



CENTER FOR FINE ARTS EDUCATION 2022 END OF SESSION REPORT



**2022 LEGISLATIVE SESSION
REVIEW *At-a-Glance***

Capitol Hill Group, LLC



MAY 24, 2022

K-12 EDUCATION LEGISLATION

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The 2022 Legislative Review At-A-Glance highlights of the 2022 Legislature’s deliberations on issues of interest to Center for Fine Arts Education members and the fine arts industry. For additional information, please refer to Online Sunshine www.leg.state.fl.us.



**LEGISLATION OF PARTICULAR INTEREST TO
CENTER FOR FINE ARTS EDUCATION (CFAE)**



FAILED to Pass: FLORIDA SEAL OF FINE ARTS PROGRAM

SB 318 (Rouson):

Fine Arts Seal SB318 by Rouson. A high priority for the CFAE during the 2022 legislative session was the passage of the Florida Seal of Fine Arts Program. The bill creates a program in the Florida Statutes recognizing high school graduates who have attained a high level of skill in fine arts coursework. Senator Rouson has championed the creation of this program over the past four legislative sessions and has received strong support among his senate colleagues. During the 2022 session, SB318 passed the Senate Education Committee by a unanimous vote and had the support to clear the full Senate chamber. However, the stumbling block was finding support in the Florida House of Representatives, an ongoing problem over the last several years.

House members filed identical legislation in previous sessions, however, it has never had a House committee hearing. In light of this contrasting support in each chamber, it was decided that for the 2022 legislative session, we would look for a Senate omnibus education bill on which to amend SB318. Omnibus legislation (or train) describes a leadership or "must-pass" piece of legislation onto which several similar – but less essential bills are attached (by amendment). During the last two weeks of the session, we looked for appropriate legislation to add our Fine Arts Seal amendment but were unsuccessful in finding one.

Looking forward over the legislative interim and election cycle, we need to focus our CFAE grassroots network on finding a House bill sponsor willing to make the passage of the Fine Arts Seal program a priority in the 2023 session.



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PASSED w/Amendments: FINANCIAL LITERACY

SB 1054 (Hutson)/**HB 1115** (Busatta Cabrera):

These bills filed in the 2022 Legislative Regular Session required students entering grade 9 in the 2022-23 school year to earn “one-half” ½ credit in personal financial literacy and money management in order to receive a standard high school diploma. The legislation also reduces the required number of elective credits from 8 to 7 ½ for graduation. While school districts are required to offer a financial literacy course, Senator Hutson (Palm Coast) and Representative Busatta Cabrera’s (Coral Gables) proposed legislation that makes the classroom course mandatory for graduation.

While seeking a financial literacy standard for all high school graduates is a laudable objective, the Center for Fine Arts Education (CFAE) expressed concern over the lack of options for attaining the required level of financial literacy in the legislation. CFAE does not concur that the only way all 650,000 high school students can achieve this knowledge is through 90 classroom sessions. Instead, an online course and a competency test should be options for students instead of a whole semester of classroom participation.

A primary concern with the proposed legislation is the impact on students concentrating on a curriculum that relies on sequenced learning to better master the subject. For example, reducing elective credits to 7 ½ will result in students focusing on world languages or music to substitute a semester of their concentrated coursework for financial literacy.

While we could not stop the bill from passing, we were able to delay the implementation of the financial literacy requirements for a period of 1 year. With help from Senator Bronson (Pensacola), an amendment was passed to delay the starting date for 9th graders entering high school in the Fall of 2022 to the Fall of 2023. The delay will provide an opportunity during the next legislative session – beginning on (3/7/23) to amend the law to include more flexibility for ways students can attain financial literacy.

During the summer/fall, we need to develop options for student flexibility for achieving student financial literacy and an advocacy plan for making these changes during the 2023 Legislative Session.



SPECIFIC LEGISLATION

BILLS OF INTEREST TO K-12 EDUCATION – PASSED

K-12 EDUCATION LEGISLATION

PASSED: STUDENT ASSESSMENTS (*Approved by Governor on 3/15/22*)

SB 1048 (Diaz): Eliminates the Florida Standards Assessment (FSA) and substantially modifies Florida's statewide standardized assessment program to include a computer-based coordinated screening and progress monitoring tool for K-8 English Language Arts and Mathematics. The bill provides that progress monitoring results must provide teachers and parents with actionable feedback to tailor instruction and develop programs and supports, and the end-of-year assessment must be used for all existing accountability purposes. It also provides a one-year transition to the new statewide standardized assessments, which will hold students and schools harmless during the transition. Finally, it requires the Commissioner of Education to provide recommendations on additional ways to streamline testing.



