



February 23, 2018

**TO: All FACCS Administrators**  
**FROM: Dr. Howard G. Burke, FACCS Executive Director**  
**RE: Immediate Action Recommended**

As referenced in the last Capital Update **HB 7055** was passed by the House with favorable CHOICE Scholarship and Dual Enrollment language. However the Senate Education Committee adopted a completely different series of 35 House and Senate Bills and incorporated them into the engrossed "Strike All Amendment #903516 (Attached)." This 120 page Committee Substitute for the original HB 7055 has combined five scholarship opportunities and repetitive negative language that adversely impacts Christian and nonpublic schools that accept even one scholarship student.

If you were at the *FACCS Administrators' Conference* you received a significant insight to the massive problems this legislation will create for FACCS and other Accrediting Associations that have schools accepting CHOICE Scholarships (Step-Up for Students/Corporate Tax Credit, McKay, Gardiner, Opportunity, the new HOPE and Reading Scholarships). **As a result the following is a tentative review of issues that remain on the Senate version through the "Strike All" of HB 7055 which is scheduled to be heard in Senate Appropriations this coming Tuesday.**

... The "Strike-All Amendment #903516 to HB 7055" over-regulates private schools beyond that of a public or charter school and hinges on causing a loss of autonomy for a private school that accepts CHOICE scholarship students. The Bill does not contain language correcting dual enrollment equal access and equity of services for private school and CHOICE Scholarship students dual enrollment options without discriminatory tuition pay back by the student, tax-paying parent or school of CHOICE. Such language was in HB 7055 when passed by the House. *This language could be restored in the "Strike All" by the inclusion of **SB 1064** by *Baxley*.*

**...The Strike All alters the definitions of private schools. (Remove lines 1815-1838). The private sector** has fought hard to keep the scholarship programs in separate sections of law because all private schools do not accept scholarships. This sets up the potential for scholarship accountability to be applied to all private schools in the state. **Not all private schools take scholarship students and many which do have very limited numbers of CHOICE students.**

**... The Strike All requires DOE to visit up to 5% of schools.** We recommend removing the "Must" and replace with "May" on **lines 1754-1759**. Leaving the number of onsite visits up to the discretion of the Department of School Choice is a better use of taxpayer dollars.

**...The Strike All requires private schools that accept Florida Tax Credit and Gardiner Scholarships to provide a balance sheet to DOE.** This is not only unclear but unacceptable. Is the Balance sheet for the entire school or just the scholarships? **This provision could make all non-profit or for-profit private schools financial records open to the public under “Sunshine” provisions & public records request. As many financial records are comprehensive annual financial audits of an entire faith-based ministry this would be an extreme entanglement of Church and State.**

**...The Strike All requires all teachers in grades 2 through 12 have a Bachelor’s degree from a regional or national accrediting agency recognized by the USDOE which is a mandate beyond that of the public school sector. *When the Senate Education Committee listened to this concern a post-bill implementation date was added per our recommendation being July 2018.*** This is helpful so that the requirement is not retroactive & punitive forcing many quality faculty members that earned their degrees from the 60’s forward; that have an earned degree but gained such at a non-accredited college, university, religious institution of higher learning or seminary to be terminated even if a school accepts one scholarship student. However, this provision may still eliminate the further employment of recently graduated professionals in targeted specialty fields of education that have not taught a minimum of three years.

**...The Strike All exceeds Florida Teacher Certification requirements FS.1012.56(2)(c)** which allows for certification if graduates of a non-accredited college.

**...The Strike All exceeds the current requirements of providing the qualifications of the teachers** to the parent of the scholarship student by requiring comprehensive reporting of the qualifications of each teacher in the school to the FDOE. This interferes with the autonomy, employment & privacy practices of the private school & their employee and makes private personal data available to third-party oversight under the Florida Sunshine laws and exceeds the latitude of such detailed information in relation to faculty of a public or charter school. This provision assumes that every student in a private school is a scholarship student which is inaccurate.

**...In the Strike All the general term “teachers” could be construed to include paraprofessionals** such as teaching assistants along with special subject teachers for hard-to-fill positions for example: music, art, computer/ technology, physical education or foreign language. Most schools employ teachers with Bachelor degrees in these special areas but at times a teacher leaves with little advance notice and then it is difficult to quickly find a person with a Bachelor’s degree but of greater potential to locate a person with specialized experience that they document accordingly. The wording “classroom teachers” would help to make the distinction needed.

**...The Strike All would require schools to provide information on programs, services, and qualifications** along with the information noted above for individual classroom teachers via website or written communication which further invades the autonomy of a private school.

