

The seal of the State of Florida is a large, faint watermark in the background. It features a central figure of a woman holding a scale and a sword, surrounded by various symbols including a palm tree, a ship, and a plow. The text "GREAT SEAL OF THE STATE OF FLORIDA" is written around the top, and "IN GOD WE TRUST" is at the bottom.

CASE Summer Leadership Institute  
*Collaborative Leadership in Times of Change*

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# Legislative Update



## 2013-14 Budget Comparison

	2011-12 Conference Report	2012-13 Conference Report	2013-14 Conference Report	% Δ from 12-13 CR
<b>Florida Education Finance Program (FEFP)</b>				
Base Student Allocation (BSA)	\$ 3,479.22	\$ 3,582.98	\$3,752.30	4.7%
DJJ Supplemental Allocation factor	\$ 903.57	\$ 902.96	\$902.03	-0.10%
ESE Support Level 4	3.550	3.524	3.558	1.0%
ESE Support Level 5	5.022	5.044	5.089	0.9%
ESE Guaranteed Allocation	\$ 943,167,996	\$ 947,950,732	\$ 947,987,428	0.0%
<b>NON FEFP</b>				
Learning Through Listening	\$ 760,000	\$ 760,000	\$ 860,000	13.2%
<b>FDLRS University Centers</b>				
University of Florida	\$ 396,525	\$ 396,525	\$ 396,525	-
University of Miami	\$ 396,525	\$ 396,525	\$ 396,525	-
Florida State University	\$ 396,525	\$ 396,525	\$ 396,525	-
University of South Florida	\$ 396,525	\$ 396,525	\$ 396,525	-
University of Florida Health Science Center at Jacksonville	\$ 396,526	\$ 396,526	\$ 396,526	-
<b>CARD Centers</b>				
University of South Florida/Florida Mental Health Institute	\$ 872,630	\$ 959,893	\$ 1,315,410	37.0%
University of Florida (College of Medicine)	\$ 605,129	\$ 665,642	\$ 912,177	37.0%
University of Central Florida	\$ 747,284	\$ 822,012	\$ 1,126,462	37.0%
University of Miami (Department of Pediatrics) includes \$216,392 for activities in Broward County through Nova Southeastern University	\$ 945,826	\$ 1,040,409	\$ 1,425,747	37.0%
Florida Atlantic University	\$ 473,254	\$ 520,579	\$ 713,387	37.0%
University of Florida (Jacksonville)	\$ 630,609	\$ 693,670	\$ 950,586	37.0%
Florida State University (College of Communications)	\$ 700,693	\$ 770,762	\$ 1,056,231	37.0%
<b>Exceptional Education (Allocated for specific activities)</b>				
From General Revenue	\$ 1,013,726	\$ 1,013,726	\$ 2,713,726	167.7%
Family Café			\$ 200,000	
Communication Navigator			\$ 1,000,000	
Auditory-Oral Education Grants			\$ 500,000	
From Federal Grants Trust Fund	\$ 2,333,354	\$ 2,333,354	\$ 2,333,354	-
<b>Florida School for the Deaf and the Blind</b>				
From General Revenue	\$ 41,212,914	\$ 39,755,955	\$ 41,289,040	3.9%
From Federal Grants Trust Fund	\$ 2,659,656	\$ 2,604,709	\$ 2,627,152	0.9%
From Grants and Donations Trust Fund	\$ 1,747,957	\$ 1,734,145	\$ 1,739,754	0.3%

Funds in Exceptional Education (Allocated for specific activities), shall include, but not be limited to allocations for FDLRS Associate Centers and the Florida Instructional Materials Center for the Visually Impaired.

