



2008 End-of-Session Legislative Summary



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**2008-2009 APPROPRIATIONS BILL
HB 5001 and the FEFP**

Foreword:

The 2008 Session was like no other in the collective memory of our lobbying team. We have never had to report on budget reductions from one year to the next. The cumulative impact in lost Florida Education Finance Program (FEFP) funds is \$891.5 million from the start of the 2007-08 school year. Another very troubling statistic from the 2008-09 FEFP is that the state share of support for our public schools fell below 50% for the first time since the FEFP was established in 1973. The state share is 48.9% of the total FEFP allocation.

Our budget analysis will reflect the overall loss in funding for the fiscal year, except when noted otherwise, as opposed to the cut from May 2008 as reflected in the official Legislature FEFP “run” found in the appendix of this report.

THE FORMULA FUNDS

The net reduction of total potential FEFP funds for K-12 was **\$891.5 million**, a **4.62% cut** from the 2007-08 General Appropriations Act.

K-12 funding per student (FTE) on a statewide average is \$6,997.37, **a cut of \$308.42 or 4.22%** from the 2007-08 General Appropriations Act.

The budget funds an increase of only **1,683 new students**. This follows a loss of about 8000 students in the 2007-08 school year and 50,000 fewer students in 2006-07. Prior to recent data, annual student growth for twenty years had ranged from an additional 40,000 to 60,000 students per year. This is a troubling trend that has been exacerbated by hurricanes, a struggling economy and voucher programs.

The Base Student Allocation (BSA) has been cut by \$191.73, or 4.61%, to \$3,971.74.

Funds provided in the FEFP are based upon program cost factors for Fiscal Year 2008-2009 as follows:

1. Basic Programs	
A. K-3 Basic.....	1.066
B. 4-8 Basic.....	1.000
C. 9-12 Basic.....	1.052
2. Programs for Exceptional Students	
A. Support Level 4.....	3.570
B. Support Level 5.....	4.970
3. English for Speakers of Other Languages	1.119
4. Programs for Grades 9-12 Career Education.....	1.077

The Declining Enrollment Supplement designed to provide school districts partial funding when there is a loss of FTE is funded at \$35.8 million. This supplement is typically funded at 50% but due to the budget cuts it was changed to “as determined by the Legislature” in HB 5083. The rate for 2008-09 is 48.67%.

The Legislature appropriated \$32.1 million for the Merit Award Program (MAP). This allocation is for the seven school districts (Brevard, Dixie, Duval, Escambia, Gilchrist, Hillsborough and Lee), the Florida Virtual School and charter schools with approved plans in 2007-08 and pays bonuses to teachers who will be MAP recipients in those districts and schools for the 2007-08 school year.

The statewide allocation for the ESE Guaranteed Allocation is \$1.080 billion, down \$54 million from the 2007-08 General Appropriations Act allocation of \$1.134 billion. More severe exceptional programs 254 and 255 (Support Levels 4 and 5) continue as weighted programs.

There is an allocation of \$702.2 million for Supplemental Academic Instruction. This amount is a cut of \$34.2 million from the 2007-08 General Appropriations Act. Statutes require that strategies may include, but are not limited to, modified curriculum, reading instruction, after school instruction, tutoring, mentoring, class size reduction, extended school year and intensive skills development in summer school. First priority for use of these funds shall be the provision of supplemental intensive instruction, consistent with the Sunshine State Standards, including summer school and intensive English immersion instruction, for students in grades 3 and 10 who scored FCAT Level I.

A sparsity allocation of \$39.2 million is allocated among counties with 20,000 or fewer students. Sparsity was cut only 2%, much less than other elements of the FEFP.

The Safe Schools allocation is established at \$73.6 million, \$3.6 million less than appropriated for the start of the 2007-08 school year. Small school districts are guaranteed \$71,538. Each district shall decide how much of this allocation is to be used on any of five activities: 1) after school programs for middle school students, 2) improvements to enhance the learning environment, including conflict resolution strategies, 3) alternative school programs for adjudicated youth, 4) suicide prevention programs and 5) other improvements to make the school a safe place to learn.

The Reading Program allocation in the FEFP was funded at \$111.5 million, a decrease of \$5.4 million. The amount of \$95,383 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the state total K-12 base funding. **Note: These funds were made flexible for the 2008-09 school year and may be transferred to other parts of the budget under provisions of the education conforming bill, HB 5083. See review of HB 5083 for details.**

The required local effort (RLE) is established at 5.032 mills on a statewide average and raises \$8.27 billion. This is a very complex issue for 2008-09 as the traditional RLE was rolled back in order to not generate new funds. Then 0.25 mill was added from the capital outlay levy to the RLE. **The funding generated by this shift increased the**

new “RLE” by \$364.9 million. The net effect for most property owners is zero since the capital outlay millage authority is reduced from 2.0 mills to 1.75 mills in HB 5083. See review of HB 5083 for additional information.

The Legislature again authorized two discretionary millage sources for districts. However, the longstanding policy of a 0.51 mill (DLE) discretionary levy authority was rolled back to 0.498 mill in order to not raise property taxes and thus not increase public school funding. Even though the amount is relatively small, it represents another \$20 million lost to our public schools. Policy continues to provide that no district would receive less than the state average per student than the millage generates. **A 0.498 mill compression policy to raise districts to the state average costs \$130.9 million in state funds.** Forty-seven districts, several lab schools and the Florida Virtual School shared in these funds that were needed to raise those districts to the state average threshold. The Legislature continued the additional 0.25 mill levy to allow up to \$100 per student to be raised. The revenue required for equalization in all counties is \$6.7 million in state funds and twenty-seven districts; all lab schools and the Florida Virtual School also share in these funds. A district is capped at the millage required to raise \$100 per FTE. To be eligible for state compression and equalization funds, the district must levy both the 0.498 mill levy and the 0.25 mill levy.

Language is continued in the FEFP proviso that requires school districts that provide incentive funds for teachers working in “failing” schools to provide an equal incentive bonus for teachers teaching in juvenile justice facilities.

The discretionary lottery/school recognition allocation is reduced \$46 million to \$217.4 million. The School Recognition awards are the first priority for these funds and are awarded in an amount that has been reduced from \$100 per student to \$85 per student in each qualifying school. Once the School Recognition awards are funded, the remaining dollars are more flexible, with the exception of \$5 per student to be used at the discretion of the School Advisory Committee. The SAC amount was reduced from \$10.

