



Capital Office for Administrative & Legislative Services

February 9, 2018

TO: All FACCS Administrators  
FROM: Dr. Howard G. Burke, Executive Director  
RE: Capital Update on Dual Enrollment & Scholarship Accountability

With 26 days to go in the 2018 Florida Legislative session a number of bills are advancing through the various committee and House or Senate passage process. Below you will find a reduced listing of House and Senate bills that, at this point, have been taken up, amended, developed into substitute or comprehensive committee bills.

**Of primary note is the passage of HB 7055** (a comprehensive House/leadership) Committee Substitute which is referred to as a “*Conforming Bill*,” due to the fact it is packed with budget authorizations and will typically end up in a Conference Committee with House and Senate negotiators. This is important because ***it contains the dual enrollment language liberating private schools from being forced to pay tuition for students seeking to access dual enrollment options.*** (The Senate companion bill **SB 1164** by Baxley has also advanced through two committees and is now in the final posture as a substitute with comparable language. ***(See Talking Points on the FACCS website for communication on Dual Enrollment)***)

In addition to the dual enrollment language the various **Scholarship Accountability** initiatives in **CSHB 7055** have friendly and acceptable accountability language (a combination of several bills addressing Corporate Tax Credit...”Step-Up” and “AAA” SFO’s, McKay, & Gardiner expansion). There has also been movement of related legislation that has received favorable votes to advance.

On the Senate side the scholarship accountability legislation **has not done as well. SB 1756 by Simmons** has been amended and is a substitute but still does not resolve many issues relating to the enhanced accountability expectations for faculty members. Several meetings have been held with the Senator and staff explaining the objections but the concerns have to-date

fallen on deaf ears. As a result in a concerted effort between the Florida Association of Academic Nonpublic Schools (FAANS), Step-Up & Choice Foundations the following has been sent to select Senators:

### *FAANS Resolution*

*The Florida Association of Academic Non-public Schools (FAANS) represents over 1,300 private schools in Florida and 14 recognized accrediting associations. Many of our schools participate in the various scholarship programs designed to help children from low-income families and those with disabilities. Our association believes in quality and we believe that for the number of schools and children participating in these programs, the programs are working for these children.*

*FAANS has concerns about the following provisions in CS/SB 1756.*

- Authorizing the Department to visit up to 5% of schools is good, but the visits need to be **limited** to new schools, those in operation less than 5 years and those with an unresolved complaint. Leaving the number of onsite visits up to the discretion of the Department is a better use of taxpayer dollars. The **MUST** on line 507 needs to be changed to a **MAY** so as not to require unnecessary visits.*
- Applying the same required accounting report for schools that receive more than \$250,000 in McKay Scholarship funds is good, but that needs to go into the McKay Scholarship program statute (s.1002.39).*

*This language is already in both the Gardiner Scholarship and Florida Tax Credit Scholarship Programs. Many of the well-established private schools will withdraw from the program or reduce the number of scholarship students they take if they have to report that information to the Department of Education, in addition to the scholarship funding organization from which they receive their funding. This provision would make financial information on participating private schools subject to a public records request. Reporting to the SFO keeps the information private. **This needs to be removed from s.1002.421 and put into the McKay Scholarship Program.***

- **Requiring that all instructors in grades 2 through 12 have a bachelor's degree from a regional or national accrediting agency recognized by the USDOE eliminates the possibility of having instructors who have earned their graduate or undergraduate degrees outside of the United States. This would also discriminate against employees that have immigrated to the US with training in math, science; a foreign language or any number of other fields of expertise as postsecondary institutions outside of the United States typically would hold no affiliation to US regional associations or be recognized by the USDOE. It also eliminates more experienced teachers who may have graduated from a college, university or seminary that does not hold to the merit of a secular accreditation or when a student has graduated prior to the postsecondary institution being accredited. It may even eliminate someone like Bill Gates, Mark Zuckerberg or Steve Jobs who did not finish college, but are geniuses in computer science and coding. This needs to be removed.***

- *In a free enterprise system the accountability is twofold: voice and exit. Since parents have the right to voice their concerns and leave the school if the private school does not meet their expectations, then if the school is still in business after 5 years, they must be doing something right.*
- *Reporting the qualifications of the teachers to the parent of the scholarship student is transparent, but to have to report all qualifications of each teacher in the school to the FDOE interferes with the autonomy, employment & privacy practices of the private school & their employee. This provision assumes that every student in a private school is a scholarship student. **This section needs to focus on the scholarship students and not the entire school.** Adopted on 2/6/18*

Bullet point three highlights the primary issue that must concern Christian schools which accept scholarship students. Put simply, if a school has long-term faculty that earned their undergraduate and/or graduate degrees prior to the time their Bible College, Christian College, University or Seminary obtained their present accredited status by one of the original six regional accrediting agencies or was an accrediting agency recognized by the US Office of Education for post-secondary higher education, then they are, ***under this legislation not qualified to be employed as teachers in a school that accepts even one scholarship student.*** That is just the opening complication of Senator Simmons's bill language. There are additional concerns regarding the revised definitions of "owner/operator, and inclusion of a poorly worded ability to accept a degree from a foreign instructor. ***The Committee Substitute amendment as passed for SB 1756 is posted on the FACCS web site for your understanding.***

