



---

# **Education & Employment Committee**

**January 30, 2024**

**12:30 PM**

**Morris Hall (17 HOB)**

**Meeting Packet**

**Paul Renner  
Speaker**

**Ralph Massullo  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Education & Employment Committee

**Start Date and Time:** Tuesday, January 30, 2024 12:30 pm  
**End Date and Time:** Tuesday, January 30, 2024 02:30 pm  
**Location:** Morris Hall (17 HOB)  
**Duration:** 2.00 hrs

**Consideration of the following bill(s):**

HB 501 Renaming of Tallahassee Community College by Shoaf  
HB 553 Career-themed Courses by Dunkley  
HB 931 School Chaplains by McClain  
HB 1137 Employment of Individuals with Disabilities by Redondo  
CS/HB 1429 District and School Advisory Councils by Education Quality Subcommittee, Bell, Valdés

**Consideration of the following proposed committee substitute(s):**

PCS for HB 7025 -- Education  
PCS for HB 7039 -- Education

To submit an electronic appearance form, and for information about attending or testifying at a committee meeting, please see the "Visiting the House" tab at [www.myfloridahouse.gov](http://www.myfloridahouse.gov).

**NOTICE FINALIZED on 01/26/2024 4:25PM by Pearson.Misty**



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 501 Renaming of Tallahassee Community College

**SPONSOR(S):** Shoaf and others

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 522

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Postsecondary Education & Workforce Subcommittee	15 Y, 0 N	Kiner	Kiner
2) Higher Education Appropriations Subcommittee	11 Y, 0 N	Stenson	Smith
3) Education & Employment Committee		Kiner	Hassell

### SUMMARY ANALYSIS

The bill changes the name of 'Tallahassee Community College' to 'Tallahassee State College'. Tallahassee Community College has met the criteria for seeking a name change from the Legislature.

There may be costs associated with the name change, such as those related to signage, publication, documentation, advertising, and other related items. These costs are estimated at approximately \$500,000, will be absorbed by the institution and expended over two fiscal years.

The bill is effective July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### *Florida College System*

The Florida Constitution provides for a single state college system comprised of all public community and state colleges in the state.<sup>1</sup> This system is known as the Florida College System and is comprised of 28 institutions. The purpose of the Florida College System is to maximize open access for students, respond to community needs for postsecondary academic education and career degree education. Each Florida College System institution is governed by a local board of trustees.<sup>2</sup>

##### *Tallahassee Community College*

Tallahassee Community College (TCC) opened in 1966 as 'Tallahassee Junior College'.<sup>3</sup> In 1970, the college's name was changed to Tallahassee Community College to better reflect its community orientation and involvement.<sup>4</sup> TCC is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACS) to award associate's and baccalaureate degrees.<sup>5</sup> TCC offers baccalaureate degrees in the following programs: nursing; business administration; elementary education; and exceptional student education.

##### *Florida College System Institution Name Change*

With the approval of its board of trustees, a Florida College System institution may change the institution's name and use the designation 'college' or 'state college' if it has been authorized to grant baccalaureate degrees and has been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the United States Department of Education.<sup>6</sup>

With the approval of its board of trustees, a Florida College System institution that either has not been authorized to grant baccalaureate degrees or has not been accredited as a baccalaureate-degree-granting institution by an accrediting agency or association recognized by the United States Department of Education may request approval from the State Board of Education (SBE) to change the institution's name and use the designation 'college'.<sup>7</sup> The SBE may approve the request if the Florida College System institution enters into an agreement with the SBE to do the following:

- Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education.
- Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.
- Continue to provide outreach to underserved populations.
- Continue to provide remedial education.

---

<sup>1</sup> FLA. CONST., Art. IX, s. 8(b).

<sup>2</sup> FLA. CONST., Art. IX, ss. 8(a), (b).

<sup>3</sup> See memorandum on 'Renaming of Tallahassee Community College,' District Board of Trustees meeting on November 14, 2023, <https://www.tcc.fl.edu/media/divisions/board-of-trustees-documents/2023/november/District-Board-of-Trustees-Packet-Document.pdf> (last visited January 12, 2024).

<sup>4</sup> *Id.*

<sup>5</sup> Southern Association of Colleges and Schools, Commission on Colleges, Tallahassee Community College, [https://sacscoc.org/institutions/?institution\\_name=Tallahassee+Community+College&results\\_per\\_page=25&curpage=1&institution=0011N00001h9EGAQA2](https://sacscoc.org/institutions/?institution_name=Tallahassee+Community+College&results_per_page=25&curpage=1&institution=0011N00001h9EGAQA2). (last visited January 12, 2024).

<sup>6</sup> S. 1001.60(2)(b)1., F.S.

<sup>7</sup> S. 1001.60(2)(b)2., F.S.

- Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the SBE.

A Florida College System institution whose board of trustees approves a name change must seek statutory codification of such name change during the next regular legislative session.

### *Tallahassee Community College Name Change*

In June 2023, TCC convened a task force to begin the process of seeking a name change and rebrand for the institution.<sup>8</sup> The task force included internal representatives from each division of the College, a staff council, members of the Faculty Senate, Alumni and Friends Association, and Student Government Association.<sup>9</sup> Through a competitive bidding process, the task force also hired a consulting firm to assist the process by<sup>10</sup>:

- Providing a report that evaluates TCC’s current brand through research, surveys, and focus groups.
- Developing and testing a new name and logo, if applicable, that keeps with TCC’s mission and vision, reflects the already-defined brand position, and helps to improve its position and strength in the market.
- Developing primary logo variations and additional branding for departments and initiatives.
- Providing a rebrand communications strategy and implementation plan for execution by the task force.