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PASSED: PARENTAL RIGHTS IN EDUCATION

HB 1557 (Hawkins):

- Nicknamed the “Don’t Say Gay” bill in the press, the bill requires that school districts adopt procedures for notifying parents if there is a change in their student’s services or monitoring related to a student’s mental, emotional, or physical health or well-being. The bill specifies that a school district may only withhold information from a parent if a prudent person would reasonably believe that disclosure would subject the student to abuse, abandonment, or neglect. Additionally, the bill also prohibits instruction on sexual orientation or gender identity in kindergarten through grade 3 or in a manner that is not age-appropriate or developmentally appropriate for students.

PASSED: INDIVIDUAL FREEDOMS

HB 7 (Avila):

- Includes provisions designed to protect individual freedoms and prevent discrimination in the workplace and in public schools.
- The bill specifies that subjecting any individual, as a condition of employment, membership, certification, licensing, credentialing, or passing an examination, to training, instruction, or any other required activity that espouses, promotes, advances, inculcates, or compels such individual to believe certain specified divisive concepts constitutes unlawful discrimination.
- The bill defines individual freedoms based on the fundamental truth that all individuals are equal before the law and have inalienable rights. Accordingly, the bill requires that instruction, instructional materials, and professional development in public schools be consistent with principles of individual freedom.

PASSED: EDUCATION

HB 758 (Diaz)

- Creates the Charter School Review Commission (CSRC) that will review and approve of charter school applications. The school district where the charter school is located will continue to be the sponsor.
- The bill requires that the State Board of Education appoints the membership of the CSRC and that the appointees be Senate confirmed.
- Authorizes DOE to contract with a college or university to provide administrative and technical assistance to the commission.



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PASSED: K-12 EDUCATION *(Signed by Officers and presented to Governor – who must act on this bill by 04/06/22)*

HB 1467 (Garrison)

- Establishes 12-year term limits for school board members in lieu of changes or elimination of school board member salaries; and
- Increases transparency and public involvement in the selection and removal of school library materials and instructional materials.

PASSED: CHARTER SCHOOL CHARTERS

HB 225 (Hawkins)

The bill revises provisions relating to charter school charters to:

- Specify that a charter may be modified at any time, during any term;
- Require that a request for the consolidation of multiple charters be approved or denied within 60 days after submission of the request;
- Require that any sponsor who denies a request for consolidation to provide the charter school's governing board with the specific reasons for the denial within 10 days;
- Specify that a sponsor provide notice to a charter school of a decision to renew, terminate, or not renew before a vote and at least 90 days before the end of the school year; and
- Provide for the automatic renewal of a charter if notification does not occur at least 90 days before the end of the school year.

PASSED: RESTRAINT OF STUDENTS WITH DISABILITIES IN PUBLIC SCHOOLS

HB 235 (Plascencia)

- For students with disabilities in public schools, the bill revises requirements relating to the use of mechanical and physical restraint.
- The bill prohibits the use of mechanical restraint by school personnel except for school resource officers, school safety officers, school guardians, or school security guards, who may use mechanical restraint in the exercise of their duties to restrain students in grades 6 through 12. However, devices prescribed or recommended by physical or behavioral health professionals may still be used for their indicated purposes.
- And the bill allows authorized school personnel to use appropriate physical restraint as permitted by existing law.

PASSED: MENTAL HEALTH OF STUDENTS

HB 899 (Hunschofsky)

- The bill specifies that charter schools must comply with involuntary examination data reporting requirements established by the Legislature in 2021 for traditional public schools and requires the Department of Education to share all school-related involuntary examination data, including charter school data, with the Department of Children and Families by July 1 of each year.



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- The bill requires that DCF use this data in its biennial analysis of involuntary examinations of minors.
- The bill requires school districts to identify a mental health coordinator that will serve as the primary point of contact regarding the district's student mental health policies, procedures, responsibilities, and reporting.

PASSED: CAMPAIGN FINANCING BY STATE AFFAIRS COMMITTEE

HB 921 (State Affairs Committee)

- Section two of the bill makes changes to the criteria for how local governments and their advocates are authorized to communicate to the public regarding the contents of a ballot referendum.

PASSED: SCHOOL SAFETY

HB 1421 (Hawkins)

The bill:

- Requires district school boards and charter school governing boards to adopt a plan that guides family reunification when K-12 public schools are closed or unexpectedly evacuated due to natural or manmade disasters.
- Requires that the State Board of Education adopt rules setting requirements for emergency drills including timing, frequency, participation, training, notification, and accommodations.
- Requires that law enforcement responsible for responding to schools in the event of an assailant emergency be physically present and participate in active assailant drills.
- Requires that school safety and environmental incident reporting data be published annually in a uniform, statewide format that is easy to read and understand.
- Requires that safe-school officers that are sworn law enforcement officers to complete mental health crisis intervention training.
- Requires safe-school officers that are not sworn law enforcement officers to receive training on incident response and de-escalation.
- Extends authorization of the MSD Commission until July 1, 2026, for the purpose of monitoring implementation of school safety legislation.
- Requires the Commissioner of Education to oversee and enforce school safety and security compliance in the state.