The Bill has another hearing before the full Senate Appropriations Committee, date not known at this time. Between now and that hearing you are encouraged to contact the Senator's office and that of the Senate Appropriations Committee and let them know this is unacceptable discriminatory language. However, take heart the **CSHB 7055** that is now passed by the House and has been sent to the Senate, which will go to conference, does not contain this language. **WARNING:** Many good things can be lost during negotiations on funding bills...including dual enrollment language. So be cautious how you communicate with positive concern to the members of the Senate who will ultimately all have an opportunity via the House Conforming Bill to right the scholarship accountability language.

Other actions related to early childhood changes regarding Early Learning Coalitions having the right to deny or continue a contract with a private provider; required installation of an alarm system on student transportation vehicles to alert drivers to verify all students have exited a vehicle at a final stop; changes in various School Readiness protocols, etc., have advanced.

Additionally legislation allowing for conceal-carry assignment of personnel at a place of worship, and so forth have been favorably moved forward in substitute bill form.

Finally, the HOPE Scholarship and Reading Scholarship legislation is advancing. However, there should be no consideration of a Christian school accepting the HOPE scholarship students due to significantly intrusive language and further loss of ministry autonomy.

**FL H 1**

**Author:** [Donalds \(R\)](#)

**Title:** Hope Scholarship Program

**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:** 02/07/2018 From HOUSE Committee on EDUCATION: Reported favorably with substitute. (14-4)

**2.FL H 621**

**Author:** [Rommel \(R\)](#)

**Title:** School Safety

**Summary:** Relates to school safety; provides legislative intent; provides an exception to a prohibition on possessing firearms or other specified devices on school property or other specified areas for authorized concealed weapon or firearm licensees who are designated by school principals or district school superintendents; provides requirements for designees.

**3.FL H 731**

**Author:** [Sullivan \(R\)](#)

**Title:** Home Education

**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:** 02/07/2018 From HOUSE Committee on EDUCATION: Reported favorably with substitute. (18-0)

**4.FL H 829**

**Author:** [Plasencia \(R\)](#)

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

**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.

**5.FL H 951**

**Author:** [Fischer \(R\)](#)

**Title:** Education

**Summary:** Relates to education; requires certain assessment results be provided to parents within a specified timeframe; requires the Office of Early Learning to aggregate specified assessment results to be distributed to certain entities

and posted on the offices website within a specified timeframe; authorizes certain students to reenroll in the Voluntary Prekindergarten Education Program.

**6.FL H 1045**

**Author:** [Pigman \(R\)](#)

**Title:** Immunization Registry

**Summary:** Relates to immunization registry; revises provisions relating to the communicable disease prevention and control programs under the Department of Health; provides requirements for electronic availability of immunization records; requires certain health care practitioners to submit and update data in the immunization registry; requires the department to adopt rules.

**Status:** 02/05/2018 In HOUSE. Placed on Calendar.

**7.FL H 1091**

**Author:** [Grall \(R\)](#)

**Title:** Early Learning

**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:** 02/06/2018 From HOUSE PRE-K-12 APPROPRIATIONS SUBCOMMITTEE: Reported favorably with substitute. (12-0)

**8.FL H 1129**

**Author:** [Cortes \(R\)](#)

**Title:** Licensure of Child Care Programs

**Summary:** Relates to licensure of child care programs; requires certain organizations providing after-school child care programs to be licensed as child care facilities; defines the term after-school program; conforms provisions to changes made by the act; conforms cross- references.

**Status:** 02/05/2018 To HOUSE HEALTH CARE APPROPRIATIONS SUBCOMMITTEE.

**9.FL H 1175**

**Author:** [Sullivan \(R\)](#)

**Title:** Early Learning Coalitions

**Summary:** Relates to Early learning coalitions; authorizes an early learning coalition to refuse to contract with certain school readiness program providers.

**Status:** 02/08/2018 In HOUSE. Placed on Special Order Calendar 02/14/18.

**10.FL H 1419**

**Author:** [McClure \(R\)](#)

**Title:** Firearms

**Summary:** Relates to firearms; authorizes a church, a synagogue, or other religious institution to allow a concealed weapons or concealed firearms licensee to carry a firearm on the property of the church, synagogue, or religious institution for certain purposes.

**11.FL H 6051**

**Author:** [Shaw \(D\)](#)

**Title:** Florida Tax Credit Scholarship Program

**Summary:** Relates to the Tax Credit Scholarship Program; relates to a credit for contributions to eligible nonprofit scholarship funding organizations.

**12.FL H 7055**

**Author:** [House Education Committee](#)

**Title:** Education

**Summary:** Relates to education; authorizes the Commissioner of Education to coordinate resources during an emergency; revises the duties and responsibilities of superintendents relating to the organization of schools; requires school districts to provide charter schools access to certain property on the same basis as public schools.