As a result of the research conducted and report provided by the consulting firm, the task force provided recommendations to the president of TCC, who evaluated them and provided his recommendation to the TCC Board of Trustees.<sup>11</sup> On November 14, 2023, the TCC Board of Trustees approved the president’s recommendation to change TCC’s name to ‘Tallahassee State College’.

As TCC is accredited by SACS as a baccalaureate-degree-granting institution and the Board of Trustees has approved the name change, TCC has met the statutory criteria to seek a name change from the Legislature.

There may be costs associated with the name change, such as those related to signage, publication, documentation, advertising, and other related items. These costs are estimated at approximately \$500,000, will be absorbed by the institution and expended over two fiscal years.<sup>12</sup>

## B. SECTION DIRECTORY:

- Section 1.** Changes the name of ‘Tallahassee Community College’ to ‘Tallahassee State College’.
- Section 2.** Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:  
None.
2. Expenditures:  
None.

<sup>8</sup> See memorandum on ‘Renaming of Tallahassee Community College,’ District Board of Trustees meeting on November 14, 2023, <https://www.tcc.fl.edu/media/divisions/board-of-trustees-documents/2023/november/District-Board-of-Trustees-Packet-Document.pdf> (last visited January 12, 2024).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

See fiscal comments.

2. Expenditures:

See fiscal comments.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

See fiscal comments.

**D. FISCAL COMMENTS:**

There may be costs associated with the name change, such as those related to signage, publication, documentation, advertising, and other related items. These costs are estimated at approximately \$500,000, will be absorbed by the institution and expended over two fiscal years.<sup>13</sup>

The name change and rebrand may have an indeterminate positive fiscal impact as it may lead to an increase in enrollment, particularly in its baccalaureate programs.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

None.

---

<sup>13</sup> See memorandum on 'Renaming of Tallahassee Community College,' District Board of Trustees meeting on November 14, 2023, <https://www.tcc.fl.edu/media/divisions/board-of-trustees-documents/2023/november/District-Board-of-Trustees-Packet-Document.pdf> (last visited January 12, 2024).

1                                   A bill to be entitled  
 2           An act relating to the renaming of Tallahassee  
 3           Community College; amending s. 1000.21, F.S.; changing  
 4           the name of "Tallahassee Community College" to  
 5           "Tallahassee State College"; providing an effective  
 6           date.

7  
 8   Be It Enacted by the Legislature of the State of Florida:

9  
 10           Section 1. Paragraph (aa) of subsection (5) of section  
 11   1000.21, Florida Statutes, is amended to read:

12           1000.21 Systemwide definitions.—As used in the Florida  
 13   Early Learning-20 Education Code:

14           (5) "Florida College System institution" except as  
 15   otherwise specifically provided, includes all of the following  
 16   public postsecondary educational institutions in the Florida  
 17   College System and any branch campuses, centers, or other  
 18   affiliates of the institution:

19           (aa) Tallahassee State ~~Community~~ College, which serves  
 20   Gadsden, Leon, and Wakulla Counties.

21           Section 2. This act shall take effect July 1, 2024.





**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 553 Career-themed Courses  
**SPONSOR(S):** Dunkley  
**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 1688

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Choice & Innovation Subcommittee	16 Y, 0 N	Collins	Sleap
2) PreK-12 Appropriations Subcommittee	12 Y, 0 N	Bailey	Potvin
3) Education & Employment Committee		Collins	Hassell

**SUMMARY ANALYSIS**

To provide awareness of the career academies and career themed courses available to students, the bill requires districts to inform students and parents during course selection for middle school of the career and professional academy or career-themed course available within the district.

The bill requires the school district’s Career and Professional Education Act strategic 3-year plan to include strategies to inform and promote the career and technical education (CTE) opportunities available in the district to students, parents, the community, and stakeholders.

The Department of Education (DOE) is required to include data collected on student achievement and performance in industry-certified career education programs and career-themed courses in the Commissioner of Education’s annual CTE program review.

The bill does not appear to have a fiscal impact.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Florida Career and Professional Education (CAPE) Act

The Career and Professional Education (CAPE) Act was created to provide a statewide planning partnership between the business and education communities to attract, expand and retain targeted, high-value industry to sustain a strong, knowledge-based economy.<sup>1</sup> The primary purpose of the CAPE Act is to:<sup>2</sup>

- improve middle and high school academic performance by providing rigorous and relevant curriculum opportunities;
- provide rigorous and relevant career-themed courses that articulate to postsecondary-level coursework and lead to industry certification;
- support local and regional economic development;
- respond to Florida's critical workforce needs; and
- provide state residents with access to high-wage and high-demand careers.

##### *Middle Grades Career and Professional Academy Courses and Career-Themed Courses*

In accordance with the CAPE Act, each school district must plan and implement at least one middle school CAPE academy or career-themed course.<sup>3</sup>

A career and professional academy is a research-based program that integrates a rigorous academic curriculum with an industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the Florida Department of Commerce.<sup>4</sup>

A career-themed course is a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List adopted by the State Board of Education.<sup>5</sup>

Middle school academies and career-themed courses must:<sup>6</sup>

- be aligned with at least one high school CAPE academy or career-themed course offered in the district and maintain partnerships with local business and industry and economic development boards;
- lead to careers in occupations aligned to the approved Cape Industry Certification Funding List;
- integrate content from core subjects;
- integrate career and professional academy or career-themed course content with intensive reading, English Language Arts, and mathematics;
- coordinate with high schools to maximize opportunities for middle grades students to earn high school credit;
- provide access to virtual instruction courses;

---

<sup>1</sup> Section 1003.491, F.S.

<sup>2</sup> Section 1003.491(1), F.S.

<sup>3</sup> Section 1003.4935(1), F.S.

<sup>4</sup> Section 1003.493(1)(a), F.S.; Ch. 2023-173, Laws of Fla, renamed the Department of Economic Opportunity as the Department of Commerce.