# SB 1500 General Appropriations Act

## Florida Education Finance Program (FEFP)

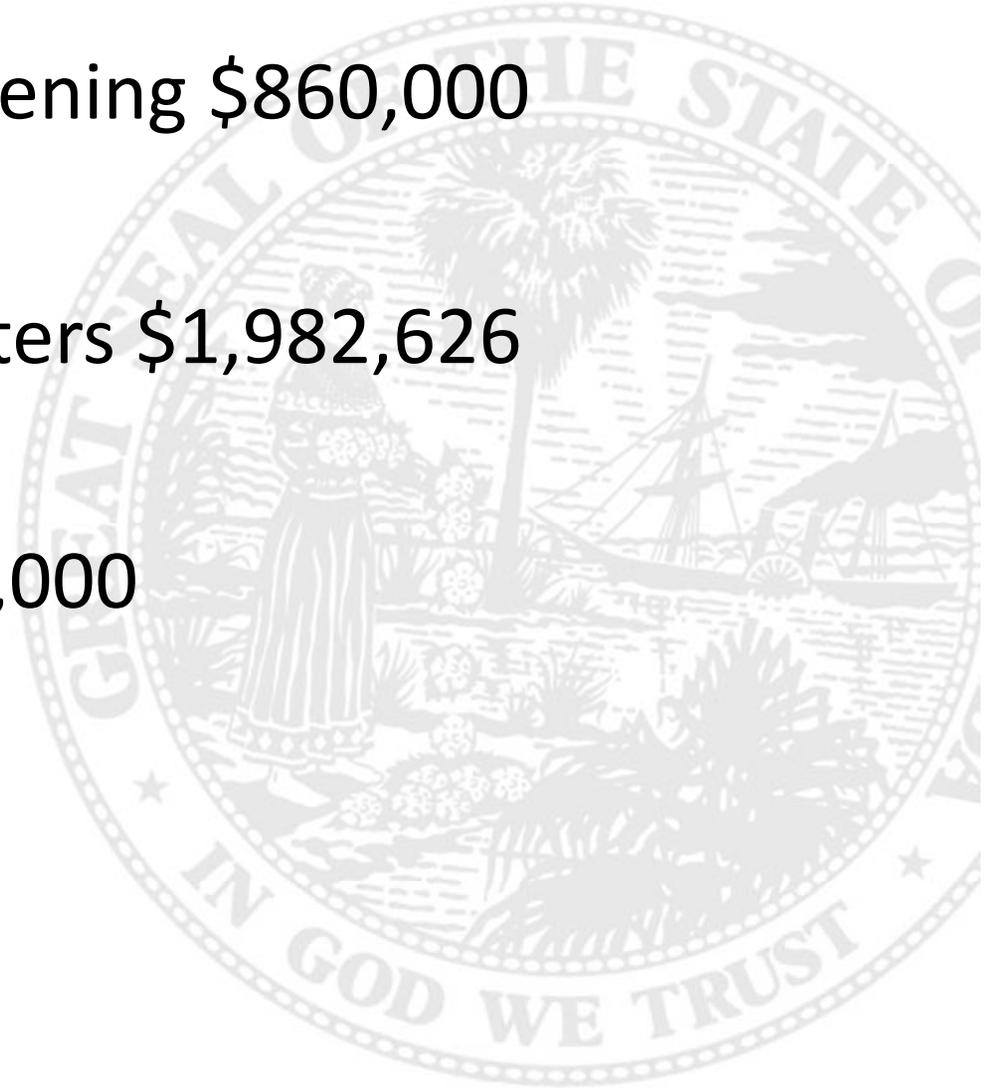
- Base Student Allocation (BSA) \$3,752.30
- DJJ Supplemental Allocation factor \$902.03
- ESE Support Level 4 - 3.558
- ESE Support Level 5 - 5.089
- ESE Guaranteed Allocation - \$947987428)

## ESE \$5,747,080 (101.6% increase)

- Amount from General Revenue \$2,713,726
- Family Café, Communication Navigator, Auditory-oral education grants, K-20 SWD Education Pathway Task Force
- Amount from Trust Fund \$2,333,354

# SB 1500 General Appropriations Act

- Learning Through Listening \$860,000
- FDLRS University Centers \$1,982,626
- CARD Centers \$7,500,000



# SB 1500 General Appropriations Act

- Family Café (\$200,000)
- Communication Navigator (\$1,000,000)
- Auditory-oral education grants (\$500,000)
- K-20 Students with Disabilities Education Pathway Task Force(\$500,000)

# K-20 Students with Disabilities Education Pathway Task Force

- Make recommendations on a rigorous K-12 academic pathway that will enable students with disabilities to earn a diploma that will matriculate into postsecondary education college credit programs. In addition, the task force shall recommend options for expanding access of students with disabilities to a traditional postsecondary academic experience.
- The task force will submit recommendations by December 1, 2013

# K-20 Students with Disabilities Education Pathway Task Force

Nine members to serve on the task force, including the following:

- Florida College System representative
- State University System representative
- Independent Colleges and Universities representative
- Representative from the disability advocacy community
- School District Superintendent
- Parent of a student with disabilities who is seeking postsecondary options
- Curriculum specialist
- Assessment specialist
- ESE teacher
- Senate President designee
- Speaker of the House of Representatives designee