CATEGORICAL PROGRAMS

Now in its sixth year, the class size categorical continues and is increased by \$100 million from the start of the 2007-08 school year. The total program amount is now \$2.809 billion for 2008-2009. Flexibility is provided once the class size goal is met. Priority for excess funds, as established in statute, should be classroom teacher salaries and differentiated pay, but can be used for any lawful operating expenditure. Note: Compliance in 2008-09 was modified in HB 5083 to be calculated once again at the school level. Compliance at the classroom level is established in the constitution for 2010-11.

The allocation for the teachers lead program is \$36.8 million. This is a reduction of \$11.2 million. The district school board shall calculate an equal amount for each classroom teacher. Under the newly revised statute (**see review of SB 1908**) a classroom teacher is defined as a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and guidance counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A "job-share" classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher. The "job-share" teacher will receive a prorated amount.

The Transportation categorical was funded at \$471.1 million, a cut of \$22.5 million from the 2007-08 General Appropriations Act. It is hard to explain this cut when fuel prices are soaring.

The Instructional Materials categorical is funded at \$259.6 million, a decrease of \$12.3 million. **Note: After March 1, 2009, leftover funds may be transferred to other parts of the budget under provisions of the education conforming bill, HB 5083. See review of HB 5083 for details.**

DISTRICT COST DIFFERENTIAL

The legislature did not fund mitigation costs to offset changes in how the DCD is calculated, at least directly. The compromise in the conference committee was that only the Miami-Dade School district would receive additional funds but they are not specified as DCD funds or by any other name for that matter. Miami-Dade schools will receive a \$7.5 million allocation that is located in section 28 of the 2008-09 General Appropriations Act.

K-12 NON FEFP GRANTS, CAPITAL OUTLAY, ETC.

\$55.3 million is allocated for the Excellent Teaching Program, i.e. national board certification. This is a cut of more than \$46 million from that appropriated in the 2007-08 budget. It is expected that these funds will pay for only the 10% certification bonus. See the report on HB 5083 for the devastating impact that the education budget conforming bill had on the future of the Excellent Teaching Program.

The appropriation for the K-8 virtual schools program is continued for 2008-2009. The total appropriation is for \$6.6 million. The grants will be for up to \$4,800 per student. **HB 7067 (see review in this report) as passed by the Legislature provides additional information about requirements for 2008-09 and thereafter.**

The Just Read Florida grants program is funded at \$70.5 million, a cut of \$5 million. These funds are in addition to the FEFP Reading allocation.

\$6 million is allocated for Education Innovation Initiatives and \$5.1 million for Assistance to Low Performing Schools.

The Barry Grunow Act was funded at \$61.7 million for Teacher and Administrator Death Benefits.

The Florida School for the Deaf and the Blind was funded at \$45.2 million, down \$1.4 million from the 2007-08 General Appropriations Act. The state budget contains neither a pay raise nor a bonus for teachers and specialists so salaries at the school remain well behind that of nearby school districts. Efforts to pass legislation to correct the salary differential were not heard due to the revenue shortfall.

\$155 million was appropriated to districts for debt service on construction bonds associated with the Class Size amendment.

PreKindergarten Education

\$354.3 million was provided for the Voluntary Pre-K program. The base student allocation was established at \$2,628. This is a reduction of \$21.7 million.

Budget Related Legislation

HB 5003 Appropriations Implementing Bill

The implementing bill reflects one-year changes to statutes in order to administer and implement the appropriations bill. Issues impacting education are 1) regional consortiums are reduced from \$50,000 per school district to \$48,000, 2) **MAP plans may be submitted to the Commissioner up to October 1, 2008 for the 2008-09 school year and 3) provides for conditions under which the Governor is authorized to request a transfer of funds from the Budget Stabilization Fund and from the Lawton Chiles Endowment Fund (tobacco settlement) to the General Revenue.**

HB 5083 Education Funding Conforming Bill

The bill contains a number of items that have serious short term and long term implications, especially as it relates to National Board Certification. Here are those items:

- 1) School districts may not withhold administrative fees for MAP funds going to charter schools.
- 2) **Class size calculations for compliance remain at the school level for 2008-09. Statute will require compliance at the classroom level in 2009-2010 but the requirement in the constitution is classroom compliance in 2010-11.**

- 3) The statewide assessment program shall no longer have to include norm referenced tests.
- 4) Dual enrollment calculation for full-time equivalent is revised.
- 5) The FTE add-on values are reduced for International Baccalaureate (IB) students, for Advanced International Certificate of Education (AICE) students and for Advanced Placement (AP) students who have superior scores on subject examinations.
- 6) The FTE add-on value is eliminated for students in grades 6-8 who complete high school level algebra.
- 7) The maximum FTE add-on value of 0.3 for career and professional academy programs may only be earned by students who are issued the highest level of industry certification and earn a high school diploma.
- 8) The taxable value for school purposes certified by the Department of Revenue which is used in the fourth calculation with the annualized full-time student membership from the February student survey shall be the final taxable value used in the final calculation. Previously, the Department of Revenue certified the final taxable value to the Commissioner of Education on September 1 following the end of the prior fiscal year.
- 9) **FEFP funds for reading instruction and the instructional materials categorical funds are added to the list of current funds (transportation, safe schools and supplemental academic instruction) that may be transferred within the district budget.** To transfer these funds, the school board must find and declare in a resolution adopted at a regular meeting of the school board that the funds received for the categorical appropriations are urgently needed to maintain school board specified academic classroom instruction. The school board may then consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure: **Transfer of reading funds must also include an amendment describing changes to the district reading plan. The transfer of instructional materials funds may not occur prior to March 1, 2009. The possible transfer of reading and instructional materials funds are only authorized for 2008-09.**
- 10) The percentage of funding for declining enrollment will be determined annually by the Legislature. It previously was 50% by statute; for 2008-09, it is 48.67%.
- 11) The calculation of supplemental allocation for juvenile justice programs is revised.
- 12) **The District Capital Outlay tax, previously called the 2-mill levy, has been reduced to 1.75 mills. The other 0.25 mill is now part of the Required Local Effort (RLE).** If a district has a prior lease-purchase agreement and the 1.75 millage is insufficient, the district may levy up to 0.25 mill to make these payments. **A district is authorized for 2008-09 to expend up to \$65 per FTE from the 1.75 millage levy for property and casualty insurance premiums and purchase or lease of certain vehicles if they meet class size requirements and meet instructional space needs for the next five years.**
- 13) Districts that do not have an approved MAP plan for the 2008-2009 school year may submit a plan for the 2008-2009 school year by October 1, 2008.

14) School districts must meet more stringent guidelines for using prototype design in construction of school facilities.

National Board Certification

Despite FEA efforts and those of National Board Teachers, HB 5083 passed with little formal debate and without open consideration during the legislative committee process. This bill made consequential changes in a decade old program that was widely supported by Florida teachers.