<sup>5</sup> Section 1003.493(1)(b), F.S. and Rule 6A-6.0571. *See also*, Florida Department of Education, *CAPE Industry Certification Funding List*, <https://www.fldoe.org/academics/career-adult-edu/cape-secondary/cape-industry-cert-funding-list-current.html> (last visited Jan. 11, 2023).

<sup>6</sup> Section 1003.4935, F.S.

- provide instruction from highly skilled professionals certified in the career subject matter;
- offer externships; and
- provide personalized student advisement that includes a parent-participation component.

### *Strategic Plan*

To comply with the CAPE Act, school boards are required to develop a strategic plan in partnership with local workforce boards, economic development agencies, and state-approved postsecondary institutions to better align academy programs with local workforce needs. Two or more school districts may collaborate in the development of the strategic plan and jointly offer an academy or career-themed courses.<sup>7</sup>

The strategic 3-year plan must, among other factors, be constructed and based on:<sup>8</sup>

- research conducted to objectively determine local and regional workforce needs for the ensuing 3 years, using labor projections as identified by the Department of Commerce and the Labor Market Estimating Conference as factors in the criteria for the plan;
- strategies to develop and implement career academies or career-themed courses based on occupations identified by the Department of Commerce and the Labor Market Estimating Conference;
- strategies to develop and implement career academies and career-themed courses that provide personalized student advisement, including a parent-participation component, and coordination with middle grades to promote and support career-themed courses and education planning;
- alignment of requirements for middle school career planning, middle and high school career and professional academies or career-themed courses leading to industry certification or postsecondary credit, and high school graduation requirements;
- strategies to provide professional development for secondary certified school counselors on the benefits of career and professional academies and career-themed courses that lead to industry certification;
- plans to sustain and improve career-themed courses and career and professional academies; and,
- strategies to ensure instruction by industry-certified faculty and standards and strategies to maintain current industry credentials and for recruiting and retaining faculty to meet those standards.

The strategic plan must be reviewed, updated, and jointly approved every three years.<sup>9</sup>

### *Career and Technical Education (CTE) Review*

Current law requires the Commissioner of Education (commissioner) to annually conduct a review of K-12 and postsecondary CTE programs that, at a minimum, must examine:<sup>10</sup>

- Alignment of offerings with the framework of quality established by the Credentials Review Committee.<sup>11</sup>

---

<sup>7</sup> Section 1003.491(2), F.S.

<sup>8</sup> Section 1003.491(3), F.S.

<sup>9</sup> Section 1003.491(2), F.S.

<sup>10</sup> Section 1003.491(5)(a), F.S.

<sup>11</sup> Section 445.004(4)(h), F.S. The Credentials Review Committee serves to centralize identification and designation of non-degree and degree credentials of value for inclusion on the Master Credentials List. Credentials must include registered apprenticeship programs, industry certification, licenses, advanced technical certificates, college credit certificates, career certificates, applied technology diplomas, associate degrees, baccalaureate degrees, and graduate degrees. *See also*, Florida Department of Education, *Master Credential List (2022-2023)*, available at <https://www.fldoe.org/core/fileparse.php/20129/urlt/13-3.pdf>.

- Alignment of offerings at the K-12 and postsecondary levels with credentials or degree programs identified on the state's Master Credentials List.
- Program utilization and unwarranted duplication across institutions serving the same students in a geographical or service area.
- Institutional performance measured by student outcomes.

Using the findings from the CTE review,<sup>12</sup> the commissioner is required to phase out CTE offerings which are not aligned with the framework of quality established by the Credentials Review Committee, do not meet labor market demand or institutional performance, or are unwarranted program duplications.<sup>13</sup>

In addition to the CTE review, the DOE is required to collect student achievement and performance data in industry-certified career education programs and career-themed courses that includes, but need not be limited to:

- graduation rates;
- retention rates;
- Florida Bright Futures Scholarship awards;
- additional educational attainment;
- employment records;
- earnings;
- industry certification;
- return on investment; and
- employer satisfaction.<sup>14</sup>

### Effect of Proposed Changes

To provide awareness of the career academies and career themed courses available to students, the bill requires districts to inform students and parents during course selection for middle school of the career and professional academy or career-themed course available within the district.

The bill requires the CAPE Act strategic 3-year plan a school district develops with stakeholders, to include strategies to inform and promote the CTE opportunities available in the district to students, parents, the community, and stakeholders.

The DOE is required to include data collected on student achievement and performance in industry-certified career education programs and career-themed courses in the commissioner's annual CTE program review.

### B. SECTION DIRECTORY:

- Section 1:** Amends s. 1003.491, F.S.; revising the requirements for a specified school district strategic plan to include certain information.
- Section 2:** Amends s. 1003.492, F.S.; requiring the DOE to include specified data in an annual review of K-12 and postsecondary career and technical education offerings.
- Section 3:** Amends s. 1003.4935, F.S.; requiring school districts to provide specified information to students and parents during middle school course selection.
- Section 4:** Provides an effective date.

<sup>12</sup> Florida Department of Education, *Career and Technical Education Audit*, <https://www.fldoe.org/careerpathways/index.html#overview> (last visited Jan. 11, 2024).

<sup>13</sup> Section 1003.491(5)(c), F.S.

<sup>14</sup> Section 1003.492(3), F.S.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

The bill does not appear to have a fiscal impact.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

None.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.

HB 553

2024

1                                    A bill to be entitled  
2            An act relating to career-themed courses; amending s.  
3            1003.491, F.S.; revising the requirements for a  
4            specified school district strategic plan to include  
5            certain information; amending s. 1003.492, F.S.;  
6            requiring the Department of Education to include  
7            specified data in an annual review of K-12 and  
8            postsecondary career and technical education  
9            offerings; amending s. 1003.4935, F.S.; requiring  
10           school districts to provide specified information to  
11           students and parents during middle school course  
12           selection; providing an effective date.