# BEESS Bill Update

- HB 7003 Interstate Compact on Educational Opportunity for Military Children
- CS/SB 284 School Emergencies
- CS/HB 461 Deaf and Hard of Hearing Children
- CS/CS/HB 801 Certified School Counselors
- CS/SB 1108 Exceptional Student Education

# CS/HB 7003

## Interstate Compact on Educational Opportunity for Military Children

- Continues the authorization and direction for the Governor to execute the Interstate Compact on Educational Opportunity for Military Children (Compact) on behalf of the State of Florida, with any other state or states legally joining the Compact for 3 years from the effective date of this act.

# CS/SB 284 School Emergencies

Amends s. 1002.20(3)(i), F.S., K – 12 student and parent rights; to authorize public schools to purchase epinephrine auto-injectors from a wholesale distributor.

- Permits storage of epinephrine auto-injectors in a locked, secure location on campus for use when any student has an anaphylactic reaction.
- Requires participating school districts to adopt a protocol by a licensed physician.
- Allows an authorized student to self-administer an epinephrine auto-injector that was purchased by the school.
- Requires training school personnel to recognize when a student is having an anaphylactic reaction and allows trained school personnel to administer an epinephrine auto-injector to a student without parent authorization.
- Removes school employees' liability arising from administration of an epinephrine auto-injector unless done in a willful or wanton manner and removes liability from the physician who developed the protocol.

# CS/HB 461

## Deaf and Hard of Hearing Children

- FDOE, in collaboration with FSDB and representatives of the auditory-oral community, will develop a model communication plan to be used in the development of an individual education plan for deaf or hard-of-hearing students.
- FDOE will disseminate the model plan online and provide technical assistance.

# CS/CS/HB 801

## Certified School Counselors

- Renames guidance counselors as certified school counselors



# CS/SB 1108

## Exceptional Student Education

### **Meetings** (amends s. 1002.20, F.S.)

- Prohibits districts from discouraging or attempting to discourage participation of individuals of a parent's choice in meetings
- Meetings include eligibility determination, IFSP, IEP, 504 plan, and meetings related to other issues, including discipline
- Parents and school staff will be required to sign a form at the close of meetings, attesting to whether the parent was discouraged from inviting individuals of choice

# CS/SB 1108

## Exceptional Student Education

### **Charter Schools** (amends s. 1002.33, F.S.)

- Unless otherwise mutually agreed to, charter schools shall be reimbursed on a monthly basis for all invoices submitted for federal funds available to the district for benefit of charter school
- Charters must invoice district at least 30 days before monthly date of reimbursement set by the district

# CS/SB 1108

## Exceptional Student Education

### **Charter schools (continued)**

- In order to be reimbursed, charter schools must comply with all applicable state and federal rules
- Such funds may not be made available to the charter school until there is an approved plan for use
- Districts have 30 days to review and approve such plans

# CS/SB 1108

## Exceptional Student Education

- **Definition of terms/inclusive practices**  
(amends s. 1003.57, F.S.)
  - Defines various settings (e.g., ESE center, regular class, resource)
  - Defines inclusion
  - Requires that once every 3 years, each district and school must complete a Best Practices in Inclusive Education (BPIE) assessment with a FIN facilitator
  - Results of this assessment must be in the district's SP&P

# CS/SB 1108

## Exceptional Student Education

- **Parental consent** (creates s. 1003.5715, F.S.)
  - Requires FDOE to adopt separate consent forms
  - Actions requiring separate consent
    - Administration of FAA
    - Provision of instruction in access points
    - Placement in an ESE center
  - Parent may refuse these proposed actions

# CS/SB 1108

## Exceptional Student Education

- **Parent consent** (continued)
  - School district may not proceed with these actions without parent consent unless
    - The parent fails to respond to reasonable efforts to obtain consent
    - OR**
    - District obtains approval via due process
  - Student remains in current education setting during pendency of due process

# CS/SB 1108

## Exceptional Student Education

- **Collaboration of public & private instructional personnel** (creates s. 1003.572, F.S.)
  - Defines private instructional personnel (behavioral analysts, SLPs, OTs, PTs, psychologists, LCSWs).
  - Private instructional personnel who are hired or contracted by parents to collaborate must be permitted to observe the student, collaborate with instructional personnel, and provide services in the educational setting. Student's teachers/related services provider and principal must consent to time and place

# CS/SB 1108

## Exceptional Student Education

- **Students with disabilities; extraordinary exemptions.** (creates s. 1008.212, F.S.)
  - Defines Circumstance and Condition
  - States that for a student with a disability for whom the IEP determines that a circumstance or condition prevents the student from physically demonstrating the mastery of skills that have been acquired **and** are measured by a statewide standardized assessment, a statewide standardized EOC, or an alternate assessment pursuant to s. 1008.22(3)(c), F.S., shall be granted an extraordinary exemption from the administration of the assessment.