The bill eliminates FRS contributions for bonus payments received by National Board Certified Teachers. It limits the bonus payment for initial certification for up to one 10-year period. It permanently removes candidate support for the NBPTS fee subsidy and the portfolio preparation incentive. The bill does retain statutory language for both the certification bonus and mentoring bonus. It adds language to allow the certification bonus to be prorated if funds are insufficient. Previous legislation permitted the mentoring bonus to be prorated. School districts are authorized to pay a portion or all of the balance of the mentoring bonus when state funds are prorated.

For 2008-09, there are only state funds to pay for the certification bonus.

HB 5063 – FRS Rates

The bill establishes the rates that employers pay to the Florida Retirement System. FEA members are in the Regular Class. **The Regular Class rate continues to be 8.69% for 2008-09.** The rate is still a depressed rate using surplus assets to hold down the rate below the normal rate that is established in the bill at 9.60%.

The total payment as a percent of salary to FRS from school boards is as follows:

FRS Regular Class Rate	8.69%
Administration and Education Fees	0.05%
Retiree Health Insurance Subsidy	<u>1.11%</u>
TOTAL to FRS	9.85%

For members in DROP, the rate is 9.80% plus HIS and administrative charges. Note: The DROP rate is a blended rate and is the same for all FRS classes.

The bill also has the following impact on some higher education employees:

- 1) Effective July 1, 2008, any person appointed thereafter to a faculty position, including clinical faculty, in a college at a state university that has a faculty practice plan authorized by the Board of Governors may not participate in the Florida Retirement System. These employees will participate in the State University system Optional Retirement Program. Fees or salary payments made from a faculty practice plan will not be considered compensation for current clinical faculty in the FRS defined benefit plan.

- 2) Effective January 1, 2009, through December 31, 2009, an employee who is a former participant in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participant in the Florida Retirement System defined benefit plan may purchase service credit equal to his years of service under the optional retirement program. The cost for such credit shall be an amount representing the actuarial accrued liability for the affected period of service.

BILLS THAT PASSED

CS/CS SB 242, Single Gender Classes by Education; Wise;

This bill authorizes district school boards to establish and maintain a single-gender nonvocational class, extracurricular activity, or school for elementary, middle, or high school students when the school district also makes available a substantially equal, single-gender class, extracurricular activity, or school to students of the other gender; and coeducational class, extracurricular activity, or school to all students.

A district school board that establishes a single-gender class, extracurricular activity, or school may not require participation by any student and must ensure that participation is voluntary and must evaluate the class, activity, or school every two years in order to ensure compliance with state and federal requirements.

CS/HB 251, Reserve Officers' Training Corps Programs, Jordan

The Reserved Officers' Training Corps Programs act prohibits a school district, from denying Military Recruiters of the U.S. Armed Forces and the U.S. Department of Homeland Security with access to the names, addresses, and telephone listings of secondary school students. In addition, school districts may not ban said recruiters from establishing, maintaining, or operating a unit of the Junior Reserve Officers' Training Corps at a public high school in the district.

The measure further prohibits a Florida community college or state university from banning any branch of the U.S. Armed Forces from establishing, maintaining, or operating a senior ROTC unit at the college or university. Both military recruiters and the Department of Homeland Security will retain access to the college's or university's students, and to campus facilities and grounds, which are granted to other employers.

CS/CS/SB 526, Interscholastic Extracurricular Activities, Education Pre-K - 12 Appropriations Committee, Education Pre-K – 12, Committee, and Senator Wise

The bill would establish a 2-year pilot program in three school districts (Bradford, Duval, and Nassau), beginning in the 2008-2009 school year to permit a student enrolled in a private school to participate in interscholastic or interscholastic sports at a public school,

if the student's school does not provide an interscholastic or interscholastic program and is not a member of the Florida High School Athletic Association (FHSAA).

To be eligible to participate at a public high school, middle school, or a 6-12 school, the student must meet certain conditions, including requirements for standards of conduct and student academic performance. The bill provides that the student is only eligible to participate in a sport at a public school for which the student is zoned according to his or her residence.

CS/SB 610, Physical Education/Grades 6-8, Education Pre-K-12 Committee and Senator Constantine

This bill requires each district school board to include in its written physical education policy the benefits of physical education and the availability of one-on-one counseling concerning the benefits.

In addition to current requirements for the provision of 150 minutes of physical education each week to students in kindergarten through grade 5, the bill requires each school board to provide such education to students in 6th grade who are enrolled in a school that also contains one or more elementary grades.

Beginning with the 2009-2010 school year, the bill requires district school boards to provide the equivalent of one class period per day of physical education for one semester of each year for students enrolled in grades 6 through 8. This requirement must be waived for students who are enrolled in a remedial course or whose parents request a waiver under certain conditions; i.e. a student whose parents request a waiver because they want the student to enroll in another course from among those courses offered as options by the school district or because the student is participating in physical activities outside the school day which are equal to or in excess of the mandated requirement.

CS/HB 623, School Food Service Programs, Schools & Learning Council, Kendrick and others.

The bill requires each district school board, beginning with the 2010-2011 school year, to expand the School Breakfast Program (currently required in elementary schools) to all middle and high schools. The bill directs each school district, beginning with the 2009-2010 school year, to annually set prices for breakfast meals which cover the costs of the breakfast meals, except if the district school board sets lower prices. Each school district is also required to annually provide students and parents with information about the district's School Breakfast Program. Each school is directed, to the maximum extent practicable, to serve breakfast at alternative sites. Beginning with the 2009-2010 school year, a school must make a "Grab 'n' Go Breakfast" available for a student who arrives at school on the school bus less than 15 minutes before the first bell rings. In addition, the school must allow the student at least 15 minutes to eat the "Grab 'n' Go Breakfast." The bill encourages school districts to provide universal-free school breakfast in all

schools and requires district school boards, by the beginning of the 2010-2011 school year, to consider a policy for providing universal-free school breakfast for all students in schools in which 80 percent or more of the students are eligible for free or reduced-price meals.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is directed, by January 15, 2009, to issue a report that estimates the implementation costs of universal-free school breakfast, examines school meal prices and the efficiency and effectiveness of school district food service programs, identifies best practices and strategies for reducing food service costs, evaluates the state reporting of food service revenues and costs, assesses the methodology used for allocating state funds to school district food service programs, and evaluates the state's organizational structure for implementation of the National School Lunch Program, federal School Breakfast Program, and federal Summer Food Service Program.