13  
14    Be It Enacted by the Legislature of the State of Florida:

15  
16            Section 1. Paragraphs (p) and (q) of subsection (3) of  
17            section 1003.491, Florida Statutes, are amended, and paragraph  
18            (r) is added to subsection (3) of that section, to read:

19            1003.491    Florida Career and Professional Education Act.—  
20            The Florida Career and Professional Education Act is created to  
21            provide a statewide planning partnership between the business  
22            and education communities in order to attract, expand, and  
23            retain targeted, high-value industry and to sustain a strong,  
24            knowledge-based economy.

25            (3)    The strategic 3-year plan developed jointly by the

26 | local school district, local workforce development boards,  
 27 | economic development agencies, and state-approved postsecondary  
 28 | institutions must be constructed and based on:

29 |       (p) Strategies to provide professional development for  
 30 | secondary certified school counselors on the benefits of career  
 31 | and professional academies and career-themed courses that lead  
 32 | to industry certification; ~~and~~

33 |       (q) Strategies to redirect appropriated career funding in  
 34 | secondary and postsecondary institutions to support career  
 35 | academies and career-themed courses that lead to industry  
 36 | certification; and

37 |       (r) Strategies to inform and promote the career and  
 38 | technical education opportunities available in the district to  
 39 | students, parents, the community, and stakeholders.

40 |       Section 2. Subsection (3) of section 1003.492, Florida  
 41 | Statutes, is amended to read:

42 |       1003.492 Industry-certified career education programs.—

43 |       (3) The Department of Education shall collect student  
 44 | achievement and performance data in industry-certified career  
 45 | education programs and career-themed courses as part of the  
 46 | annual review required under s. 1003.491 ~~that includes, but need~~  
 47 | ~~not be limited to, graduation rates, retention rates, Florida~~  
 48 | ~~Bright Futures Scholarship awards, additional educational~~  
 49 | ~~attainment, employment records, earnings, industry~~  
 50 | ~~certification, return on investment, and employer satisfaction.~~



HB 553

2024

51 Section 3. Subsection (1) of section 1003.4935, Florida  
52 Statutes, is amended to read:

53 1003.4935 Middle grades career and professional academy  
54 courses and career-themed courses.—

55 (1) ~~Beginning with the 2011-2012 school year,~~ Each  
56 district school board, in collaboration with local workforce  
57 development boards, economic development agencies, and state-  
58 approved postsecondary institutions, shall include plans to  
59 implement a career and professional academy or a career-themed  
60 course, as defined in s. 1003.493(1)(b), in at least one middle  
61 school in the district as part of the strategic 3-year plan  
62 pursuant to s. 1003.491(2). The strategic plan must provide  
63 students the opportunity to transfer from a middle school career  
64 and professional academy or a career-themed course to a high  
65 school career and professional academy or a career-themed course  
66 currently operating within the school district. Students who  
67 complete a middle school career and professional academy or a  
68 career-themed course must have the opportunity to earn an  
69 industry certificate and high school credit and participate in  
70 career planning, job shadowing, and business leadership  
71 development activities. The district must inform students and  
72 parents during course selection for middle school of the career  
73 and professional academy or career-themed course available  
74 within the district.

75 Section 4. This act shall take effect July 1, 2024.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 931 School Chaplains

**SPONSOR(S):** McClain

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 1044

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Education Quality Subcommittee	12 Y, 2 N	Wolff	Sanchez
2) Education & Employment Committee		Wolff	Hassell

**SUMMARY ANALYSIS**

The bill authorizes each school district or charter school to adopt a policy to allow volunteer school chaplains to provide support, services, and programs to students as assigned by the district school board or charter school governing board. Any such policy adopted by a school district or charter school must, at a minimum, describe the supports, services, or programs that volunteer school chaplains may be assigned; require that principals of schools with a volunteer school chaplain inform all parents of the availability of such supports, services, and programs; and require written parental consent before a student participates in or receives supports, services, and programs provided by a volunteer school chaplain. The bill requires that parents must be permitted to select a volunteer school chaplain from the list provided by the school district, which must include the chaplain's religious affiliation, if any.

The bill requires each volunteer school chaplain to meet statutory background screening requirements for individuals who will have direct contact with students, specifically a level 2 screening of both state and federal criminal records.

The bill requires each school district and charter school governing board, by January 1, 2025, to vote on whether to adopt a policy authorizing the school district or charter school to allow volunteer school chaplains. Any school district or charter school that adopts such a policy must publish the list of volunteer school chaplains, including any religious affiliation, on the school district's website.

The bill has an indeterminant fiscal impact. See Fiscal Comments.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Student Mental Health

In 2018, the Marjory Stoneman Douglas High School Public Safety Act<sup>1</sup> created the Mental Health Assistance Allocation within the Florida Education Finance Program.<sup>2</sup> The allocation is intended to provide funding to assist school districts in establishing or expanding school-based mental health care, train educators and other school staff in detecting and responding to mental health issues, and connect children, youth, and families who may experience behavioral health issues with appropriate services.<sup>3</sup> For the 2023-2024 school year, \$160 million was appropriated for the allocation.<sup>4</sup> Each school district receives a minimum of \$100,000, and the remaining balance is allocated based on each district's proportionate share of the state's total unweighted full-time equivalent student enrollment.<sup>5</sup> Eligible charter schools are entitled to a proportionate share of the school district's allocation.<sup>6</sup> Currently, there are 6,754 school counselors, 1,393 school social workers, 1,571 school psychologists, and 396 other licensed mental health providers employed by Florida's school districts that may provide mental health services, with each school district having at least one such professional.<sup>7</sup>

School districts are prohibited from using the funds allocated under this section to supplant funds from other operating funds used for the provision of mental health services. These funds may not be used for salary increases or bonuses.<sup>8</sup>

To receive allocation funds, a school district must develop and submit to the district school board for approval a detailed plan outlining its local program and planned expenditures.<sup>9</sup> A school district's plan must include all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district.<sup>10</sup> Each approved plan must be submitted to the Commissioner of Education by August 1 each year.<sup>11</sup>

The plan must be focused on a multitiered system of supports to deliver evidence-based mental health care assessment, diagnosis, intervention, treatment, and recovery services. Supports and services under the allocation are provided to students with one or more mental health or co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. The provision of these services must be coordinated with a student's primary mental health care provider and with other mental health providers involved in the student's care.<sup>12</sup>

---

<sup>1</sup> Chapter 2018-3, L.O.F.