# CS/SB 1108

## Exceptional Student Education

- Clarifies that a learning, emotional, behavioral, or significant cognitive disability, or the receipt of services through the homebound or hospitalized program in accordance with Rule 6A-6.03020, Florida Administrative Code (F.A.C.), is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.
- Establishes a process for determining eligibility for an extraordinary exemption.
  - No later than 60 days before the current year's assessment administration for which the request is made, the IEP team, which must include the parent, may submit to the district school superintendent a written request for an extraordinary exemption. The request must include all of the following information:

# CS/SB 1108

## Exceptional Student Education

- A written description of the student's disabilities, including a specific description of the student's impaired sensory, manual, or speaking skills
- Written documentation of the most recent evaluation data
- Written documentation, if available, of the most recent administration of the statewide standardized assessment, an EOC assessment, or an alternate assessment
- A written description of the condition's effect on the student's participation in the statewide standardized assessment, an EOC assessment, or an alternate assessment
- Written evidence that the student has had the opportunity to learn the skills being tested
- Written evidence that the student has been provided appropriate instructional accommodations
- Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of the statewide standardized assessment, an EOC assessment, or an alternate assessment in prior assessments
- Written evidence of the circumstance or condition as defined above

# CS/SB 1108

## Exceptional Student Education

- Based upon the documentation provided by the IEP team, the school district superintendent shall recommend to the Commissioner of Education whether an extraordinary exemption for a given assessment administration window should be granted or denied.
- A copy of the school district's procedural safeguards, as required by Rule 6A-6.03311, F.A.C., must be provided to the parent.

# CS/SB 1108

## Exceptional Student Education

- If the parent disagrees with the IEP team's recommendation, the dispute resolution methods described in the procedural safeguards must be made available to the parent.
- Upon receipt of the request, documentation, and recommendation, the Commissioner of Education must take the following actions within 30 days after the receipt of the request:
  - Verify the information documented
  - Make a determination
  - Notify the parent and the school district in writing whether the exemption request has been granted or denied

# CS/SB 1108

## Exceptional Student Education

- If the Commissioner grants the exemption, the student’s progress must be assessed in accordance with the goals established in the student’s IEP.
- If the Commissioner denies the exemption, the notification must state the reasons for the denial.
- The parent of a student with a disability who disagrees with the Commissioner’s denial of an extraordinary exemption may request an expedited hearing. In that event, the following actions are required:
  - The Department of Education (DOE) must provide information to the parent regarding any free or low-cost legal services and other relevant services available in the area.
  - DOE must arrange a hearing with the Division of Administrative Hearings (DOAH), which must commence within 20 school days after the parent’s request for the expedited hearing.
  - The administrative law judge (ALJ) at DOAH must make a determination within 10 school days after the expedited hearing.
  - The standard of review for the expedited hearing is de novo, and DOE has the burden of proof.

# CS/SB 1108

## Exceptional Student Education

- Beginning June 30, 2014, and each June 30th thereafter, the Commissioner of Education must submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives the number of extraordinary exemptions requested under this section, the number of extraordinary exemptions granted under this section, and the criteria by which all decisions were made.

# CS/SB 1108

## Exceptional Student Education

- **School grades or improvement ratings for ESE centers** (creates s. 1008.3415, F.S.)
  - Each ESE center shall choose to receive either a grade or improvement rating
  - If a student has only attended an ESE center school for grades K-12, the achievement and learning score gains shall not be included in the grade calculation for the home school if student is at the emergent level on the FAA

# CS/SB 1108

## Exceptional Student Education

- **Requirements to renew professional certificates** (amends s. 1012.585, F.S.)
  - Beginning July 1, 2014, applicants for renewal of professional certificate must earn 1 college credit or equivalent in-service points in instruction of SWDs



*All things  
are difficult  
before they  
are easy."*

~Dr. Thomas Fuller

*Florida Department of*  
**EDUCATION**