BILLS OF INTEREST TO K-12 EDUCATION – **FAILED to Pass**

FAILED: SOVEREIGN IMMUNITY

HB 985 (Beltran)/**SB 974** (Gruters) did not pass the legislature.

- Both chambers proposed increasing the Sovereign Immunities limits
- Bills did not pass so limits maintain status quo - \$200K per individual claim/\$300K aggregate claims arising from a single event.

FAILED: EDUCATION

HB 5101 (Latvala)

- Would have eliminated districts' ability to offer virtual franchise and virtual charter school options.
- Changes to virtual school funding did pass in SB 2524.

FAILED: FUNDS FOR STUDENT TRANSPORTATION

HB 1327 (Stevenson)/ **SB 270** (Hutson 'Co-Sponsors' Perry)

- Would have required districts to pick up students living more than one mile from school instead of two miles (current law).

FAILED: EXCEPTIONAL STUDENT DUE PROCESS HEARINGS

SB 1086 (Gruters) did not pass the legislature but would have required school districts to prove by a preponderance of the evidence in all exceptional student due process hearings that any challenged identification, evaluation, and eligibility determination, or lack thereof, was appropriate.

FAILED: SCHOOLS OF INNOVATION

HB 961 (DiCeglie)/**SB 766** (Brodeur) did not pass the legislature.

- Would have established the Schools of Innovation Program within DOE and flexibility for schools of innovation relating to award of credit & letter grades.

FAILED: LIMITATION ON TERMS OF OFFICE FOR MEMBERS OF A DISTRICT SCHOOL BOARD

SB 1644 (Baxley)

- Proposed joint resolution to the State Constitution that would have limited school board members to eight-year terms.
- HB 1467, which did pass, implemented twelve-year term limits.

FAILED: PARTISAN ELECTIONS FOR MEMBERS OF DISTRICT SCHOOL BOARDS

HB 35 (Roach and Sirois)/ **SB 244** (Gruters)

- Proposed amendment to the State Constitution to require members of district school board to be elected in partisan election.



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FAILED: FLORIDA INSTITUTE FOR CHARTER SCHOOL INNOVATION

HB 865 (Valdés)/**SB 622** (Díaz)

- Did not pass the legislature but would have established the Florida Institute for Charter School Innovation at Miami Dade College to improve charter school authorizing practices in the state and provided a \$1M appropriation.



BUDGET REPORT

STATE BUDGET HIGHLIGHTS:

FEFP and General Appropriations Act Highlights:

- \$24.3B total K-12 budget
 - \$156M for FRS Increase (statewide)
 - \$319M for FTE growth (69,558 FTE)
 - \$400M for \$15/hour requirement (estimated)
 - Total obligated = \$875M
 - Flexible/BSA \$ left = \$128M
 - Inflation, gas prices, and decreased funding for virtual students
- Base Student Allocation Increase: \$214.49
- Total Funds per UFTE: \$8,142.85
- VPK-8 Progress Monitoring: \$15.5M
- Teacher Pay: \$250M increase
 - Half must be dedicated to increasing minimum teacher salaries to \$47,500 (if the district is not already there) and the other half can be used to increase salaries for veteran educators who make above \$47,500.
- Transportation Categorical: \$56M increase
- Mental Health Allocation: \$20M increase
- Reading Allocation: \$40M increase
- VPK FTE: \$2,803 fall/spring; \$2,393 summer

Line-Item Appropriations (Subject to approval by Governor)

West Tech: \$397,288

Oral History Project: \$47,400



FEDERAL BUDGET HIGHLIGHTS

FEDERAL FUNDING:

HB 7071 Taxation - Provides that School Capital Outlay Surtax funds are authorized for the purchase, lease-purchase, or lease of school buses and maintenance vehicles.

Implementing Bill - School Recognition: \$200M

- The implementing bill excludes school districts that implemented a mask mandate in defiance of the DOH emergency rule from this pot of funding even if schools meet the other statutory criteria. [*Administratively overturned by Governor*].

SB 2524 – Education Conforming Bill

- Changes to the Reading Categorical:
 - Increased flexibility to spend reading categorical dollars
 - Eliminates the current requirement that a district’s reading plan must be approved by FDOE
 - Creates pathway for teachers to earn a micro-credential in reading that can be earned instead of the reading endorsement
- Micro-credential will be developed by the University of Florida Lastinger Center
- Expands Choice Transportation - Expands the use of transportation funds to specify that student transportation funds may be used to pay for specified alternative vehicles when a school bus is impractical, or to support parents or carpools
- Longevity Payments - Requires that compensation for longevity of service awarded to instructional personnel who are not on a performance pay salary schedule must be used in the calculation of salary adjustments for highly effective or effective teachers.



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THANK YOU!



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