences prejudice towards the victim in whole or in part on specified grounds; provides for reclassification of offenses evidencing prejudice based on the gender or gender identity of the victim; defines the term gender identity; requires grounds for reclassification of crimes to include prejudice based on a disability of the victim.

**Status:** **01/09/2018 Referred to HOUSE JUSTICE APPROPRIATIONS SUBCOMMITTEE.**  
**01/09/2018 Referred to HOUSE Committee on JUDICIARY.**

### 3. **FL H 347**

**Author:** Diamond (D)

**Title:** Prohibited Discrimination

**Location:** House Commerce Committee

**Summary:** Relates to prohibited discrimination; creates the Florida Competitive Workforce Act; adds sexual orientation and gender identity as impermissible grounds for discrimination in public lodging establishments and public food service

establishments; provides an exception for constitutionally protected free exercise of religion.

**Status:** 01/09/2018 Referred to HOUSE Committee on JUDICIARY.  
01/09/2018 Referred to HOUSE Committee on COMMERCE.

#### 4. **FL H 399**

**Author:** Mariano (R)

**Title:** John McKay Scholarship for Students with Disabilities

**Location:** House PreK-12 Appropriations Subcommittee

**Summary:** Relates to the John M. McKay Scholarship for Students with Disabilities Program; authorizes a parent to request an individual education plan meeting and reevaluation from the school district for specified purposes; authorizes a school district to change a matrix of services for a student as a result of an individual education plan reevaluation.

**Status:** 01/09/2018 Referred to HOUSE PRE-K-12 APPROPRIATIONS SUBCOMMITTEE.  
01/09/2018 Referred to HOUSE Committee on EDUCATION.

#### 5. **FL H 433**

**Author:** Henry (D)

**Title:** Discrimination in Employment Screening

**Location:** House Commerce Committee

**Summary:** Relates to discrimination in employment screening; prohibits an employer from inquiring into or considering an applicants criminal history on an initial employment application unless otherwise required to do so by law; provides an effective date.

**Status:** 01/09/2018 Referred to HOUSE Committee on JUDICIARY.  
01/09/2018 Referred to HOUSE Committee on COMMERCE.

#### 6. **FL H 731**

**Author:** Sullivan (R)

**Title:** Home Education

**Committee:** House PreK-12 Innovation Subcommittee

**Summary:** Relates to home education; specifies that a home education program is not a school district program and is registered with the district school superintendent

only for the purpose of complying with the states attendance requirements; revises the content requirements of a notice of enrollment of a student in a home education program.

**Status:**           **01/09/2018 Referred to HOUSE Committee on EDUCATION.**  
**01/09/2018 In HOUSE. On Committee agenda 01/09/18.**  
**01/09/2018 From HOUSE PRE-K-12 INNOVATION SUBCOMMITTEE: Reported favorably with substitute.**

## 7. **FL H 829**

**Author:**           Plasencia (R)

**Title:**             Scholarships for Students with Disabilities Program

**Location:**       House PreK-12 Appropriations Subcommittee

**Summary:**       Relates to the John M. McKay Scholarships for Students with Disabilities Program; provides that specified eligibility requirements do not apply to students in certain grades beginning in a specified school year; revises student eligibility criteria; provides for the calculation of the scholarship amount for students diagnosed with a disability by certain physicians or psychologists; provides for the adjustment of the scholarship amount under certain circumstances.

**Status:**           **01/09/2018 Referred to HOUSE PRE-K-12 APPROPRIATIONS SUBCOMMITTEE.**  
**01/09/2018 Referred to HOUSE Committee on EDUCATION.**

## 8. **FL H 1091**

**Author:**           Grall (R)

**Title:**             Early Learning

**Location:**       House PreK-12 Appropriations Subcommittee

**Summary:**       Relates to Early learning; revises the definition of at-risk child; revises the duties of the Office of Early Learning; provides for the development of a program assessment for school readiness providers; provides program assessment requirements; revises the standard statewide contract for providers.

**Status:**           **01/09/2018 Referred to HOUSE PRE-K-12 APPROPRIATIONS SUBCOMMITTEE.**  
**01/09/2018 Referred to HOUSE Committee on EDUCATION.**

## 9. **FL S 60**

**Author:**           Hukill (R)

**Title:** Tax on Sales Use and Other Transactions  
**Location:** Senate Community Affairs Committee  
**Summary:** Relates to the tax on sales, use, and other transactions; reduces the tax levied on rental or license fees charged for the use of real property; makes technical changes.  
**Status:** **01/09/2018 Referred to SENATE APPROPRIATIONS SUBCOMMITTEE on FINANCE AND TAX.**  
**01/09/2018 Referred to SENATE Committee on APPROPRIATIONS.**

#### 10. **FL S 178**

**Author:** Garcia Re (R)  
**Title:** Crimes Evidencing Prejudice  
**Location:** Senate Criminal Justice Committee  
**Summary:** Relates to crimes evidencing prejudice; requires reclassified crimes to include actual or perceived sex, creed, or employment in specified jobs of the victims; defines the term emergency service employee.  
**Status:** **01/09/2018 Referred to SENATE APPROPRIATIONS SUBCOMMITTEE on CRIMINAL AND CIVIL JUSTICE.**  
**01/09/2018 Referred to SENATE Committee on APPROPRIATIONS.**  
**01/09/2018 Referred to SENATE Committee on RULES.**