SB 642, School/Multiple Birth Siblings/Classroom Placement, Senator Siplin

This bill, also called the "twins" bill, provides for parents to request the placement of multiple birth siblings in the same or separate classrooms in the same grade level. A school must grant the parent's request unless the student's performance indicates otherwise or if it would require the district to add another class to the students' grade level. The bill provides for a principal to change the student's placement if his or her behavior is disruptive to the school. A parent may appeal the principal's decision.

The bill specifies that these provisions do not apply to the rights or obligations of students with disabilities or the removal of students pursuant to disciplinary policies.

CS/CS/CS/HB 653, Corporate Income Tax Credit Scholarship Program, Policy & Budget Council; Schools and Learning Council; Traviesa and others

The Corporate Income Tax Credit Scholarship Program (CITC Program) provides an income tax credit for corporations making eligible contributions to nonprofit scholarship funding organizations (SFOs). SFOs award scholarships to students from families with limited financial resources. The bill revises the CITC Program by:

- Providing legislative findings and revising the program's purpose
- Revising first-time scholarship eligibility criteria for the sibling of a renewing scholarship recipient
- Increasing the \$88 million maximum tax credit to \$118 million annually
- Deleting provisions that reserve at least one percent of the maximum tax credit for small businesses
- Requiring a SFO to annually expend at least 75%, rather than obligate 100%, of the eligible contributions received in that fiscal year
- Authorizing SFOs that have operated under the section for at least three years and that did not have any negative financial findings in its most recent audit to retain up to three percent of contributions for administrative expenses

- Requiring SFOs to verify each scholarship student's attendance at a private school for each period covered by a scholarship payment, rather than obtaining verification prior to each payment
- Increasing the maximum scholarship award amount from \$3,750 to \$3,950 for Fiscal Year (FY) 2008-2009 and providing that thereafter the maximum scholarship award amount shall be 60% of the statewide average total funds per unweighted full-time equivalent (FTE) student funding provided in the Florida Education Finance Program (FEFP) for that school year
- Revising the allowable uses of scholarship funds from "tuition or textbook expenses" to "tuition and fees" and deleting the requirement that at least 75% of scholarship funding be used for tuition
- Clarifying that a taxpayer who has made or who makes an eligible contribution to an SFO will not lose the tax credit retroactively if a court holds any provision of s. 220.187(5), F.S., unconstitutional
- Requiring the Office of Program Policy Analysis and Government Accountability to review the advisability and net fiscal impact of increasing the maximum tax credit in future years and authorizing the use of insurance premium taxes as an additional scholarship funding source

HB 669, School Safety, Representative N. Thompson and others.

House Bill 669 creates the "Jeffrey Johnston Stand Up for All Students Act." The bill prohibits the bullying or harassment of any public K-12 student or employee during a public K-12 education program or activity; during a school-related or school-sponsored program or activity; on a public K-12 school bus; or through a public K-12 computer, computer system, or computer network.

The Department of Education (DOE), by October 1, 2008, must adopt a model policy prohibiting bullying and harassment.

By December 1, 2008, each school district is required to adopt a bullying and harassment policy in substantial conformity with DOE's model policy. A school district must include students, parents, teachers, administrators, school staff, volunteers, community representatives, and local law enforcement agencies in the development of the district's policy. A school district's bullying and harassment policy must be published in its codes of student conduct and employee handbooks and requires ongoing implementation throughout the school year, integrated with a school's curriculum, discipline policies, and violence prevention efforts.

For the 2009-2010 school year, the bill directs that a school district's Safe Schools funding is contingent and payable to the district upon DOE's approval of the district's bullying and harassment policy. The bill specifies that DOE shall approve a district's policy if it is in substantial conformity with DOE's model policy. Beginning with the 2010-2011 school year, a school district's annual allocation of Safe Schools funding is contingent and payable to the district upon the district's compliance with requirements

for submitting reports of bullying and harassment to DOE as part of the district's reports of safety and discipline data.

The bill requires the Commissioner of Education to submit an annual report to the Governor and Legislature which includes data on the district reports of bullying and harassment. The bill provides limited civil immunity for a school employee, volunteer, student, or parent who reports bullying or harassment in good faith. The bill also includes a "severability clause" which provides that if a provision of the bill is found to be invalid, the validity of the bill's remaining provisions are not affected.

CS/CS/HB 967, Task Force on Workplace Safety, Policy & Budget Council; Government Efficiency & Accountability Council, Representative Gibson

This bill establishes the Florida Public Task Force on Workplace Safety, within the University of South Florida Safety Florida Consultation Program with the intent of ensuring state agencies and county and city governments comply with OSHA standards.

The 15 members of the task force shall be appointed by the Governor, President of the Senate, and the Speaker of the House of Representatives on or before July 15, 2008, and the task force shall hold its first meeting on or before August 15, 2008.

CS/SB 1414, Supplemental Educational Services Providers, Education Pre-K - 12 Committee and Senator Diaz de la Portilla

The bill tasks the Department of Education (DOE) with annually designating a performance grade of "A," "B," "C," "D," or "F," for each state-approved Supplemental Educational Services (SES) provider, based on a combination of student learning gains and student proficiency levels, as measured by the statewide assessment pursuant to s. 1008.22, F.S., and norm-referenced tests approved by the Department of Education (DOE) for students in kindergarten through grade 3. Under the bill, a grade is assigned beginning with the 2007-2008 school year and must be reported to parents, SES providers, school districts, and the public.

A provision in the bill would limit the facility rental fee that the Miami-Dade County School District may charge a state-approved supplemental education services (SES) provider. The amendment is limited in application to the Miami-Dade County School District by virtue of an assigned student population threshold.

CS/CS/CS/SB 1712, Ethics in Education Act, Education, Pre-K - 12 Appropriations and Governmental Operations and Education Pre-K - 12, and Education Pre-K - 12, Carlton and others

The bill establishes a list of criminal statutes and, if a person is convicted of any of the offenses in those statutes, that person is ineligible, without any exceptions, for educator certification or employment in an instructional position or as a school administrator, if that position requires direct contact with students. School districts, charter schools, the Florida School for the Deaf and the Blind, private schools accepting school choice scholarship students, and private prekindergarten providers in the Voluntary Prekindergarten Education (VPK) Program must adopt ethical standards for employees, require employees to complete professional development on the standards and report child abuse and employee misconduct that affect students, prohibit confidentiality agreements that conceal employee misconduct, and require the employment history screening of instructional personnel and school administrators by contacting prior employers and screening employees against the Department of Education's educator discipline and certification databases.

Effective October 1, 2008, a public officer or employee in any publicly funded retirement plan, including the Florida Retirement System, must forfeit his or her retirement benefits, except for return of accumulated contributions, if the officer or employee is convicted of using or attempting to use the power, rights, privileges, duties, or position as a public officer or employee to commit felony sexual battery against a victim younger than age 18 or a felony lewd and lascivious offense against a victim younger than age 16.

