

# ***HOUSE OF REPRESENTATIVES***

***Lifelong Learning Council***  
**Representative Jerry Melvin, Chair**  
**Representative Frederica Wilson, Vice Chair**

## **2002 SUMMARY OF PASSED LEGISLATION SPECIAL SESSION "E"**



### ***Colleges & Universities Committee***

**Representative Bev Kilmer, Chair**  
**Representative Dennis Baxley, Vice Chair**

### ***Education Innovation Committee***

**Representative Renier Diaz de la Portilla, Chair**  
**Representative Frank Attkisson, Vice Chair**

### ***General Education Committee***

**Representative Heather Fiorentino, Chair**  
**Representative Dick Kravitz, Vice Chair**

### ***Workforce & Technical Skills Committee***

**Representative Bill Andrews, Chair**  
**Representative Dorothy Bendross-Mindingall, Vice Chair**



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## **Lifelong Learning Council**

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### **SB 6-E – Dale Hickam Excellent Teaching**

**By Sullivan**

**Linked Bills:** None

**Tied Bills:** Identical HB 11-E

**Committee(s)/Council(s) of Reference:** Education

SB 6-E reenacts and renames the Excellent Teaching Program and trust fund for the late R. Dale Hickam, who was Deputy Staff Director of the Senate Appropriations Committee. This program provides incentives for classroom teachers to seek national certification through the National Board of Professional Teaching Standards.

Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

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### **SB 20-E, 1st ENG. – Florida K-20 Education Code**

**By Villalobos**

**Linked Bills:** CS/SB 78-E

**Tied Bills:** Compare HB 43-E, 3rd ENG.

**Committee(s)/Council(s) of Reference:** Education

SB 20-E recreates the Florida K-20 Education Code. This extensive restructuring responds to a directive in chapter 2001-170, L.O.F., that the Florida Board of Education should recommend revisions to the education laws to reflect changes made in governance by the Constitutional amendments of 1998 and by the mandatory repeal of many of the sections of the code, effective January 7, 2003. The structure of the school code is changed from 19 chapters of law currently in chapters 228-246, Florida Statutes, to a new 14-chapter structure contained in chapters 1000-1013, Florida Statutes. The bill rearranges, renumbers, rewords, reorders, streamlines, consolidates, and updates the education code.

In addition to this updating of the statutes, several substantive provisions are contained in the bill.

The university issues that are included in the bill are as follows:

- Universities are removed from state agency status and designated as public corporations.
- Universities may establish their own personnel and pay programs and purchasing and contracting systems in accordance with law and state board rule.
- University boards may collectively bargain locally, and universities are public employers for collective bargaining. University boards are the legislative body for purposes of resolving impasses.
- Universities will deposit funds outside the State Treasury and invest funds locally.
- University boards will exercise the right of eminent domain with approval of State Board of Education.
- An Alzheimer's institute is created at the University of South Florida.

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- The jurisdiction of university law enforcement is expanded to include property and facilities of a university direct-support organization.
  - The five percent cap on university carry forward of funds is eliminated. Universities are required to report when the five percent threshold is eclipsed.
  - The state employee fee waiver program is reestablished.

The community college issues that are included in the bill are as follows:

- Funding:
  - Provides for input from individual community colleges for preparing the legislative budget request.
  - The 4 percent to 10 percent unencumbered fund balance currently required is eliminated along with the penalty for having such a balance over 10% for more than two years. The bill only requires that community colleges notify the State Board of Education in writing if the fund balance falls below five percent, as universities do.
  - Gives community colleges whose district borders another state flexibility over differential tuition.
  - Community college matching fund programs are combined to allow greater administrative flexibility.
  - The community college funding formula is amended to allow for the consideration of additional economic factors.
- Community colleges law enforcement will have authority over direct-support property.
- Provides the community colleges with a powers and duties section of law for their presidents.
- Includes community colleges in the state employee fee waiver program.

The public school issues that are included in this bill are the following:

- The Florida Education Finance Program will not be repealed, and reports of average daily attendance will not be required for the FEFP.
- For 2002 –2003 only, school districts will have flexibility over their categorical funds.
- Extends the date by which school districts must eliminate relocatables.
- More school districts will qualify for awards from the school infrastructure thrift program by eliminating hurricane shelter construction from the calculation of the program.
- School board members will set their own salaries at a public meeting, rather than having their pay ranges established in law.
- School boards will have the flexibility to hire principals according to their alternative certification policies.
- Requires records, equipment, etc. of nonrenewed charter schools to be held in trust, pending appeal.
- Allows the State Board of Education's decision on charter schools to be binding after a recommendation is made to the State Board by an independent commission made up of charter school operators and school district personnel.
- Gives flexibility to the school districts to implement the 5% performance pay requirements of the law.
- Creates a parent and students' rights section of law that addresses health issues, school choice, immunizations, student records, etc.

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- Requires the Department of Education to annually distribute information on student religious rights to principals and teachers.
  - Allows students who have failed the 10<sup>th</sup> grade FCAT to achieve the passing scores required when the student first took the 10<sup>th</sup> grade FCAT, instead of any subsequent scores established by the State Board of Education.
  - Requires parental notification when a student does not participate in the FCAT or when the student receives classroom modifications not allowed during the FCAT, and of the implications associated with those decisions.
  - Allows marching band participation to count for ½ credit of the high school physical education requirement.
  - Beginning in the 2004-2005 school year, requires character education for all K-12 public school students.
  - Strengthens the prohibition against social promotion by requiring a student to be retained if his or her reading deficiency is not remedied by the end of the third grade. Good cause exemptions from this mandatory retention are defined.

Subject to the Governor's veto powers, the effective date of this bill is January 7, 2003.