**...The Strike All requires a quarterly written explanation of student progress** which is a significant mandate without any financial remuneration for said services.

**... The Strike All confuses the current Agreed Upon Procedures (AUPs)** which under the strike all language will include McKay, Corporate Tax Credit, and other scholarship total funds

which exceed \$250,000 combined for all programs. Schools with a majority of funds from McKay will submit to DOE for review. There is no clarity of which AUP guidelines will be used.

**However, the best qualifier of accountability which is not included in the “Strike ALL Amendment” would be that of required accreditation** of a CHOICE participating school by an accrediting agency recognized under FAANS, The National Council of Private School Association (NCPISA) and the regional and national USDOE recognized options which are listed in present Florida Statutes.. Many of the issues raised in present legislation would have been overcome if from inception this had been a prerequisite for a CHOICE scholarship participating school.

***With the above stated we are recommending FACCS schools that participate in any of the scholarship programs contact their State Senators, the members of the Senate Appropriations Committee and the President of the Senate and seek to have the present STRIKE ALL Amendment Engrossed as #903516 revised before passage in the Senate Appropriations Committee. This contact may be by email, phone contact, etc. but must take place between today (Friday) and Monday evening before the Senate Appropriations Committee meets Tuesday on this Bill.***

The following is a report of current action on legislation moving forward that will impact Christian schools and Churches in the state of Florida.

#### 1. FL H 1

**Author:** Donalds (R)

**Title:** Hope Scholarship Program

**Summary:** Establishes the Hope Scholarship Program; relates to students subjected to bullying or harassment; provides certain program eligibility requirements; prohibits the payment of a scholarship under certain circumstances; requires a school principal to investigate a report of physical violence or emotional abuse; provides for parent and student responsibilities for program participation; provides guidelines for the funding of payments; provides a scholarship funding tax credit.

#### 2. FL H 323

**Author:** Fitzenhagen (R)

**Title:** High School Graduation Requirements

**Summary:** Relates to high school graduation requirements; revises the requirements for the Next Generation Sunshine State Standards to include financial literacy; revises the required credits for a standard high school diploma for instruction in personal financial literacy and money management, and for electives.

**Status:** 02/21/2018 From HOUSE Committee on EDUCATION: Reported favorably with substitute. (16-2)

#### 3. FL H 399

**Author:** Mariano (R)

**Title:** John McKay Scholarship for Students with Disabilities

**Summary:** Relates to the John M. McKay Scholarship for Students with Disabilities Program; authorizes a parent to request an individual education plan meeting and reevaluation from the school district for specified purposes; authorizes a school district to change a matrix of services for a student as a result of an individual education plan reevaluation.

#### 4. FL H 621

**Author:** Rommel (R)

**Title:** School Safety

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

#### 5.FL H 731

**Author:** Sullivan (R)

**Title:** Home Education

**Summary:** Relates to home education; specifies that a home education program is not a school district program and is registered with the district school superintendent only for the purpose of complying with the states attendance requirements; revises the content requirements of a notice of enrollment of a student in a home education program.

**Status:** 02/21/2018 In HOUSE. Passed HOUSE. \*\*\*\*\*To SENATE. (116-0)

#### 6.FL H 827

**Author:** Donalds (R)

**Title:** Instructional Materials

**Summary:** Relates to instructional materials; requires district school boards to establish a process by which certain persons may recommend instructional materials for consideration by district instructional materials reviewers; requires a specified affidavit to include a statement that instructional materials recommended for adoption meet certain requirements.

**Status:** 02/15/2018 From HOUSE Committee on EDUCATION: Reported favorably with substitute. (19-0)

#### 7.FL H 829

**Author:** Plasencia (R)

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

**Summary:** Relates to the John M. McKay Scholarships for Students with Disabilities Program; provides that specified eligibility requirements do not apply to students in certain grades beginning in a specified school year; revises student eligibility criteria; provides for the calculation of the scholarship amount for students diagnosed with a disability by certain physicians or psychologists; provides for the adjustment of the scholarship amount under certain circumstances.

#### 8.FL H 951

**Author:** Fischer (R)

**Title:** Education

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

#### 9.FL H 1045

**Author:** Pigman (R)

**Title:** Immunization Registry

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

#### 10.FL H 1091

**Author:** Grall (R)

**Title:** Early Learning

**Summary:** Relates to Early learning; revises the definition of at-risk child; revises the duties of the Office of Early Learning; provides for the development of a program assessment for school readiness providers; provides program assessment requirements; revises the standard statewide contract for providers.