<sup>2</sup> Section 1011.62(14), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> Specific Appropriations 5 and 80, s. 2, ch. 2023-239, L.O.F.

<sup>5</sup> Section 1011.62(14), F.S.; *See also* Florida Department of Education, *Florida Education Finance Program 2023-24 Second Calculation*, p. 28, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/2324FEFP2ndCalc.pdf>.

<sup>6</sup> Section 1011.62(14), F.S.

<sup>7</sup> Email, Daniel Ellinger, Legislative Affairs, Florida Department of Education, (Jan. 22, 2024), on file with the Education Quality Subcommittee.

<sup>8</sup> Section 1011.62(14), F.S.

<sup>9</sup> Section 1011.62(14)(a)1.-2., F.S.

<sup>10</sup> *Id.*

<sup>11</sup> Section 1011.62(14)(c), F.S.

<sup>12</sup> Section 1011.62(14)(b), F.S.

Plans must include elements such as:<sup>13</sup>

- Direct employment of school-based mental health service providers to expand and enhance school-based student services and reduce the ratio of students to staff to align with nationally recommended ratio models.
- Contracts or interagency agreements with one or more local community behavioral health providers or providers of Community Action Team services to provide behavioral health staff presence and services at district schools.
- Policies and procedures which ensure that students who are referred to a school-based or community-based mental health service provider for mental health screening are:
  - assessed within 15 days of referral, and that school-based mental health services are initiated within 15 days after identification and assessment and community-based mental health services are initiated within 30 days after school or district referral;
  - provided information about other behavioral health services available through the student's school or local community-based behavioral health services providers;
  - provided information about behavioral health services available through other delivery systems or payors for which individuals living in the household of the referred student may qualify, if such services appear to be needed or enhancements in such individuals' behavioral health would contribute to the improved well-being of the student;
- Policies and procedures, to be implemented prior to the initiation of an involuntary examination by a mental or behavioral health provider or school-based law enforcement officer who has completed crisis intervention training, that includes attempting to verbally de-escalate a student in crisis, including strategies to de-escalate a student with a developmental disability in crisis.
- Policies requiring that school or law enforcement personnel, prior to initiating an involuntary examination, make a reasonable attempt to contact a mental health professional authorized to initiate an involuntary examination, unless the student in crisis poses an imminent danger to him- or herself or others.

School districts are also required to report program outcomes and expenditures for the previous fiscal year by September 30 each year.<sup>14</sup> The report must, at a minimum, provide the number of each of the following:<sup>15</sup>

- Students who receive screenings or assessments.
- Students who are referred to either school-based or community-based providers for services.
- Students who receive either school-based or community-based interventions.
- School-based or community-based mental health providers that were paid out of the mental health assistance allocation.
- Contract-based collaboration efforts or partnerships with community mental health programs.

### Youth Mental Health Awareness and Assistance

The Department of Education (DOE) is responsible for developing and maintaining an evidence-based youth mental health awareness and assistance training program. The program must be designed to help school personnel identify and understand the signs of emotional disturbance, mental illness, and substance use disorders and provide such personnel with the skills to help a person who is developing or experiencing an emotional disturbance, mental health, or substance use problem.<sup>16</sup> At a minimum the training must include:<sup>17</sup>

- An overview of mental illnesses and substance use disorders and the need to reduce the stigma of mental illness.
- Information on the potential risk factors and warning signs of emotional disturbance, mental illness, or substance use disorders, including, but not limited to, depression, anxiety, psychosis, eating disorders, and self-injury, as well as common treatments for those conditions and how to assess those risks.

---

<sup>13</sup> *Id.*

<sup>14</sup> Section 1011.62(14)(d), F.S.

<sup>15</sup> *Id.*

<sup>16</sup> Section 1012.584(1), F.S.

<sup>17</sup> Section 1012.584(3), F.S.

- Information on how to engage at-risk students with the skills, resources, and knowledge required to assess the situation, and how to identify and encourage the student to use appropriate professional help and other support strategies, including, but not limited to, peer, social, or self-help care.

The DOE must partner with a national organization with expertise in youth mental health to provide the training to all school personnel in Florida's elementary, middle, and high schools. Each school district school safety specialist must ensure that all school personnel within his or her school district receive youth mental health awareness and assistance training.<sup>18</sup>

### School District Mental Health Coordinator

Each school district is required 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.<sup>19</sup> The mental health coordinator's responsibilities include:

- Coordinating with the Office of Safe Schools.
- Maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation.
- Facilitating the implementation of school district policies relating to the respective duties and responsibilities of the school district, the superintendent, and district school principals.
- Coordinating with the school safety specialist on the staffing and training of threat assessment teams and facilitating referrals to mental health services, as appropriate, for students and their families.
- Coordinating with the school safety specialist on the training and resources for students and school district staff relating to youth mental health awareness and assistance.
- Reviewing annually the school district's policies and procedures related to student mental health for compliance with state law and alignment with current best practices and make recommendations, as needed, for amending such policies and procedures to the superintendent and the district school board.<sup>20</sup>

