

Florida Education Association

Frontline Report

2022 Legislative Session

Week 9

March 11, 2022

What a week! It is incredible what our members are capable of. With just a few days' notice, more than 100 members joined us in Tallahassee to fight HB 1197, the anti-freedom bill. We are so grateful for them and our members who sent emails and made calls to legislators. Through your activism we were able to keep HB 1197 at bay!

In a bit of a plot twist, the session will not end today as scheduled, because the budget was not finalized on time to allow for the 72-hour cooling off period. Session has been extended until Monday — that means legislators will be flying home this weekend and returning to Tallahassee on Monday to vote on the budget.

However, as has unfortunately become routine for the Florida Legislature, policy issues have made their way into the budget. While your hard work and pressure did keep the Senate from passing HB 1203, which restricts pay for experienced teachers and limits local unions' ability to negotiate evaluations, the language from that bill wound up in the budget conforming bill. This substantive change to policy was done behind closed doors, with no discussion with other legislators and no consideration for those who would be impacted.

We are diligently working on compiling a comprehensive look back at the 2022 legislative session. Here today is a quick overview of major news.

Bills Heading to the Governor

Here are some of the bills that crossed the finish line this week and are headed to the governor:

- **SB 2524:** In the cover of darkness at the 11th hour (literally — the bill dropped at 11:34 p.m.) on Thursday, the Senate and House released SB 2524, a budget “conforming” bill that includes nearly every bad education policy that didn’t pass this session as a stand-alone bill. All 181 pages contain everything from “intellectual freedom” penalties for higher education and expanding so-called “Schools of Hope” charter programs, to moving more schools into “D” and “F” grades through an automatic escalator.

Also included are, you guessed it, the bad provisions from HB 1203 that affect how school districts provide additional pay for our experienced teachers and prohibit the evaluation process from being collectively bargained. Here’s the kicker: Because this is a budget “conforming” bill, no amendments are permitted, so legislators are in a take-it-or-leave-it situation.

Many of the provisions were never heard in a single Senate committee, and several were never heard in either chamber. This bill violates the entire legislative process. When substantive policy can be tucked away in 100-or-more page conforming bills, it means the general public has no input. Neither do legislators, for that matter, as lawmakers are stripped of the amendatory process. Frustrating, but not unusual. For our longtime Frontline readers, you will remember this is how the Legislature passed the 50 percent threshold for instructional personnel unions, among other bad provisions in previous years.

- **SB 1048, Student Assessment**, by Sen. Manny Diaz (R-Hialeah Lakes), creates the new progress monitoring and testing standards. This new test was announced before the session by Gov. DeSantis, who claimed that he wanted to reduce the amount of time students spend testing and provide teachers the tools to help their students progress and grow. Unfortunately, the bill really does not do what the governor requested and appears to increase testing. Members of the House expressed these concerns throughout their questions and debate. Ultimately, it passed the House on Wednesday by a vote of 83-31 and in the Senate by a unanimous vote.
- **HB 1557, Parental Rights in Education or “Don’t Say, Gay,”** by Rep. Joe Harding (R-Ocala), passed the Senate on Wednesday by a vote of 22-17, with Sens. Joe Brandes

(R-St. Petersburg) and Jennifer Bradley (R-Orange Park) joining the Democrats in opposition to the bill. The House passed the bill on Feb. 24 by a vote of 69-47.

- **HB 7, Individual Freedoms or the “Stop WOKE Act,”** by Rep. Bryan Avila (R-Miami), has received lots of attention throughout this session. Many have expressed their concern that the bill would erase the less savory parts of our history by banning school curriculum or workplace training that teaches members of a group of people are guilty or at fault for any action of that group in the past. The bill passed the House by a vote of 74-41 on Feb. 24; the Senate took up the bill midweek and voted on it Thursday, when it passed by a party-line vote of 24-15.
- **HB 1467, K-12 Education,** by Rep. Sam Garrison (R-Orange Park), creates requirements for school districts when selecting instructional materials and other materials which are placed in library and media centers. One of the newest additions to the bill is a provision that sets term limits for school board members. School board members can now only serve for 12 years. The good news is that these term limits are not retroactive, so term limits would begin following the November 2022 general election. The Senate supported the bill with a vote of 24-15. In the House, it passed by a vote of 79-41.
- **SB 7044, Postsecondary Education,** by the Senate Education Committee and Sen. Manny Diaz (R-Hialeah Lakes), significantly alters the tenure process in the State University System. This is yet another in a series of ongoing attacks directed at restricting academic and intellectual freedom. Additionally, the bill requires all colleges and universities to change their accrediting agencies at the end of their current accreditation cycle. This bill passed the Senate late last week by a vote of 22-15, with Sen. Jeff Brandes (R-St. Petersburg) joining the Democrats in opposition to the bill. The House debated and voted on the bill; it passed by a party-line vote of 77-40.

