

FSBA

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Race to the Top Grants

Florida's application for a \$1 billion grant from the federal Race to the Top (RTTT) grant program has been denied. Florida was among 16 states that made the cut for Phase 1 grant awards, but only two states with the highest scoring applications – Tennessee and Delaware – were awarded grants in this first round of RTTT grant awards (Florida's application was ranked 4th). It is important to note that funds from the RTTT grant were intended to play an integral role in implementing the state's efforts to revise teacher compensation programs and the development of end-of-course exams (as set forth in SB 6 and HB 7189 relating to Education Personnel). The failure to secure this grant raises significant questions about how these initiatives will be funded.

Commissioner Eric Smith has already announced that Florida will apply later this year for a Phase II grant. However, unlike the first round, the maximum grant that would be available to Florida would be \$350 - \$700 million, rather than the \$1 billion sought by Florida in Phase I. In addition, according to the U.S. Department of Education, states that had high scoring applications in Phase I will NOT have any advantage over other states applying for Phase II grants. The application deadline for Phase II RTTT grants is June 1. At this time, it is not known whether Florida will revise its original application or draft an entirely new application for Phase II. We will keep you informed of any progress on Florida's Phase II application.

Budget Update

The House and Senate considered, amended, and passed their respective budget proposals and related bills last week. There is a difference of about \$1.4 billion between the total House and Senate state budgets because the House budget relies on existing available funds while the Senate budget also includes funding that is projected to be received from gambling, extension of federal Medicaid matching funds, and all school districts levying the .25 "critical needs" millage for operations (43 school districts currently levy this millage for this purpose).

During this process, both the House and Senate education budgets were revised. The most significant change in the House education budget resulted when the House deducted about \$54 million from their FEFP allocation and redirected it to their allocation for Prekindergarten programs in order to preserve PreK class sizes and restore some funding to the base student allocations for both the summer and school year programs. As a result, the House education budget now provides \$6,814 in FEFP funds per student – nearly \$52 LESS than the current year. Meanwhile, the Senate added about \$112 million to its education budget, including \$60 million to its FEFP allocation. As a result, the Senate education budget now provides \$6,905 in FEFP funds per student – nearly \$39 MORE than the current year. As mentioned above, the higher funding level in the Senate budget is based on the assumption that ALL districts will levy the 0.25 "critical needs" millage for operations. This assumption boosts the Senate budget by about \$243 million – which is roughly equal to the funding level difference between the House and Senate FEFP allocations.

Both chambers also made changes to their education conforming bills, some of which add to the differences between the two conforming bills. For example, the House deleted provisions that

would have increased class sizes in PreK programs and the Senate has added new restrictions on the use of Special Facilities Construction Account. In addition, other significant differences remain between the two conforming bills, including provisions relating to school board member salaries, the required referendum for continuance of the .25 critical needs millage levy, weighted funding for IB, AP, AICE, and industry certification programs, virtual instruction programs, and charter schools.

We have updated our side-by-side comparisons of the education budget and conforming bills and posted them with this issue of Boarder-Line or through these direct links:

FSBA Budget Comparison:

[http://www.fsba.org/userfiles/File/BudgetComparison.Revised4.1.10\(1\).pdf](http://www.fsba.org/userfiles/File/BudgetComparison.Revised4.1.10(1).pdf)

FSBA Conforming Bill Comparison:

<http://www.fsba.org/userfiles/File/ConformingBillComparison.Revised3.28.10.pdf>

In addition, both chambers have released detailed FEFP runs that are posted with this issue of Boarder-Line or through these direct links:

Senate FEFP Run:

www.flsenate.gov/data/session/2010/senate/appbills/pdf/FEFP_SB_2700_as_Introduced.pdf

House FEFP Run:

www.myfloridahouse.gov/filestores/Adhoc/Appropriations/GAA/2010-House/bill/2010_FEFP.pdf

Both chambers have sent their respective budgets to the other chamber for consideration. It is expected that a conference committee will be named to work out the differences between the two budget bills and the related implementing and conforming bills. Because the chambers have taken such different approaches to crafting their budgets, the conference process is likely to be particularly difficult this year.