### School Counselors

Current law requires that all school counselors be certified as required by the rules of the State Board of Education (SBE).<sup>21</sup> The SBE defines school counselors as staff members certified by the DOE who are responsible for: advising students with regard to their abilities and aptitudes, educational and occupational opportunities, and personal and social adjustments; providing placement services; and similar functions.<sup>22</sup> SBE provides the following two methods for an individual to be certified in school counseling:

- A master's or higher degree with a graduate major in guidance and counseling or school counseling that includes a minimum of six-hundred (600) clock hours of supervised internship serving school-aged students in a prekindergarten, an elementary or a secondary school setting; or
- A master's or higher degree with a graduate major in counseling other than guidance and counseling or school counseling as specified in subsection (1) of this rule that includes a minimum of six-hundred (600) clock hours of supervised internship with school-aged children and their families with at least nine (9) semester hours of graduate credit to include the following areas:
  - Student appraisal and evaluation methods in prekindergarten, elementary and secondary schools including interpretation and analysis of standardized tests and other assessment results that assist students in career exploration, academic skills and personal and social skill development;

---

<sup>18</sup> Section 1012.584(2), F.S.

<sup>19</sup> Section 1006.07(6)(b), F.S.

<sup>20</sup> *Id.*

<sup>21</sup> Section 1012.55(1)(b), F.S.

<sup>22</sup> Rule 6A-5.079(2)(a), F.A.C

- College and career planning for prekindergarten, elementary and secondary school students including college and career exploration and knowledge of financial aid and financing of postsecondary education options;
- Principles, philosophy, organization and administration of a comprehensive school counseling program in prekindergarten, elementary and secondary schools; and
- Consultation skills and techniques for conferring with groups such as agencies, teachers and parents.<sup>23</sup>

Applicants for certification using the second method above must also be assigned a mentor, who is a state certified school counselor, by their employing school district for their first two years of employment.<sup>24</sup>

The SBE has further adopted the Florida School Counseling Standards consisting of the seven following standards:

- Professional, Legal, and Ethical Expectations. School counselors act ethically and according to professional standards to promote the academic success and well-being of all students.
- Data-Driven Planning. Effective school counselors utilize resources including available school data to guide decision making and counseling services.
- School Counseling Program. Effective school counselors develop, implement, and evaluate programs that cultivate a school environment that promotes the academic success and well-being of all students.
- Consultation, Collaboration, and Coordination. Effective school counselors utilize multiple means of communication to promote the academic success and well-being of all students.
- Counseling Services. Effective school counselors provide direct and indirect services that support the safety, mental health, and well-being of all students.
- Academic Advising and Planning. Effective school counselors cultivate a caring, rigorous, and supportive school community that promotes the academic success and well-being of all students.
- Career Development and Postsecondary Planning. Effective school counselors provide opportunities for all students to develop the behaviors necessary to learn work-related skills, resilience, perseverance, an understanding of lifelong learning as a part of long-term career success, the value of volunteerism and mentorship, and a strong work ethic.<sup>25</sup>

### Background Screening of Individuals at Schools

Individuals who work in or provide services to school districts, charter schools, alternative schools, and private schools participating in state school choice scholarship programs<sup>26</sup> must undergo a fingerprint-based background screening before being permitted access to school grounds.<sup>27</sup> The individuals who must undergo background screening fall under three personnel classifications: instructional and noninstructional personnel;<sup>28</sup> noninstructional school district employees and contracted personnel;<sup>29</sup> and noninstructional contractors.<sup>30</sup> Candidates for educator certification must also undergo background screening.<sup>31</sup>

<sup>23</sup> Rule 6A-4.0181(1)-(2), F.A.C

<sup>24</sup> Rule 6A-4.0181(3), F.A.C.

<sup>25</sup> Rule 6A-5.079(2)(a)-(g), F.A.C.

<sup>26</sup> The background screenings conducted by such private schools are conducted through the VECHS.

<sup>27</sup> Sections 1002.421, 1012.32(2), 1012.465(2), and 1012.467(2)(a), F.S.

<sup>28</sup> Instructional and noninstructional personnel are individuals who are hired or contracted to fill positions that require direct contact with students in any public school. Section 1012.32(2), F.S.

<sup>29</sup> Noninstructional school district employees and contracted personnel are individuals who are permitted access to school grounds when students are present; who have direct contact with students; or who have access to, or control of, school funds. Section 1012.465(1), F.S.

<sup>30</sup> Noninstructional contractors are vendors or contractors who are not school district employees, are permitted access to school grounds when students are present, and have little or no direct contact with students. Section 1012.467(1)(a), F.S.

<sup>31</sup> Sections 1012.315, 1012.32(2)(a), and 1012.56(10)(a), F.S.

The background screening requirements for each personnel classification vary depending upon the individual's duties, whether or not the individual is a school district employee, and the degree of contact the individual has with students.<sup>32</sup> Because they are more likely to have direct contact with students, candidates for educator certification, instructional and noninstructional personnel, and noninstructional school district employees and contracted personnel must be screened against a distinct list of 52 disqualifying offenses applicable to employment with public schools and school districts.<sup>33</sup> Existing law authorizes the cost of the state and federal criminal history check required by level 2 screening to be borne by the district school board or the person fingerprinted.<sup>34</sup>

### Establishment Clause

Two First Amendment clauses, the Free Exercise Clause and the Establishment Clause, protect religious freedom. Together, they permit neither bias favoring nor bias disfavoring religion.<sup>35</sup> When examining issues related to religion, courts generally do not examine the reasonableness or truth of a particular religious belief, but may inquire into its sincerity or genuineness.<sup>36</sup> Similarly, courts generally do not prefer organized religion.<sup>37</sup>