The bill increases the membership of the Education Practices Commission (EPC) and establishes EPC hearing requirements. EPC's authority is also expanded to discipline certificated personnel who fail to report child abuse or misconduct of other certificated personnel which affects a student.

CS/CS/SB 1906, Alternative Credit High School Courses, Education Pre-K - 12 Appropriations Committee, Education Pre-K – 12, Committee, and Senator Gaetz

Credit

Currently, most high school students enrolled in industry certification programs at career academies must take separate math and science courses to graduate from high school, even if the same skills are taught in the career academy courses.

The bill authorizes a pilot project beginning in the 2008-2009 school year to provide opportunities for high school students enrolled in career academies to simultaneously earn alternative credit in Algebra, Geometry, and Biology if:

- The standards for these courses are included in their career coursework; and
- The students verify mastery of the core content by passing a Department of Education (DOE) approved end-of-course assessments

The pilot project may be offered in up to three school districts selected by the Commissioner of Education from applications submitted by interested districts. The DOE is required to report to the Legislature and Governor by January 1, 2010, on the number of students receiving alternative credit under the pilot and to provide legislative recommendations for expanding the use of alternative credit statewide.

Compulsory attendance

The bill also includes the provisions of the Student Preparedness Pilot Program (HB 817). That language creates a compulsory attendance pilot program for Duval County and three other school districts, which allows the districts to compel attendance until the student reaches 18 years of age or obtains a diploma or equivalent, Ready to Work credential, or industry certification. The compulsory attendance program would result in a pro-ration of FEFP in the 2008-09 FY and a recurring fiscal obligation until 2014-15, the end of the pilot program.

Ready to Work

The language establishes designations for scores on the Ready to Work Credential. It sets the requirements for graduation in this program and it requires students to earn a gold Ready to Work Credential to earn a Florida Gold Seal Vocational Scholars Award. Finally, it requires Workforce Florida to ensure the use of the Ready to Work Credential in partnership with the Department of Education.

CS/SB 1908, High School Grading, Education Pre-K -- 12 Committee, and Senators Gaetz, Lynn, and Wise

The bill amends Florida law to provide additional criteria and student assessment data for designating school grades, beginning with the 2009-2010 school year for high schools with grades 9, 10, 11, and 12, or grades 10, 11, and 12.

Half of a school's grade will be based on the existing FCAT-related factors and the other half will be based on factors that include a school's high school graduation rate, including at-risk students who scored at Level 2 or lower on the 8th grade FCAT in reading and math, the postsecondary readiness of the students, the performance of a school's students on statewide standardized end-of-course assessments approved by the Department of Education, when available, and the annual growth or decline in these components.

As valid data becomes available, the criteria will include performance and participation of students in Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and the achievement of industry certification in a career and professional academy.

Additional language:

- Adds achievement of the Ready to Work Credential to the list of work-readiness measures for the calculation of school grades for high schools
- Adds requirements that each public high school in the state provide students access to at least four AP, IB, AICE, or dual enrollment courses--one each in English, mathematics, science, and social studies--and at least four courses in career and technical dual enrollment by the 2009-2010 school year
- Provides that in order to meet the access requirement, schools may utilize Florida Virtual School, a career center, a charter technical career center, a community college,

a state university, or an independent college or university that is eligible to participate in dual enrollment

- Requires the State Board of Education to adopt a comprehensive plan to provide all students with access to a substantive and rigorous curriculum and provide opportunities to acquire postsecondary education credits while in high school
- Provides for recognition of a student's accomplishments in preparing for college or career by requiring, beginning with the 2008-2009 school year, each standard high school diploma to include, as applicable:
 - A designation of the student's major area of interest
 - A designation reflecting completion of accelerated college credit courses
 - A designation reflecting career education certification
 - A designation reflecting a Ready to Work Credential
- Requires state universities to weigh dual enrollment courses the same as comparable AP, IB, and AICE courses for purposes of making admission decisions beginning with the 2009-2010 academic year.
- Requires the district inter-institutional articulation agreement between a district school superintendent and community college president to include an identification of the responsibility of the postsecondary institution for the assigning of letter grades for dual enrollment courses and the responsibility of school districts for posting dual enrollment course grades to the high school transcript as assigned by the postsecondary institution awarding the credit.
- Provides for a Remediation Reform Pilot Project designed to reduce the need for and the cost of remediation for recent high school graduates who enter postsecondary education.

The bill also revises provisions relating to the common placement test, including that:

- High schools will be required to evaluate prior to the beginning of the 12th grade the college or career readiness of each student scoring at level 2 or 3 on the reading portion of the grade 10 FCAT or level 2, 3, or 4 on the mathematics portion of the grade 10 FCAT using results from the CPT or an equivalent exam identified by the State Board of Education.
- The State Board is required to establish in rule the minimum test scores a student must achieve to demonstrate readiness.
- The high school must use the results of the test to advise students of any identified deficiencies and provide any necessary remedial instruction prior to, or the summer immediately following high school graduation.
- Secondary and postsecondary institutions are to collaborate on the remedial instruction that will be provided.
- Requires the Florida Virtual School to partner with one or more community colleges to develop remedial content that may be offered online contingent upon appropriations of funds in the appropriations bill.
- Requires district school boards to establish policies that require an annual review of each high school student's personal education plan.

New standards are Next Generation Standards

- Provides for a revision of the Sunshine State Standards as the Next Generation Standards;

Test concordance

- Authorizes the Department of Education to eliminate obsolete assessments for graduation and replace them with correlated scores on newer assessments to reduce costs;

Teacher Lead Stipend

In 2007, the Martin County School District issued pre-funded debit cards to teachers for purposes of purchasing classroom supplies under the Teachers Lead Program. The union challenged this practice for a number of practical and contractual reasons including an unfair labor practice claim, alleging that the debit card change by the school district violated the collective bargaining agreement as the change affected the wage, hour, or term and condition of employment. A hearing officer ruled for the plaintiffs, the Martin County Education Association, by finding that the debit card change would require negotiation under the collective bargaining agreement as the change was a term and condition of employment. The ruling was upheld by the Public Employees Relations Commission.

Notwithstanding these decisions, the bill passed with language that allows methods of payment including debit or purchasing cards. Further, the language states the funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Finally, the bill includes a sentence that says, "This subsection applies retroactively to July 1, 2007."