Update on Key Retirement and Health Insurance Bills

Both chambers have considered a variety of bills in an effort to address the \$15.4 billion unfunded actuarial liability (UAL) in the Florida Retirement System (FRS). As background, it is important to note that, between 1998 and 2008, the FRS experienced an actuarial surplus. This surplus allowed the Legislature to set employer payroll contribution rates below the actual cost to fund the FRS. However, recent actuarial studies have shown that, due to unfavorable investments results (mostly attributable to the recession) and changes to actuarial assumptions and benefits (partly attributable to changes brought about by changes enacted last year in HB 479), the actuarial surplus has been replaced by a potential \$15.4 billion unfunded actuarial liability. The Florida Constitution and Florida statutes require all public sector pension plans to pre-fund all promised pension benefits in a sound actuarial manner. As a result, most of the retirement related bills that have been considered this year offer various plans to address the potential UAL. The Senate and House have adopted different approaches to accomplish this. The Senate's primary bill – SB 2022 – converts the FRS from a non-contributory system to a contributory system. In contrast, the House's bills – HB 5701, HB 5703, and HB 5707 – provide a mechanism for public plans to temporarily elect to not fund their UAL and provide for the Health Insurance Subsidy (HIS) to be phased out. All of these bills are detailed below.

SB 2022 – Retirement by Alexander

The bill establishes the required employer payroll contribution rates for each membership class and subclass of the Florida Retirement System (FRS) retirement plan for the fiscal year beginning July 1, 2010. The employer contributions are set to meet the blended normal costs of the FRS (the defined benefit and defined contribution plans combined). The contribution rates for the unfunded

actuarial liability are set at 0% for FY 2010-2011 and at the blended UAL rate beginning July 1, 2011. As a result, effective July 1, 2010, the contribution rate for the Regular Class would increase from 8.69% to 9.76%, for the Special Risk Class would increase from 19.76% to 22.15%, for the Special Risk Administrative Support Class would decrease from 11.39% to 11.24%, for the County Elected Officers' Class would increase from 15.37% to 16.62%, for the Senior Management Class would decrease from 11.96% to 11.70%, and for DROP would increase from 9.80% to 14.23%

Effective January 1, 2011, the bill changes the FRS from a non-contributory system to a contributory system by requiring each active member of the FRS, the Senior Management Service Optional Annuity Program, the State University Optional Retirement Program, and the Community College Optional Retirement Program to contribute 0.25% of gross salary to fund retirement benefits. Employer contribution rates are also adjusted at the same time so that, effective January 1, 2011, the employer contribution rate for the Regular Class would decrease to 9.54%, for the for the Special Risk Class would decrease to 21.92%, for the Special Risk Administrative Support Class would decrease to 11.02%, for the County Elected Officers' Class would decrease to 16.39%, for the Senior Management Class would decrease to 11.49%, and for DROP would decrease to 14.21%.

The bill requires employers to remit both the employer and employee contributions. The employers are permitted to deduct the employee contributions from the employee's monthly gross salary on a pretax basis. Contributions that are late are subject to a 1% delinquent fee for each month or portion of a month that the contributions should have been paid. If the employer remits excess employer or employee contributions, the employer will receive a credit against future contributions owed. The employer is responsible for reimbursing an employee for excess contributions. The bill clarifies that the employer-paid employee contributions are subject to federal FICA taxes.

The bill allows a member to receive a refund of employee contributions once the member has been terminated from covered employment for 3 calendar months. However, refunds of employee contributions do not include any interest earnings and, if a terminated member takes a refund of employee contributions, the member forfeits any rights to claim service credit under the FRS for that time period. Similarly, the bill provides that a member of the Elected Officers' Class ceases to fill the office for 3 consecutive months for any reason other than retirement, the member is eligible for a refund of the employee contributions. However, by taking such refund the member waives all rights to the service credit under the FRS represented by the refunded contributions.