The judiciary has indicated that the First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.<sup>38</sup> In general, in order to overcome a claim that a law violates the Establishment Clause, the law must have a secular purpose; its primary effect must not advance or inhibit religion; and it must not result in excessive entanglement between church and state.<sup>39</sup>

In general, the Establishment Clause prevents public schools from engaging in activities which could be construed as sponsoring or endorsing religion. Prayer and Bible readings in public schools during school hours are impermissible.<sup>40</sup> The U.S. Supreme Court has held that even encouraging voluntary silent prayer may violate the Establishment Clause.<sup>41</sup> Courts have permitted released-time programs in which students attend religious instruction off public school property.<sup>42</sup>

The Florida Constitution provides that "[t]here shall be no law respecting the establishment of religion" and that "[n]o revenue of the state or any political subdivision or agency thereof shall ever be taken from the public treasury directly or indirectly in aid of . . . any sectarian institution."<sup>43</sup> This clause is similar to, but more detailed than, the Establishment Clause within the U.S. Constitution. The Florida Supreme Court has indicated that Florida courts generally treat Florida's free exercise clause under the same standards as the U.S. Constitution's free exercise clause is treated.<sup>44</sup> The Florida Supreme Court has not firmly held that Florida's establishment clause is indistinguishable from the federal Establishment Clause, and has not announced that it would necessarily adhere to federal precedent when interpreting the Florida provision.<sup>45</sup>

### Chaplains

---

<sup>32</sup> See ss. 1012.32(2), 1012.465(2), and 1012.467(2)(a), F.S.

<sup>33</sup> Sections 1012.315, 1012.32, and 1012.465, F.S.

<sup>34</sup> Section 1012.465(2), F.S.

<sup>35</sup> *Sch. Dist. of Abington Twp., Pa. v. Schempp*, 374 U.S. 203 (1963).

<sup>36</sup> *U.S. v. Ballard*, 322 U.S. 78 (1944).

<sup>37</sup> *Frazer v. Illinois Dep't of Emp't Sec.*, 489 U.S. 829 (1989).

<sup>38</sup> *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968).

<sup>39</sup> *Mitchell v. Helms*, 530 U.S. 793 (2000) (recognizing that the test of excessive entanglement is part of the primary purpose test).

<sup>40</sup> See *Sch. Dist. of Abington Twp., Pa. v. Schempp*, 374 U.S. 203 (1963) (Bible readings); *Engel v. Vitale*, 370 U.S. 421 (1962) (prayer).

<sup>41</sup> *Wallace v. Jaffree*, 472 U.S. 38 (1985).

<sup>42</sup> *Zorach v. Clausone*, 343 U.S. 306 (1952) (upholding released-time program); but see *McCullum v. Bd. of Educ. of Sch. Dist. No. 71, Champaign Cnty., Ill.*, 333 U.S. 203 (1948) (prohibiting plan whereby privately-paid religious instructors were given classroom time in public schools).

<sup>43</sup> Art. I, s. 3, Fla. Const.

<sup>44</sup> *Warner v. City of Boca Raton*, 887 So. 2d 1023, 1030 (Fla. 2004) (citing *Toca v. State*, 834 So. 2d 204, 208 (Fla. 2d DCA 2002)).

<sup>45</sup> See *Warner*, 887 So. 2d at 1023-36.



In modern usage the term *chaplain* is not confined to any particular church or denomination. Clergy and ministers appointed to a variety of institutions and corporate bodies—such as cemeteries, prisons, hospitals, schools, colleges, universities, embassies, legations, and armed forces—usually are called chaplains.<sup>46</sup>

Chaplains serve in the armed forces of most countries, generally as commissioned officers who are not required to bear arms. Protestant, Roman Catholic, and Jewish chaplains serve in the armed forces of the United States.<sup>47</sup>

A chaplain performs basically the same functions in most armed forces. A chaplain in the U.S. military must furnish or arrange for religious services and ministrations, advise his commander and fellow staff officers on matters pertaining to religion and morality, administer a comprehensive program of religious education, serve as counselor and friend to the personnel of the command, and conduct instruction classes in the moral guidance program of his service.<sup>48</sup>

## Effect of Proposed Changes

The bill authorizes each school district or charter school to adopt a policy to allow volunteer school chaplains to provide support, services, and programs to students as assigned by the district school board or charter school governing board. Any such policy adopted by a school district or charter school must, at a minimum:

- Describe the supports, services, or programs that volunteer school chaplains may be assigned.
- Require that principals of schools with a volunteer school chaplain inform all parents of the availability of such supports, services, and programs.
- Require written parental consent before a student participates in or receives supports, services, and programs provided by a volunteer school chaplain. Parents must be permitted to select a volunteer school chaplain from the list provided by the school district, which must include the chaplain's religious affiliation, if any.

The bill requires each volunteer school chaplain to meet statutory background screening requirements for individuals who will have direct contact with students, specifically a level 2 screening of both state and federal criminal records.

The bill requires each school district and charter school governing board, by January 1, 2025, to vote on whether to adopt a policy authorizing the school district or charter school to allow volunteer school chaplains. Any school district or charter school that adopts such a policy must publish the list of volunteer school chaplains, including any religious affiliation, on the school district's website.

## B. SECTION DIRECTORY:

**Section 1:** Creates s. 1012.461, F.S.; authorizing school districts and charter schools to adopt a policy to allow volunteer school chaplains; establishing the requirements for such policy; requiring district school boards and charter school governing boards to assign specified duties to such volunteer school chaplains; requiring volunteer school chaplains to meet certain background screening requirements; requiring each district school board and charter school to vote by a specified date on the adoption of a volunteer school chaplain policy.

**Section 2:** Amends s. 1012.465, F.S.; providing background screening requirements for volunteer school chaplains.

**Section 3:** Provides an effective date.

---

<sup>46</sup> Britannica, *Chaplain*, <https://www.britannica.com/topic/chaplain> (last visited Jan. 25, 2024).