Cafeteria sanitation

- Conforms school cafeteria sanitation and safety reporting requirements to current law;
- Includes certain practical arts courses to satisfy the arts requirements for high school graduation;

FCAT Changes

- Creates a designation on the high school diploma to reflect achievement in a student's emphasis of study, including advanced placement and other programs;
- Clarifies articulation between postsecondary institutions and school districts in assigning grades in dual enrollment courses;
- Authorizes the Commissioner of Education to develop or adopt end-of-course examinations under certain conditions;
- Requires the Commissioner to set state assessment schedules to provide for the latest possible test administration and earliest return of test scores;
- Prohibits school districts from suspending regular instruction in order to prepare for state assessments under certain circumstances; and
- Revises provisions for school grades for students in alternative schools so that the student's scores would be assigned to a graded school and provides penalties for noncompliance.

Curriculum

- Requires language arts standards to identify literary genres; and
- Requires high schools to administer college readiness assessments to lower performing students and provide remediation before high school graduation as a collaborative effort between community colleges and school districts;
- Provides that passing scores on the college readiness assessments are good for two years to exempt the student from remediation; and

Foreign Language Certification

- Adds provisions relating to certification options for teachers of certain foreign language subjects, which is the substance of a bill still 1062.

HB 7067, Virtual Education, Schools & Learning Council, and Representative Pickens

Beginning with the 2009-2010 school year, the bill requires school districts to implement virtual instruction programs. Under the bill, each district must offer:

- Full-time virtual courses to students in kindergarten through grade eight
- Full-time or part-time virtual courses to students in grades nine through 12, who are in Department of Juvenile Justice, dropout prevention, or career education programs

A school district may operate its own program or may contract with providers approved by the Department of Education. Districts may also participate in multi-district contractual arrangements for such programs. A charter school may enter into an agreement with the district in which it is located for its students to participate in the district's virtual instruction program.

The bill establishes district and provider qualifications, instruction requirements, student eligibility and participation requirements, and assessment and accountability standards. The bill also states that funding for a district virtual instruction program is provided through the Florida Education Finance Program.

Finally, the bill authorizes districts to begin offering virtual instruction programs in the 2008-2009 school year, but limits the providers authorized to contract with a district to specified entities with prior experience offering virtual courses in Florida.

BILLS THAT DID NOT PASS

HB 893 - Relating to Tax on Sales, Use, and Other Transactions - Coley/ SB 2094 - Relating to Sales Tax Exemption/Books/Clothing/School Supplies – Webster

Since 1998, the Legislature has enacted eight temporary exemptions (commonly called "sales tax holidays") from the state sales tax and county discretionary sales surtaxes.

The 2008 bills would have been the shortest in duration and would have been conducted on August 2-8, 2008 (7 days). During the sales tax holiday, back to school items that cost \$50 or less are exempt from the state sales tax and county discretionary sales surtaxes. These bills were estimated to reduce state revenue by \$23.4 million.

SJR 2308, Education Governance, Education Pre-K, Committee and Senator Carlton

Had the bill passed, the resolution would have been placed before the electorate in November 2008 with the option to amend the State Constitution to restructure education governance in the following manner:

- Restore the Commissioner of Education as an elected official accountable to the voters;
- Restore the elected Commissioner of Education as a member of the State Cabinet;
- Restore the State Board of Education as an elected body, comprised of the Governor and Cabinet, accountable to the voters;
- Revise the membership of the Board of Governors of the State University System from 14 appointed members serving 7-year terms, to 6 appointed members serving 4-year terms;
- Revise the membership of the university boards of trustees to eliminate the role of the Board of Governors, an appointed body, in appointing members to the university boards of trustees and require the Governor, an elected official, to make the appointments;
- Revise the authority of the Board of Governors to administer the State University System, as provided by law;
- Revise the authority of the university boards of trustees to administer their state universities, as provided by law;
- Establish a single Florida College System comprised of two-year and four-year public postsecondary educational institutions that grant academic degrees at the undergraduate level as provided by law but may not offer graduate degrees;
- Establish a system of governance for the Florida College System consisting of a Florida College Board to oversee and coordinate the system, and Local Boards of Trustees for each institution; and
- Provide a schedule for implementation of the amendment if adopted by the voters.

CS/SB 2692 – Storms. HB 1483 – Hays. “So-Called” Evolution Academic Freedom Bills

These controversial bills would have created the Evolution Academic Freedom Act alleging “to protect public school teachers who objectively present scientific information relevant to the full range of scientific views regarding chemical and biological evolution.” The bill also would have shielded public school students from being penalized if they ascribe to a particular view regarding the theory of evolution.

The proponents of the bill argued that the bill would afford all teachers the affirmative right to present objectively the full range of scientific views regarding evolution without fear of reprisal or discrimination. Conversely, students are afforded the same protections and rights with respect to their views on evolution. Under the bill, the term “scientific information” is defined as germane, current facts, data, and peer-reviewed research specific to topics involving chemical and biological evolution. The sponsor of the bill argued that that the intent was not to modify the state’s adopted curriculum standards nor was the bill intended to promote any religious doctrine or particular religious beliefs.

The ACLU and scientific community strongly opposed the bill arguing that the bill would have opened the door to the teaching of “Intelligent Design” or other incarnations of creationism.

HB 7057 Distinguished Educator Retirement Option Program, Government Efficiency & Accountability Council; Attkisson and McKeel

This bill would have taken performance pay to another level, that of retirement. The bill was both a performance pay incentive and a cash cow for financial companies who sell annuity products. For their students achieving 75% learning gains in math and reading, all teachers at Title 1 schools would have 1.95% of salary and reading and math teachers at Title 1 schools would have 4.4% of salary put into a retirement annuity. Teachers then could add their own funds to the annuity. The bill died in the Policy and Budget Council.

HIGHER EDUCATION BILLS THAT PASSED

SB 186 University of South Florida Polytechnic by Alexander

This bill changes the name of the USF Lakeland campus to the University of South Florida Polytechnic campus to be operated as a separate organizational and budget entity of the USF and to operate under separate accreditation when in the best interest of the campus. Provides for a Campus Board and administration by a Campus Executive Officer appointed by the President of USF.

HB 603 Textbook Affordability by Flores

This bill prohibits employees of a community college or state university from receiving anything of value in exchange for requiring a student to purchase a specific textbook for coursework and instruction. The bill does provide exceptions that permit an employee to receive: sample copies, instructor copies, and instructional materials; royalties for books

that include the instructor's own work; honoraria; compensation for reviewing and preparing supporting material, and training in the use of course materials.

This bill requires community colleges and state universities to post on their websites the books that will be required for each course, including the International Standard Book Number (ISBN) and other relevant information for identifying the book, at least 30 days before the first day of class. The State Board of Education (SBE) and Board of Governors (BOG) are required to create policies, procedures, and guidelines for textbook notification for classes added after the notification deadline. This bill requires the SBE and the BOG to adopt policies, procedures, and guidelines by March 1, 2009 to further efforts to minimize the cost of textbooks.