The bill specifies that benefits earned under the Public Employee Optional Retirement Plan may not be payable for any reason prior to termination of employment. In addition, any nonvested accumulations will be forfeited upon payment of any vested benefit to a participant or beneficiary. The distribution payment selected by the participant or beneficiary for normal retirement benefits and the retirement of the participant is final and irrevocable at the time the distribution is made.

The bill also reduces, for a four year period, the employer contribution paid to the State Board of Administration for administrative and educational expenses from 0.05% of payroll to 0.03% of payroll. Effective July 1, 2014, the contribution rate will increase to 0.04% of payroll.

Status: Passed the Senate

HB 5607 – Retirement Contribution Rates by Governmental Operations Appropriations

The bill establishes the required employer payroll contribution rates for each membership class and subclass of the Florida Retirement System (FRS) retirement plan for the fiscal year beginning July 1, 2010. The employer contributions are set to meet the blended normal costs of the FRS (the defined benefit and defined contribution plans combined). As a result, effective July 1, 2010, the contribution rate for the Regular Class would increase from 8.69% to 9.76%, for the Special Risk

Class would increase from 19.76% to 22.15%, for the Special Risk Administrative Support Class would decrease from 11.39% to 11.24%, for the County Elected Officers' Class would increase from 15.37% to 16.62%, for the Senior Management Class would decrease from 11.96% to 11.70%, and for DROP would increase from 9.80% to 14.23%. The bill provides that the rates that would go into effect July 1, 2011 would be set at the blended Normal Cost plus the UAL to ensure that the FRS remains funded in an actuarially sound manner.

Status: Passed the House; in Messages to the Senate

HB 5701 – Health Insurance Subsidies by Full Appropriations Council

The bill provides that, effective July 1, 2010, employer HIS contribution rates will be reduced to zero, thereby terminating employer contributions. In addition, eligibility to participate in the HIS is closed to retirees that do not establish eligibility prior to July 1, 2010. The State Board of Administration projects that there will be sufficient cash in the fund to continue paying full benefits to eligible retirees through December 31, 2010, leaving a reasonable operating cushion. At that point, the bill terminates future HIS payments for all recipients and transfers any remaining funds to the FRS Trust Fund, after all expenses and adjustments have cleared the account. The projected annual fiscal impact to the state is a savings of approximately \$196.7 million in General Revenue and \$26.7 million in trust funds. The fiscal impact to counties, municipalities and other participants is a savings of approximately \$111.4 million.

Status: Passed the House; in Messages to the Senate

HB 5703 – Retirement by Full Appropriations Council

The bill temporarily suspends, for up to three years, the requirements for public retirement plans to pay the full contribution rate if the public retirement plan was actuarially funded at 90% or more for the valuation performed in the plan year ending during calendar year 2008. However, the bill requires that the total contribution to the retirement system or plan must be the greater of the normal cost or the contribution rate in effect for the previous year. The bill would apply to the FRS (which includes all school boards) and about 30% of other local government retirement plans.

Status: Passed the House; in Messages to the Senate

Recent Bill Action on Other Bills of Interest

SJR 2 – Class Size Requirements by Gaetz (Identical to [HJR 7039](#) by Weatherford)

Summary: This Joint Resolution would amend Florida's constitutional class size requirements to provide that, by the beginning of the 2010-2011 school year, within each school, the average number of students assigned per class to a teacher in PreK-3 may not exceed 18 students and the maximum may not exceed 21; the average number of students assigned per class to a teacher in grades 4-8 may not exceed 22 students and the maximum may not exceed 27; and the average number of students assigned per class to a teacher in grades 9-12 may not exceed 25 students and the maximum may not exceed 30. The joint resolution also repeals obsolete language requiring the annual average two-student-per-year reductions to class size and clarifies that the constitutional class size requirements do not apply to virtual classes. The joint resolution specifies that these amended provisions will take effect upon approval by electors and will operate retroactively to the beginning of the 2010-2011 school year.

