Summary of Bills Related to Arts, Cultural, Arts Education. Or Historical Resources That Passed the 2008 Florida Legislature
May 5, 2008

SUMMARY for House Bill 0337 – Relating to Management of Historic Pensacola Properties Fund
by Ford Co Sponsors: Murzin, Evers CS Sponsors: Schools & Learning Council

Under current law, the Department of State must contract with the University of West Florida for the management of various state-owned properties managed by the Historic Pensacola Preservation Board of Trustees prior to July 1, 2001. The contract requires the university to use all proceeds derived from the management of the properties for the purpose of advancing historic preservation. CS/HB 337 provides for the University of West Florida to directly contract with the Board of Trustees of the Internal Improvement Trust Fund for management of various state-owned historic properties in Pensacola. CS/HB 337 provides that, upon agreement by all parties to the existing management contracts, the contracts will be rescinded upon execution of a contract between the Board of Trustees of the Internal Improvement Trust Fund and the University of West Florida for the management of those properties. Any such contract must provide that proceeds derived from the management of the properties must be used for purposes of advancing historic preservation, historic preservation research, and historic preservation education. CS/HB 337 transfers the authority of the Department of State to transfer ownership and responsibility of any artifacts, documents, equipment, and other forms of tangible personal property to the University of West Florida to the Board of Trustees of the Internal Improvement Trust Fund. Currently, the University of West Florida may exchange, sell, or otherwise transfer any artifact, document, equipment, and other form of tangible personal property if its direct-support organization recommends such exchange, sale, or transfer and if it is determined that the object is no longer appropriate for the purpose of advancing historic preservation. CS/HB 337 limits this authority by requiring prior authorization from the Department of State before disposal of any tangible personal property that has intrinsic historical or archaeological value relating to the history, government, or culture of the state. The fiscal impact of the bill appears to be insignificant. The effective date of this act is July 1, 2008.

Summary of Senate Bill 610 – Relating to Physical Education in the Public Schools:
by Constantine CS Sponsors: Education Pre-K - 12, Education Pre-K-12 Appropriations

This bill requires each district school board to include in its written physical education policy the benefits of physical education and the availability of one-on-one counseling concerning the benefits. In addition to current requirements for the provision of 150 minutes of physical education each week to students in kindergarten through grade 5, the bill requires each school board to provide such education to students in 6th grade who are enrolled in a school that also contains one or more elementary grades. On any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day. Beginning with the 2009-2010 school year, the equivalent of one class period per day of physical education for one semester of each year is required for students enrolled in grades 6 through 8.
Under s. 1003.4156, F.S., students in grades 6-8 must complete three middle school or higher courses in each of the following subjects: English, mathematics, social studies and science. In a school with a 6-period day, a student taking these four courses and one class per day of physical education would have only one and one-half electives remaining, absent a waiver. See below for waiver options. Each school district shall notify the student's parent of the options available before scheduling the student to participate in physical education.

This PE requirement shall be waived for a student who meets one of the following criteria:

(a) The student is enrolled or required to enroll in a remedial course.
(b) The student's parent indicates in writing to the school that:
   1. The parent requests that the student enroll in another course from among those courses offered as options by the school district; or
   2. The student is participating in physical activities outside the school day which are equal to or in excess of the mandated requirement. This act shall take effect July 1, 2008. This bill amends section 1003.455, Florida Statutes.

SUMMARY for HB 987 – Relating to Cultural and Historical Programs
by Culp CoSponsors: Bullard (E), Holder CS Sponsors: Economic Expansion & Infrastructure Council

CS/HB 987 transfers the Historical Museum grant program and the Museum of Florida History, its programs, and citizen support organization from the Department of State Division of Historical Resources (Chapter 267: Historical Resources), to the Department of State Division of Cultural Affairs (Chapter 265: Memorials, Museums and Fine Arts). The bill revises the start date for appointments to the Florida Historical Commission, amends appointments to the Great Floridian Program ad hoc committee, repeals the Discovery of Florida Quincentennial Commemoration Commission and allows for the establishment of a Citizen Support Organization (CSO) for the enhancement of the Legislative Research Center and Museum at the Historic Capitol. This bill does not appear to have a direct fiscal impact on state or local governments; however the repeal of the Discovery of Florida Quincentennial Commemoration Commission removes the need for future expenditures that would be necessary to fund the activities of that Commission. The bill provides an effective date of July 1, 2008.

SUMMARY for SB 1558 – Relating to Official State Anthem and Official State Song
by Hill CoSponsors: Wilson

Section 1. Section 15.0326, Florida Statutes, is created to read: The song "Florida, Where the Sawgrass Meets the Sky," music and lyrics written by Jan Hinton, is designated as the official anthem of the State of Florida. Section 2. Section 15.0327, Florida Statutes, is created to read: 15.0327 State song.--The song "Old Folks at Home," revised lyrics, as adopted by the Center for American Music, Stephen Foster Memorial, at the University of Pittsburgh, is designated as the official song of the State of Florida. This act shall take effect July 1, 2008.
SUMMARY for SB 1908 – Relating to Designation of High School Grades
by Gaetz CoSponsors: Lynn, Wise CS Sponsors: Education Pre-K - 12

The amendment to SB 1908 was added and passed the last day of this year’s Legislative Session, 5/2/08. It added the provisions of CS/HB 7045 relating to standards and school grading, as amended, which passed the Senate. This bill now:

• Provides for a revision of the Sunshine State Standards as the Next Generation Standards;
• Authorizes the Department of Education to eliminate obsolete assessments for graduation and replace them with correlated scores on newer assessments to reduce costs;
• Revises the Teachers Lead Stipend Program to authorize a district to distribute program funds to teachers by check, debit card, or other authorized means;
• Conforms school cafeteria sanitation and safety reporting requirements to current law;

• Includes certain practical arts courses to satisfy the arts requirements for high school graduation;

“One credit in fine or performing arts, which may include speech and debate, or a practical arts course that incorporates artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses shall be identified through the Course Code Directory.”

• Creates a designation on the high school diploma to reflect achievement in a student’s emphasis of study, including advanced placement and other programs;
• Clarifies articulation between postsecondary institutions and school districts in assigning grades in dual enrollment courses;
• Authorizes the Commissioner of Education to develop or adopt end-of-course examinations under certain conditions;
• Requires the Commissioner to set state assessment schedules to provide for the latest possible test administration and earliest return of test scores;
• Prohibits school districts from suspending regular instruction in order to prepare for state assessments under certain circumstances; and
• Revises provisions for school grades for students in alternative schools so that the student’s scores would be assigned to a graded school and provides penalties for noncompliance.
• Requires language arts standards to identify literary genres; and
• Requires high schools to administer college readiness assessments to lower performing students and provide remediation before high school graduation as a collaborative effort between community colleges and school districts;
• Provides that passing scores on the college readiness assessments are good for two years to exempt the student from remediation; and
• Adds provisions relating to certification options for teachers for certain foreign language subjects, which is the substance of a bill still in committee (CS/CS/SB 1062).