These policies, procedures, and guidelines must include: sufficient time for bookstores to confirm availability, especially with regard to used books; confirmation, as part of the adoption process, that all required bundled materials will be used; confirmation, as part of the adoption process, that a new edition differs substantially from the earlier editions; and, ways to provide required textbooks to students who could not otherwise afford them.

SB 696 Community College Short-Term Financial Contracts by Olerich

The bill revises community colleges' ability to enter into debt by:

- Authorizing a community college board of trustees to use any authorized available revenue to repay a debt for any loan, lease-purchase, or other financial contract for a term of up to five years
- Authorizing a community college board of trustees to pledge capital improvement and parking fees to secure the repayment of a debt for a term up to seven years in duration
- Maintaining the requirement to use the Division of Bond Finance to issue bonds up to 20 years in duration
- Providing that revenue bonds may not be secured or paid from, directly or indirectly, tuition, financial aid fees, the Community College Program Fund, or any other operating revenue of a community college; and requiring the community college board of trustees to authorize all debt incurred by its direct support organizations.

The bill also renames Daytona Beach Community College as Daytona Beach College and Indian River Community College as Indian River College.

HB 745 Postsecondary Education by Precourt

This bill requires the Education Estimating Conference to estimate a state-level demand pool for postsecondary education. It revises provisions relating to licensure by accreditation and revises provisions relating to determination of equivalency of courses for purposes of statewide course numbering. Revises residency provisions, including requiring that a person reside in-state for 12 consecutive months immediately prior to initial enrollment in a postsecondary education program in Florida. Revises permissive allocation provisions for use of workforce capital improvement fees to permit 15% of the

fees, rather than 15 cents per credit hour, to be used for child care centers. Revises provisions relating to community college activity and service fees and financial aid fees. Revises provisions relating to tuition and out-of-state fees for professional programs at state universities and requires that a minimum of 75% of the funds from the student financial aid fee must be used to provide financial aid based on absolute need. Revises the eligibility criteria for state universities approved by the Board of Governors to establish a tuition differential that does not exceed 30 percent of tuition. Revises provisions relating to fee waivers and exemptions. Establishes an excess hour surcharge providing requirements for additional payment by state university students for certain credit hours exceeding degree program requirements. The exact fiscal impact is indeterminate. The bill may result in additional fee revenue for the state university and community colleges, increased fees for certain students, and savings for some students. A tuition differential at the University of Central Florida would generate approximately \$500,000 to \$745,000 in 2008-09; \$3.6 million to \$5.3 million in 2009-10; and \$10.4 million to \$15 million in 2010-11.

SB 1716 Florida College System by Oelrich

The membership of the Florida College System Task Force is revised by adding a member who is the president of a baccalaureate-degree granting institution that is licensed by the Commission for Independent Education and reducing the number of community college presidents from eight to seven. A recommendation from the task force to the Legislature must be passed by a three-fourths vote rather than a two-thirds vote. With this change, the seven community college presidents would not be able to recommend a change unless at least one other member of the task force voted for it as well. The task force must be staffed by existing employees of the Division of Community Colleges. Chipola College and Edison College are added to the State College Pilot Project, thus increasing the membership to nine institutions. An institution participating in the State College Pilot Project may not call itself a university. A new study is required. In order to provide data for a longitudinal analysis of the college level academic skills test (CLAST), each institution participating in the pilot project must administer the CLAST to each student admitted to upper division programs who has not already successfully completed the test and must report the test scores of each student and any exemption provided, to the Florida College System Task Force, the State Board of Education, and the Office of Program Policy and Government Accountability. There is an estimated fiscal impact of \$37,000 to administer the additional CLAST exams.

APPENDIX A

Shortened FEFP Details

APPENDIX B

May 2007 to May 2008 Comparison

APPENDIX C

Taxation and Budget Reform Commission Notes and Ballot Language www.floridatbrc.org

The Florida Taxation and Budget Reform Commission (TBRC), was created by Article XI, Section 6 of the Florida Constitution. It is scheduled to meet every 20 years. It has begun its work. The Commission is comprised of 25 persons (and four non-voting legislators), who examine the tax and spending policies of the state and, if deemed necessary, make recommendations for change. The Commission can offer recommendations to the Florida Legislature. In addition, with a two-thirds vote of the full commission, the TBRC can also take its proposals directly to the voters through proposed constitutional amendments.

The appointments of commissioners were made by the Governor, the Speaker of the House, and the President of the Senate earlier this year. The commissioners for the 2007 TBRC are as follows:

Barney Barnett	Publix Supermarkets
Martha Barnett	Holland & Knight (law firm)
Allan Bense	Former Speaker of the Florida House of Representatives
Mark Bostick	Comcar Industries
Sandy D'Alemberte	Former President, Florida State University
Mike Hogan	Duval County Tax Collector
Julia Johnson	Technology consultant and lawyer; former PSC commissioner
Bruce Kyle	Circuit court judge; former state legislator
Carlos Lacasa	Miami lawyer; former state legislator
Patricia Levesque	Executive Director, Foundation for Florida's Future
Richard Cocoran	Florida House legal counsel for three former speakers
Bobby Martinez	Colson Hicks Edison Law Firm
Jacinta Mathis	Mathis Law Firm
John McKay	Real estate broker; former President of the Senate
Bob McKee	Lake County Tax Collector
Les Miller	Tampa General Hospital; former state legislator
Randy Miller	Florida Retail Federation
Jade Moore	Executive Director, Pinellas Classroom Teachers Assoc.
Nancy Riley	Florida Association of Realtors
Darryl Rouson	Rouson & Dudley law firm
Jim Scott	Tripp Scott law firm; former President of the Senate
Susan Story	Gulf Power
Greg Turbeville	Smith & Ballard, Inc. (governmental consulting)
Ken Wilkinson	Lee County Property Appraiser
Brian Yablonski	St. Joe Company

Non voting:

Sen. Mike Haridopolos	District 26	Rep. Dan Gelber	District 106
Sen. Gwen Margolis	District 35	Rep. Davis Rivera	District 112

By constitutional mandate, the TBRC must examine the following:

- State budgetary process
- The revenue needs and expenditure processes of the state
- The appropriateness of the tax structure of the state
- Governmental productivity and efficiency
- State and local government tax policy's ability to adequately fund governmental operations and capital facilities required to meet the state's needs for the next 20 years
- Methods favored by the citizens to fund the needs of the state
- Measures that could be implemented to effectively gather funds from existing tax sources
- Constitutional limitations on taxation and expenditures at the state and local levels
- The state's comprehensive planning, budgeting and needs assessment processes to determine whether the resulting information adequately supports a strategic decision making process

The Commission considered 11 statutory proposals and 40 constitutional proposals. 8 of the statutory proposals and 11 of the constitutional proposals passed.