Status: Passed the Senate; in Messages to the House (*HJR 7039 referred to House Calendar*)

SB 4 – Education Accountability by Detert (Similar to [HB 7053](#) by PreK-12 Policy)

The bill makes several significant changes to the statewide assessment program, promotion and graduation requirements, and related statutory provisions. [Please see our detailed summary at: <http://www.fsba.org/userfiles/File/Update.SB4.HB7053.Accountability.3.25.10.pdf>]

Status: Passed the Senate; in Messages to the House (*HB 7053 in Education Policy 4/5/10*)

SB 6 – Education Personnel by Thrasher (Similar to [HB 7189](#) by PreK-12 Policy)

The bill makes significant changes to policies and programs relating to the appraisal, salary, and contracts for instructional personnel and school based administrators. [Please see our detailed summary at: <http://www.fsba.org/userfiles/File/Update.SB6.HB7189.EducationPersonnel.4.1.10.pdf>]

Status: Passed the Senate; in Messages to the House (*HB 7189 in Education Policy 4/5/10*)

HB 207 – Contamination Notices by Kriseman (Comparable to [SB 602](#) by Justice)

The bill revises contamination notification provisions by adding that the contamination notification requirements also apply to site rehabilitation. The bill requires individuals responsible for site rehabilitation to provide notice of site rehabilitation to the Department of Environmental Protection (DEP), which, in turn must notify other specified entities, including public schools. The bill specifies that the contamination notification requirements are triggered when the person responsible for site rehabilitation discovers contamination in any groundwater, surface water, or soil at or beyond the boundaries of the property at which the site rehabilitation was initiated. If the property where contamination has been discovered is the site of a PreK-12 school, DEP is required to mail a copy of the contamination notification to the superintendent of the school district in which the property is located and direct the superintendent to provide actual notice within 10 days to teachers and parents or guardians of students or children attending the school during the period of site rehabilitation. If a public school site is within a 1-mile radius of the sampling point at which contamination has been discovered during site rehabilitation, the bill requires the DEP to mail a copy of the notice to the superintendent of the school district in which the property is located. Similarly, if contamination found pursuant to Inland Protection Trust Fund, dry cleaning facility restoration, brownfield area cleanup, or at, or in connection with a permitted solid waste management facility, if a public school site is within a 250-foot radius of the sampling point at which contamination has been discovered during site rehabilitation, the DEP must mail a copy of the notice to the superintendent of the school district in which the property is located.

Status: Passed Agricultural & Natural Resources Policy with a CS (*SB 602 in Government Appropriations 4/6/10*)

HB 461 – Participation in Fine Arts by Kelly (Similar to [SB 820](#) by Wise)

The bill adds to the criteria that serve as 50% of the basis in the designation of school grades by adding that the criteria used must include, as valid data becomes available, the performance of the school's students on standardized end-of-course assessments in visual arts, music, dance, and theater courses. The bill provides that assessments for this purpose must be developed by DOE, in coordination with Florida professional arts education associations, subject to available funding. Field testing of the assessments must be completed and the results of such testing must be reported no later than 2 years after funds become available.