**Status:** 02/08/2018 In HOUSE. Passed HOUSE. \*\*\*\*\*To SENATE.

13.FL S 274

**Author:** [Stargel \(R\)](#)

**Title:** Concealed Weapons and Firearms in Multiuse Facilities

**Summary:** Relates to concealed weapons and firearms in multiuse facilities; provides that a person licensed to carry a concealed weapon or concealed firearm is not prohibited by specified laws from such carrying on the property of certain institutions.

14.FL S 732

**Author:** [Baxley \(R\)](#)

**Title:** Home 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:** 02/08/2018 From SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION: Reported favorably with substitute.

15.FL S 1048

**Author:** [Baxley \(R\)](#)

**Title:** Firearms

**Summary:** Relates to firearms; authorizes a church, a synagogue, or other religious institution to allow a concealed weapons or concealed firearms licensee to carry a firearm on the property of the church, synagogue, or religious institution for certain purposes.

**Status:** 02/08/2018 In SENATE. Placed on Third Reading.

16.FL S 1064

**Author:** [Baxley \(R\)](#)

**Title:** Dual Enrollment Programs

**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:** 02/08/2018 From SENATE APPROPRIATIONS SUBCOMMITTEE ON HIGHER EDUCATION: Reported favorably with substitute.

17.FL S 1080

**Author:** [Baxley \(R\)](#)

**Title:** John M. McKay Scholarships

**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.

18.FL S 1172

**Author:** [Galvano \(R\)](#)

**Title:** Hope Scholarship Program

**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:** 02/08/2018 From SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION: Reported favorably with substitute.

**19.FL S 1192**

**Author:** [Stargel \(R\)](#)

**Title:** Education

**Summary:** Relates to education; requires certain assessment results to be provided to parents within a specified timeframe; requires the Office of Early Learning to aggregate specified assessment results to be distributed to certain entities and posted on the offices website within a specified timeframe; authorizes certain students to reenroll in the Voluntary Prekindergarten Education Program; specifies that the program be offered by a provider that has met certain criteria.

**20.FL S 1236**

**Author:** [Baxley \(R\)](#)

**Title:** School Safety

**Summary:** Relates to school safety; provides legislative intent; provides an exception to a prohibition on possessing firearms or other specified devices on school property or other specified areas for authorized concealed weapon or firearm licensees who are designated by school principals or district school superintendents; provides requirements for designees.

**21.FL S 1254**

**Author:** [Passidomo \(R\)](#)

**Title:** Early Learning

**Summary:** Relates to early learning; requires a parent with custody of a child to be verified as a victim of domestic violence by a certified domestic violence center before his or her child is considered an at-risk child; revises the duties of the Office of Early Learning; revises the requirements for the offices annual analysis of the states Early learning activities.

**Status:** 02/06/2018 From SENATE Committee on JUDICIARY: Reported favorably. (10-0)

**22.FL S 1520**

**Author:** [Hutson \(R\)](#)

**Title:** Licensure of Child Care Programs

**Summary:** Relates to licensure of child care programs; requires certain organizations offering child care through after-school programs to be licensed as child care facilities; defines the term after school program; conforms provisions to changes made by the act; conforms cross-references.

**23.FL S 1532**

**Author:** [Stargel \(R\)](#)

**Title:** Early Learning Coalitions

**Summary:** Relates to early learning coalitions; authorizes an early learning coalition to refuse to contract with certain school readiness program providers.

**Status:** 02/08/2018 From SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION: Reported favorably.

**24.FL S 1680**

**Author:** [Montford \(D\)](#)

**Title:** Immunization Registry

**Summary:** Relates to immunization registry; revises provisions relating to the communicable disease prevention and control programs under the Department of Health; deletes a provision that allows the parent or guardian of a child to refuse to have the child included in the immunization registry; provides requirements for electronic availability of, rather than transfer of, immunization records.

**25.FL S 1756**

**Author:** [Simmons \(R\)](#)

**Title:** School Accountability

**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.

**Status:** 02/08/2018 From SENATE APPROPRIATIONS SUBCOMMITTEE on PRE-K - 12 EDUCATION: Reported favorably with substitute.

**26.FL S 1820**

**Author:** [Perry \(R\)](#)

**Title:** Reading Scholarship Accounts

**Summary:** Relates to reading scholarship accounts; establishes reading scholarship accounts for specified purposes; provides for eligibility for scholarships under the program; provides for administration; provides duties of the Department of Education; provides school district obligations; specifies options for parents; provides that maximum funding shall be specified in the General Appropriations Act; provides for payment of funds.

**27.FL S 1848**

**Author:** [Farmer \(D\)](#)

**Title:** Tax Credit Scholarship Program

**Summary:** Relates to the Tax Credit Scholarship Program; relates to a credit for contributions to eligible nonprofit scholarship funding organizations; makes technical corrections.

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