Two constitutional proposals that were defeated:

Class size: The constitutional proposal would have amended the method by which class size compliance is calculated. Class size will be calculated by the ***school average*** number of students who can be assigned to each teacher. By the beginning of the 2009-2010 school year, the school average number of students per teacher may not exceed the following limits:

- Prekindergarten through the 3rd grade, 18 students;
- 4th grade through the 8th grade, 22 students; and
- 9th grade through the 12th grade, 25 students.

The proposal also provided that the school average class size and the number of students that can be assigned to one teacher teaching core-curricula courses could not exceed five more than the class size averages.

TABOR: The TABOR proposal was amended numerous times. At the outset, the proposal would limit revenue increases by the state, and all other units of government. It would have required excess revenues beyond the limitation levels be returned to voters and it would have required voter approval of any new taxes or fees. Increases in revenue limitations could have been authorized by supermajority vote of the legislature and local governing boards.

2008 GENERAL ELECTION BALLOT PROPOSALS

(Ballot proposals 1 and 2 were the result of the petition initiative process)

Amendment 1: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 2

DECLARATION OF RIGHTS.--Proposing an amendment to the State Constitution to delete provisions authorizing the Legislature to regulate or prohibit the ownership, inheritance, disposition, and possession of real property by aliens ineligible for citizenship.

Amendment 2: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, NEW SECTION

FLORIDA MARRIAGE PROTECTION AMENDMENT.—This amendment protects marriage as the legal union of only one man and one woman as husband and wife and provides that no other legal union that is treated as marriage or the substantial equivalent thereof shall be valid or recognized.

(Ballot proposals 3-9 are the result of action by the Taxation and Budget Reform Commission)

Amendment 3: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 3 AND 4

ARTICLE XII, NEW SECTION

CHANGES AND IMPROVEMENTS NOT AFFECTING THE ASSESSED VALUE OF RESIDENTIAL REAL PROPERTY.--Authorizes the Legislature, by general law, to prohibit consideration of changes or improvements to residential real property which increases resistance to wind damage and installation of renewable energy source devices as factors in assessing the property's value for ad valorem taxation purposes. Effective upon adoption, repeals the existing renewable energy source device exemption no longer in effect.

Amendment 4: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTIONS 3 AND 4
ARTICLE XII, SECTION 28

PROPERTY TAX EXEMPTION OF PERPETUALLY CONSERVED LAND;
CLASSIFICATION AND ASSESSMENT OF LAND USED FOR CONSERVATION.--
Requires Legislature to provide a property tax exemption for real property encumbered by perpetual conservation easements or other perpetual conservation protections, defined by general law. Requires Legislature to provide for classification and assessment of land used for conservation purposes, and not perpetually encumbered, solely on the basis of character or use. Subjects assessment benefit to conditions, limitations, and reasonable definitions established by general law. Applies to property taxes beginning in 2010.

Amendment 5: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTIONS 4, 9, AND 19
ARTICLE XII, SECTION 28

ELIMINATING STATE REQUIRED SCHOOL PROPERTY TAX AND
REPLACING WITH EQUIVALENT STATE REVENUES TO FUND EDUCATION.--
Replacing state required school property taxes with state revenues generating an equivalent hold harmless amount for schools through one or more of the following options: repealing sales tax exemptions not specifically excluded; increasing sales tax rate up to one percentage point; spending reductions; other revenue options created by the legislature. Limiting subject matter of laws granting future exemptions. Limiting annual increases in assessment of non-homestead real property. Lowering property tax millage rate for schools.

Amendment 6: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 4

ARTICLE XII, NEW SECTION

ASSESSMENT OF WORKING WATERFRONT PROPERTY BASED UPON CURRENT USE.--Provides for assessment based upon use of land used predominantly for commercial fishing purposes; land used for vessel launches into waters that are navigable and accessible to the public; marinas and dry stacks that are open to the public; and water-dependent marine manufacturing facilities, commercial fishing facilities, and marine vessel construction and repair facilities and their support activities, subject to conditions, limitations, and reasonable definitions specified by general law.

Amendment 7: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 3

RELIGIOUS FREEDOM.--Proposing an amendment to the State Constitution to provide that an individual or entity may not be barred from participating in any public program because of religion and to delete the prohibition against using revenues from the public treasury directly or indirectly in aid of any church, sect, or religious denomination or in aid of any sectarian institution.

Amendment 8: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTION 9

LOCAL OPTION COMMUNITY COLLEGE FUNDING.--Proposing an amendment to the State Constitution to require that the Legislature authorize counties to levy a local option sales tax to supplement community college funding; requiring voter approval to levy the tax; providing that approved taxes will sunset after 5 years and may be reauthorized by the voters.

Amendment 9: BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE IX, SECTIONS 1 AND 8

ARTICLE XII, SECTION 28

REQUIRING 65 PERCENT OF SCHOOL FUNDING FOR CLASSROOM INSTRUCTION; STATE'S DUTY FOR CHILDREN'S EDUCATION.--Requires at least 65 percent of school funding received by school districts be spent on classroom instruction, rather than administration; allows for differences in administrative expenditures by district. Provides the constitutional requirement for the state to provide a "uniform, efficient, safe, secure, and high quality system of free public schools" is a minimum, nonexclusive duty. Reverses legal precedent prohibiting public funding of private school alternatives to public school programs without creating an entitlement.

APPENDIX D

Additional Information/Websites

FEA Website

www.feaweb.org

Governor's Office

<http://www.flgov.com/>

Senate Bills

<http://www.flsenate.gov/Session/index.cfm?Tab=session&CFID=39557482&CFTOKEN=45358198>

House Bills

<http://www.flsenate.gov/Session/index.cfm?Year=2008&Chamber=House&Tab=session&Submenu=1>

The Budget

<http://www.myfloridahouse.gov/FileStores/Adhoc/Appropriations/gaa/2008-House/bill/pdf/confreprt08.pdf>

Florida Constitution

<http://www.leg.state.fl.us/Statutes/index.cfm?Mode=Constitution&Submenu=3&Tab=statutes>

Florida Statutes

<http://www.leg.state.fl.us/Statutes/index.cfm?Mode=View%20Statutes&Submenu=1&Tab=statutes&CFID=19247373&CFTOKEN=95648514>

Florida Division of Elections: for candidates, committees and ballot language

<http://election.dos.state.fl.us/>