Status: Passed PreK-12 Policy with a CS (*SB 820 in PreK-12 Education Appropriations 4/6/10*)

SB 896 – Students with Diabetes by Peadar (Comparable to [HB 747](#) by Thompson)

The bill requires each public and private school in Florida in which a student with diabetes is enrolled to have at least three trained employees, and each bus driver who is responsible for the transportation of a student who has diabetes, to provide medical management and care to the student. The training must be coordinated by a school nurse and provided by the school nurse or another health care professional having expertise in the care of persons who have diabetes. Such training must take place before the commencement of each school year, or as needed when a student who has diabetes is newly enrolled at a school or a student is newly diagnosed as having diabetes. The bill requires that the school nurse or at least one trained employee to be on site and available to provide care to each student who has diabetes during regular school hours, school-sponsored care programs, field trips, extracurricular activities, and on buses when the bus driver has not completed the necessary training. The parent or legal guardian of a diabetic student who seeks diabetes care while at school should submit to the school a diabetes medical management plan that, upon receipt, must be reviewed and implemented by the school. However, upon written

request of the parent or legal guardian and authorization by the student's diabetes medical management plan, a school must permit a student to attend to the management and care of his or her diabetes. The bill specifies that a school district may not restrict the assignment of a student who has diabetes to a particular school on the basis that the student has diabetes, that the school does not have a full-time school nurse, or that the school does not have trained diabetes personnel. The Department of Health is required to adopt by rule guidelines for diabetes care training by August 1, 2010. The bill specifies the elements of training, required care, and reporting requirements. The bill also provides immunity from civil liability for a physician, nurse, school employee, or school district that carries out the activities authorized by the bill.

Status: Passed Health Care Regulation with a CS (*HB 747 passed PreK-12 Policy with a CS*)

SB 1058 – Notification of School Personnel by Aronberg (*Similar to [HB 603](#) by Soto*)

The bill adds the director of transportation to the list of individuals required to be notified by the school superintendent when a youth is arrested and formally charged with an alleged felony or violent crime. In addition, the principal is required to immediately notify the youth's assigned bus driver, and any other school personnel whose duties include directly supervising the youth. The bill also requires that the principal and other school personnel whose duties include direct supervision of the youth be notified of the disposition of the charges against the youth. The bill authorizes educational agencies, public K-12 schools, centers, or institutions to disclose education records, without prior consent, to parties to an interagency agreement that include the Department of Juvenile Justice, the school, law enforcement authorities, and other agencies. The bill provides the circumstances under which disclosure is permitted and the limitations on the further disclosure of the information.

Status: Passed Education PreK-12 with a CS (*HB 603 passed PreK-12 Policy*)

HB 1073 – Students with Disabilities/Restraint by Lorrente (*Similar to [SB 2118](#) by Gardiner*)

The bill adds training in developmental disabilities, use of available state and local resources, classroom integration, and positive behavioral supports for children with developmental disabilities to the general subjects that must be covered by the introductory child care course. The bill also adds training in the recognition and care of infants and toddlers with developmental disabilities. The bill requires regional autism centers or CARDS to coordinate and disseminate local and regional information regarding available services for children with developmental disabilities and to support state agencies in developing training for early child care providers and educators regarding developmental disabilities. The bill requires the Commissioner to develop, in consultation with various stakeholder groups, recommendations for incorporating training related to autism and other developmental disabilities into continuing education or inservice training requirements for instructional personnel and, beginning with the 2010-2011 school year, the DOE must incorporate the course curricula recommended by the Commissioner into existing requirements for the continuing education and inservice training of instructional personnel. Current hourly requirements for continuing education and inservice training may not be increased to accommodate the inclusion of the required course content. The SBE is granted rulemaking authority for the continuing education and inservice requirements related to teaching students with developmental disabilities.