Bills That Died

Here are a couple of bills that did not cross the finish line this session:

- HJR 35/SJR 244, Partisan Elections for School Boards
- HB 1055, Cameras in Classrooms
- HB 1197/SB 1458, Employee Organizations Representing Public Employees
- HB 1211/SB 1340, Sharing of School District Levies with Non-district Schools
- HB 1347/SB 1690, Charter School Revolving Loan Programs

- SB 1294, Recording IEP Meetings
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Budget

PREK-12

The PreK-12 Budget was \$13.5 billion, which is an increase of \$1.5 billion from last year. This is one of the most significant PreK-12 budget increases in state history. Below are a couple of budget highlights:

- Total funding per unweighted FTE is \$8,142.85 – or an increase of \$384.55 (4.96% increase)
- Base student allocation is \$4,587.40 – or an increase of \$214.49 (4.90% increase) – this is the highest BSA in history.
- The state maintained the Required Local Effort (RLE) of 3.606 mills, generating a revenue increase of \$633 million. RLE is the local revenue derived from property taxes.
- The Teacher Salary Increase Allocation (TSIA) is \$800 million – an increase of \$250 million. The TSIA will move from an 80/20-percent split to a 50/50-percent split this year. This means any district that has yet to reach the minimum base salary of \$47,500 shall be required to use 50 percent to reach that amount, while the remaining 50 percent and anything left over from the first pot of 50 percent shall be for all other classroom teachers and instructional personnel.
- One of FEA's priorities heading into this session was to make sure everyone who works in our public schools makes at least \$15 an hour. We appreciate Senate President Wilton Simpson for listening to our concerns and including such a provision in the state's budget. It was the hard work and advocacy of FEA members that led to this win for our education staff professionals. Starting Oct. 1, all education support staff will be required to be paid a minimum wage of \$15 per hour. If a district does not comply, employees may bring suit beginning Jan. 1 and, upon prevailing, shall receive back wages owed.
- The House wanted to punish the 12 districts that violated the no-mask mandate by prohibiting eligible employees in those districts who would have qualified for school recognition funding from receiving the funds. This was their modified position on the "dirty dozen" by removing the \$200 million punishment from the FEFP. Instead, the compromise worked out between the chambers will limit the Florida School Recognition Program, commonly known as "A-School Money" to schools that were "not found in violation of

emergency rules promulgated by the Department of Health related to face covering mandates during the 2020-21 or 2021-22 school year.”

HIGHER ED

The total Higher Education Budget was a little over \$5 billion; below are a couple of budget highlights:

- EASE Grant funding, \$75.4 million—37,705 students at \$2,000 apiece
- Florida College System, \$1.3 billion
 - \$15 million for the 2+2 Student Success Incentive Fund for FCS Schools
 - \$10 million for the Work Florida Student Success Incentive Fund
- State University System, \$2.8 billion
 - Performance-based incentives, \$560 million
 - Incentives for programs of strategic emphasis, \$25 million
- Student Open Access Resource, \$5.4 million, increases the adoption, adaptation and creation of open educational resources to help reduce the cost of textbooks and instructional materials.

The shortest take

We'll close today's report with our customary end-of-session statistics:

- Number of bills filed: 3,685
- Number of bills passed by only one chamber: 417
- Number of bills passed by both chambers: 263

Keep an eye out for our annual end-of-session report for in-depth information.

How You Can Take Action Today

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