#### 11. **FL S 564**

**Author:** Young (R)  
**Title:** Scholarships for Students With Disabilities  
**Committee:** Senate Appropriations Subcommittee on Pre-K - 12 Education  
**Summary:** Amends the John M. McKay Scholarships for Students with Disabilities Program; provides that parents seeking an individual education plan reevaluation may request a specified meeting and evaluation from the school district; specifies that a school district may change a student's matrix of services as a result of an individual education plan reevaluation.  
**Status:** **01/09/2018 From SENATE Committee on EDUCATION: Reported favorably.**  
**01/09/2018 To SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION.**

#### 12. **FL S 702**

**Author:** Farmer (D)

**Title:** Criminal History Records

**Location:** Senate Education Committee

**Summary:** Relates to criminal history records in applications for public employment and admission to public postsecondary educational institutions; prohibits a public employer from inquiring into or considering an applicants criminal history on an initial employment application unless required to do so by law; prohibits public postsecondary educational institutions from inquiring into or considering the criminal history of an applicant seeking admission; provides an effective date.

**Status:** **01/09/2018 Referred to SENATE Committee on EDUCATION.**  
**01/09/2018 Referred to SENATE Committee on APPROPRIATIONS.**  
**01/09/2018 Referred to SENATE Committee on RULES.**

### 13. **FL S 732**

**Author:** Baxley (R)

**Title:** Home Education

**Location:** Senate Appropriations Subcommittee on Pre-K - 12 Education

**Summary:** Amends the home education program; prohibits a district school from requiring certain evidence relating to a child's age from children enrolled in specified schools and programs; revises reporting requirements for specified issues relating to compulsory school attendance; revises the standards required for a home education student to participate in extracurricular activities; prohibits dual enrollment course and program limitations for home education students; exempts certain GPA requirements.

**Status:** **01/09/2018 Referred to SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION.**  
**01/09/2018 Referred to SENATE Committee on APPROPRIATIONS.**

### 14. **FL S 1064**

**Author:** Baxley (R)

**Title:** Dual Enrollment Programs

**Location:** Senate Appropriations Subcommittee on Higher Education

**Summary:** Relates to dual enrollment programs; revises the contents of a post secondary institution and private school dual enrollment articulation agreement; prohibits certain fees from being passed to the private school.

**Status:** **01/09/2018 To SENATE Committee on EDUCATION.**  
**01/09/2018 Referred to SENATE APPROPRIATIONS SUBCOMMITTEE ON HIGHER EDUCATION.**

**01/09/2018 Referred to SENATE Committee on APPROPRIATIONS.**

**15. FL S 1080**

**Author:** Baxley (R)

**Title:** John M. McKay Scholarships

**Location:** Senate Appropriations Subcommittee on Pre-K - 12 Education

**Summary:** Relates to the John M. McKay Scholarships for Students with Disabilities Program; provides that specified eligibility requirements do not apply to students in certain grades beginning in a specified school year; revises student eligibility criteria; provides for the calculation of the scholarship amount for students diagnosed with a disability by certain physicians or psychologists; provides for the adjustment of the scholarship amount under certain circumstances.

**Status:** **01/09/2018 To SENATE Committee on EDUCATION.**

**01/09/2018 Referred to SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION.**

**01/09/2018 Referred to SENATE Committee on APPROPRIATIONS.**

**16. FL S 1172**

**Author:** Galvano (R)

**Title:** Hope Scholarship Program

**Location:** Senate Appropriations Subcommittee on Pre-K - 12 Education

**Summary:** Relates to the Hope Scholarship Program; establishes the Hope Scholarship Program; provides the purpose of the program; provides definitions; provides eligibility requirements; prohibits the payment of a scholarship under certain circumstances; requires a school principal to investigate a report of physical violence or emotional abuse.

**Status:** **01/09/2018 To SENATE Committee on EDUCATION.**

**01/09/2018 Referred to SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION.**

**01/09/2018 Referred to SENATE Committee on APPROPRIATIONS.**

**17. FL S 1756**

**Author:** Simmons (R)

**Title:** School Accountability

**Location:** SENATE

**Summary:** Relates to school accountability; revises the private schools to which the Department of Education is required to provide technical assistance and authorized staff; updates terminology; revises requirements for private schools that participate in the Gardiner Scholarship Program. This new file bill from last Friday has significant negative issues at this time that are being addressed with the sponsor through a variety of resources. FACCS is not favorable to the present accountability measures proposed that may well overlap to other scholarship options as this is a possible “fix-it” bill for the fraud exposed for some that have misused Step-Up and McKay funds. It provides for invasive additional accountability measures including requiring faculty (all including support or specialty staff) that must be graduates from regionally accredited or nationally accredited/recognized colleges, etc. with three years of prior teaching experience, and much more. The requirements would apply whether a school accepted one or an untold number of scholarship students and would bundle financial dollars into one pot for required audit purposes. This bill is an overreach that could pave the way to curriculum control, required state teacher certification, use of state assessments instead of national normed reference assessments, dictated resources for faculty professional development, massive increase in site visits, audits, fiscal satisfaction, multiple different departments would have specified expectations and there would be an expanded oversight necessary of a scholarship recipient school by the Office of School Choice and more. **At this time we are not asking for any action to take place as this is supposed to be a “friendly” bill to the private sector** but sometimes those that love us can do extreme damage that costs the autonomy of a faith-based ministry.

**Status:** 01/09/2018 INTRODUCED.

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