The bill establishes procedures regarding the use, monitoring, and reduction of unnecessary seclusion and restraint on students with disabilities. The bill defines several terms, including:

- "Imminent risk of injury to the student or others" means a high probability of injury, such as a laceration, bone fracture, hematoma, bruise, or injury to internal organs;
- "Imminent risk of disruption or damage to the environment" means a high probability of disruption or damage to property which is likely to endanger the safety of others;
- "Manual physical restraint" means use of a physical restraint technique that involves physical force applied to restrict the movement of all or part of a student's body for purposes of protecting the student;

- “Mechanical restraint” means a physical device used to restrict a student’s movement or restrict the normal function of a student’s body for purposes of protecting the student. This term includes, but is not limited to, belts, vests, helmets, padded mittens, tie-downs, chairs with straps, and seatbelts. This term does not include medical protective equipment prescribed by a physician or dentist, physical equipment or orthopedic appliances, surgical dressings or bandages, or supportive body bands or other restraints necessary for medical treatment that is ongoing in the educational setting, devices used only for supporting functional body position or proper balance, or preventing a person from falling out of a bed or a wheelchair, or equipment used for safety during transportation;
- “Seclusion” means removing a student from an educational environment, confining the student in a room, and preventing the student from leaving the room by locking or otherwise physically blocking the student’s exit from the room. This term does not include the use of a time-out. The term “time-out” means a procedure in which access to varied sources of reinforcement is removed or reduced for a particular time period, contingent on a response from the student.

The bill authorizes school personnel to use manual physical restraint on a student when there is an imminent risk of bodily injury to the student or others; when there is an imminent risk of disruption or damage to the environment, when authorized by a comprehensive behavior intervention plan developed by a certified behavior analyst and approved by an Individual Education Plan (IEP) team. The use of manual physical restraint by school personnel is limited to the amount of time required to eliminate the need for the use of the restraint. The school is required to have a student evaluated by trained staff as soon as possible after the student has been manually physically restrained by school personnel. Before the end of the school day on which the restraint occurs, the school must attempt to notify the student’s parent each time a manual physical restraint is used. School personnel, are prohibited from using a mechanical physical restraint on a student or manual physical restraint that restricts a student’s breathing.

The bill provides that seclusion may only be used when a manual physical restraint is highly likely to injure a student and there is an imminent risk of injury to the student or others, imminent risk of disruption or damage to the environment, or the seclusion is authorized by a comprehensive behavior intervention plan developed by a certified behavior analyst and approved by an IEP team. Further, seclusion may only be used when school personnel have unsuccessfully tried other interventions and school personnel constantly observe the student during the time of the seclusion. The seclusion must end immediately when the student is sufficiently calm to return to his or her educational environment. Seclusion may not be used as a punishment for a student’s behavior.

A school must prepare an incident report by the close of the second business day after a student is released from a manual physical restraint, which must include: the name of the student restrained; the date, time, and location of the incident and the duration and type of the restraint; the names of the persons restraining or assisting in the restraint of the student; the specific positive behavioral strategies used to prevent and de-escalate the behavior; and steps taken to notify the parent. Incident reports must be provided to the DOE each month that the school is in session. In addition, school districts must develop policies and procedures regarding the prohibition of the use of mechanical restraints on students, the use of manual physical restraints and seclusion on students, the identification of personnel authorized to use manual physical restraints, and incident-reporting procedures. The bill requires each school district to provide the required policies and procedures to DOE no later than January 31, 2011 and publish the required policies and procedures in the district’s special policies and procedures manual. At the beginning of each school year, school districts must make the policies avail to the parents of its students. Such policies may be provided by mail or electronic mail or published on the school district’s website.

Status: Passed PreK-12 Policy (*SB 2118 in Education PreK-12 on 4/6/10*)

[SB 1284](#) – Sexual Offenders and Predators by Aronberg (Similar to [HB 119](#) by Glorioso)

This bill deals with regulation of sexual offenders, sexual predators, and other persons who have committed certain sex-related crimes. The bill enhances the punishment for the offense of loitering and prowling when it is committed by a person who has been convicted of certain sexual offenses and is knowingly within 300 feet of a school or child care facility during operating hours or a park, playground or school bus stop while children are present. The bill requires a person who has been convicted of certain sexual offenses to notify officials before entering the building or grounds of a child care facility or school, and requires the offender to be directly supervised while on school grounds. The bill authorizes municipalities and counties to extend the state's 1,000 foot restriction on residency limits for a person convicted of a sexual offense to as far as 2500 feet around schools, child care facilities, and other specifically-identified facilities where multiple children congregate for group activities or supervision. The bill amends the conditions of probation, community control, or conditional release for certain sexual offenders to include a prohibition against visiting schools, child care facilities, parks or playgrounds without approval from his or her probation officer. The offender also would be prohibited from handing out candy at Halloween, wearing certain costumes during other holidays, or entertaining at children's parties, and could not wear a clown suit without prior approval from his or her probation officer.