**Status:** 02/22/2018 In HOUSE. Placed on Special Order Calendar 02/28/18.

#### 11.FL H 1129

**Author:** Cortes (R)

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

**Status:** 02/21/2018 In HOUSE. Placed on Calendar.

**12.FL H 1175**

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

**Title:** Early Learning Coalitions

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

**Status:** 02/22/2018 Referred to SENATE Committee on APPROPRIATIONS.

**13.FL H 1419**

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

**Title:** Firearms

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

**14.FL H 6051**

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

**Title:** Florida Tax Credit Scholarship Program

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

**15.FL H 7055**

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

**Title:** Education

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

**Status:** 02/22/2018 To SENATE Committee on APPROPRIATIONS.  
02/22/2018 In SENATE. On Committee agenda 02/27/18.

**16.FL S 88**

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

**Title:** High School Graduation Requirements

**Summary:** Relates to high school graduation requirements; revises the requirements for the Next Generation Sunshine State Standards to include financial literacy; revises the required credits of instruction in personal financial literacy and money management for a standard high school diploma.

**17.FL S 564**

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

**Title:** Scholarships for Students With Disabilities

**Summary:** Amends the John M. McKay Scholarships for Students with Disabilities Program; provides that parents seeking an individual education plan reevaluation may request a specified meeting and evaluation from the school district; specifies that a school district may change a student's matrix of services as a result of an individual education plan reevaluation.

**18.FL S 732**

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

**Title:** Home Education

**Summary:** Amends the home education program; prohibits a district school from requiring certain evidence relating to a child's age from children enrolled in specified schools and programs; revises reporting requirements for specified issues relating to compulsory school attendance; revises the standards required for a home education student to participate in extracurricular activities; prohibits dual enrollment course and program limitations for home education students; exempts certain GPA requirements.

#### 19.FL S 1048

**Author:** Baxley (R)

**Title:** Firearms

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

#### 20.FL S 1064

**Author:** Baxley (R)

**Title:** Dual Enrollment Programs

**Summary:** Relates to dual enrollment programs; revises the contents of a post secondary institution and private school dual enrollment articulation agreement; prohibits certain fees from being passed to the private school.

#### 21.FL S 1080

**Author:** Baxley (R)

**Title:** John M. McKay Scholarships

**Summary:** Relates to the John M. McKay Scholarships for Students with Disabilities Program; provides that specified eligibility requirements do not apply to students in certain grades beginning in a specified school year; revises student eligibility criteria; provides for the calculation of the scholarship amount for students diagnosed with a disability by certain physicians or psychologists; provides for the adjustment of the scholarship amount under certain circumstances.

#### 22.FL S 1172

**Author:** Galvano (R)

**Title:** Hope Scholarship Program

**Summary:** Relates to the Hope Scholarship Program; establishes the Hope Scholarship Program; provides the purpose of the program; provides definitions; provides eligibility requirements; prohibits the payment of a scholarship under certain circumstances; requires a school principal to investigate a report of physical violence or emotional abuse.

#### 23.FL S 1192

**Author:** Stargel (R)

**Title:** Education

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

#### 24.FL S 1236

**Author:** Baxley (R)

**Title:** School Safety

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

**Status:** 02/15/2018 In SENATE. On Committee agenda 02/20/18.

#### 25.FL S 1254

**Author:** Passidomo (R)

**Title:** Early Learning

**Summary:** Relates to early learning; requires a parent with custody of a child to be verified as a victim of domestic violence by a certified

domestic violence center before his or her child is considered an at-risk child; revises the duties of the Office of Early Learning; revises the requirements for the offices annual analysis of the states Early learning activities.

**26.FL S 1520**

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

**Title:** Licensure of Child Care Programs

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

**27.FL S 1532**

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

**Title:** Early Learning Coalitions

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

**28.FL S 1644**

**Author:** [Lee T \(R\)](#)

**Title:** Instructional Materials

**Summary:** Relates to instructional materials; requires district school board rules to include a longer public review period for student editions of recommended instructional materials; requires district school boards to establish by rule a process by which certain persons may recommend instructional materials for consideration by district instructional materials reviewers.

**Status:** 02/15/2018 To SENATE Committee on RULES.

**29.FL S 1680**

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

**Title:** Immunization Registry

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

**30.FL S 1756**

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

**Title:** School Accountability

**Summary:** Relates to school accountability; revises the private schools to which the Department of Education is required to provide technical assistance and authorized staff; updates terminology; revises requirements for private schools that participate in the Gardiner Scholarship Program.

**31.FL S 1820**

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

**Title:** Reading Scholarship Accounts

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

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