Status: Passed Community Affairs (*HB 119 in Criminal & Civil Justice Policy Council on 4/6/10*)

[SB 1964](#) – Design Professionals by Negron (Comparable to [HB 701](#) by Precourt)

The bill creates limits to the tort liability of licensed engineers, surveyor and mappers, architects, interior designers, and landscape architects (design professionals). The bill limits the potential tort claims for recovery of economic damages that may be filed by parties to a contract for the services of the design professionals and eliminates causes of action in tort for professional negligence or professional malpractice in the performance of the professional services that are the subject of the contract. The effect of the tort liability limitation is to apply the economic loss rule to bar claims against the specified design professionals who provide design services that are the subject of a contract. Therefore, a party claiming a purely economic loss based on a design service contract will not be able to bring a tort action based in malpractice or negligence against the contracted design professional. Instead, the injured party will be limited to contract claims. The limitation of tort liability applies to professional negligence or malpractice claims for services that are provided under a contract. The tort liability limitation applies whether or not the contract explicitly include the tort liability as a condition of the contract. The tort liability limitation also applies whether or not the design professional rendered his services through a business organization, such as a corporation, partnership, or limited liability company. The bill does not appear to affect the contractual or tort liability of the employer of the design professional. The provisions of the bill are limited to the individual licensed professional. The bill does not appear to extend the tort liability limitation to causes of action against a business organization, that employs the design professional or for which the design professional is an officer, director, or shareholder.

Status: Passed *Regulated Industries with a CS (HB 701 in Criminal & Civil Justice Policy Council 4/06/10)*

[SB 2060](#) – Sovereign Immunity by Bennett (Comparable to [HB 1107](#) by Nehr)

The bill increases the current waiver-of-liability limits for the state and its agencies and subdivisions to \$200,000 per individual claim and \$300,000 per aggregate claim. In effect, the state and its agencies and subdivisions may pay up to \$200,000 for any claim or judgment by any one person, or portion thereof, which, when totaled with all other claims or judgments paid arising out of the same incident or occurrence, does not exceed the sum of \$300,000. Any portion of the judgment that exceeds these amounts may only be paid in part or in whole by further act of the Legislature.

Status: Passed the Senate; in Messages to the House (*HB 1107 in Criminal & Civil Justice Policy Council 4/06/10*)

SB 2126 – Florida Tax Credit Scholarships by Negron (*Identical to [HB 1009](#) by Weatherford*)
The bill expands the taxes that are eligible for a dollar-for-dollar tax credit and amends several provisions relating to the Tax Credit Scholarship program. [Please see our detailed summary at: <http://www.fsba.org/userfiles/File/SB%202126.3.14.10.pdf>]

Status: Passed the Senate; in Messages to the House (*HB 1009 on 2nd Reading*)

SB 2408 – Government Financial Information/Schools by Alexander

The Transparency Florida Act, enacted in 2009, required the Joint Legislative Auditing Committee to provide a report by March 1, 2010 recommending a schedule of additional information to be added to the Transparency Florida Website. This bill incorporates those suggested changes. The bill clarifies that public school data is subject to the Transparency Florida Act and requires the Auditor General to report to the President of the Senate, the Speaker of the House, and the Legislative Auditing Committee by July 15 of each year a list of school districts which have failed to comply with Transparency Florida Act requirements.

Status: Passed Ways & Means

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