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments.

### D. FISCAL COMMENTS:

The bill has an indeterminant fiscal impact. If a school district elects to authorize voluntary school chaplains then there will be costs incurred related to the required background screenings. Existing law authorizes the cost of the state and federal criminal history check required by level 2 screening to be borne by the district school board or the person fingerprinted. A general state and federal background check would cost \$37.25.<sup>49</sup>

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

None.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.

---

<sup>49</sup> Florida Department of Law Enforcement, *Criminal History Record Check Fee Schedule*, available at [https://www.fdle.state.fl.us/Criminal-History-Records/Documents/Criminal-History-Fee-Chart\\_January2019.aspx](https://www.fdle.state.fl.us/Criminal-History-Records/Documents/Criminal-History-Fee-Chart_January2019.aspx).

HB 931

2024

1                                   A bill to be entitled  
2       An act relating to school chaplains; creating s.  
3       1012.461, F.S.; authorizing school districts and  
4       charter schools to adopt a policy to allow volunteer  
5       school chaplains; establishing the requirements for  
6       such policy; requiring district school boards and  
7       charter school governing boards to assign specified  
8       duties to such volunteer school chaplains; requiring  
9       volunteer school chaplains to meet certain background  
10      screening requirements; requiring each district school  
11      board and charter school to vote by a specified date  
12      on the adoption of a volunteer school chaplain policy;  
13      amending s. 1012.465, F.S.; providing background  
14      screening requirements for volunteer school chaplains;  
15      providing an effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:  
18

19           Section 1. Section 1012.461, Florida Statutes, is created  
20 to read:

21           1012.461 School chaplains.-

22           (1) Each school district or charter school may adopt a  
23 policy to authorize volunteer school chaplains to provide  
24 support, services, and programs to students as assigned by the  
25 district school board or charter school governing board. The

26 school district or charter school policy must, at a minimum:

27 (a) Describe the supports, services, or programs that  
 28 volunteer school chaplains may be assigned.

29 (b) Require that principals of schools with a volunteer  
 30 school chaplain inform all parents of the availability of such  
 31 supports, services, and programs.

32 (c) Require written parental consent before a student  
 33 participates in or receives supports, services, and programs  
 34 provided by a volunteer school chaplain. Parents must be  
 35 permitted to select a volunteer school chaplain from the list  
 36 provided by the school district, which must include the  
 37 chaplain's religious affiliation, if any.

38 (2) Each volunteer school chaplain must meet the  
 39 requirements of s. 1012.465.

40 (3) No later than January 1, 2025, each district school  
 41 board and charter school governing board must vote on whether to  
 42 adopt a policy authorizing the school district or charter school  
 43 to allow volunteer school chaplains.

44 (4) Any school district that adopts a volunteer school  
 45 chaplains policy must publish the list of volunteer school  
 46 chaplains, including any religious affiliation, on the school  
 47 district's website.

48 Section 2. Subsection (1) of section 1012.465, Florida  
 49 Statutes, is amended to read:

50 1012.465 Background screening requirements for certain

51 noninstructional school district employees, ~~and~~ contractors, and  
 52 volunteer school chaplains.—

53       (1) Except as provided in s. 1012.467 or s. 1012.468,  
 54 noninstructional school district employees, ~~or~~ contractual  
 55 personnel, or volunteer school chaplains who are permitted  
 56 access on school grounds when students are present, who have  
 57 direct contact with students or who have access to or control of  
 58 school funds must meet the screening requirements of s. 1012.32.  
 59 Contractual personnel shall include any vendor, individual, or  
 60 entity under contract with a school or the school board.

61       Section 3. This act shall take effect July 1, 2024.



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 1137 Employment of Individuals with Disabilities

**SPONSOR(S):** Redondo and others

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 832

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Postsecondary Education & Workforce Subcommittee	15 Y, 0 N	Wolff	Kiner
2) Education & Employment Committee		Wolff	Hassell

**SUMMARY ANALYSIS**

In 2016, the Legislature created the Employment First Act (act) which provides legislative findings regarding employment opportunities for individuals with disabilities. The purpose of the act is to prioritize the employment of individuals with disabilities and to change the employment system to better integrate individuals with disabilities into the workforce.

The bill clarifies that under the act the collaborative efforts between the designated agencies must include the collection and sharing of data. Additionally, when identifying accountability measures under the act, the partner agencies must, at a minimum, include systemwide measures to increase the number of individuals working in competitive integrated employment, decrease the number of individuals working in subminimum wage employment, and decrease the number of individuals working in nonintegrated employment settings.

The bill requires the Office of Reimagining Education and Career Help, within the Executive Office of the Governor, to issue an annual statewide report, by December 1 each year, on the implementation of the Employment First Act and progress of the identified accountability measures.

The bill does not appear to have a fiscal impact.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Federal Employment First Initiative

Since 2012, the United States Department of Labor, Office of Disability Employment Policy (ODEP), has promoted Employment First as a national systems-change framework centered on the premise that all individuals, including those individuals with the most significant disabilities, are capable of full participation in Competitive Integrated Employment (CIE) and community life. Under this approach, publicly-financed systems are urged to align policies, regulatory guidance, and reimbursement structures to commit to CIE as the priority option with respect to the use of publicly-financed day and employment services for youth and adults with significant disabilities.<sup>1</sup>

OPEP oversees and operates the Employment First Community of Practice (CoP) Webinar Series, which provides the opportunity to hear from nationally recognized experts on innovative practices being used across the country to advance Employment First. CoP webinars take place on the second Wednesday of each month and topics include:

- Capacity Building, Provider Transformation;
- School-to-Work Transition;
- Employer Engagement; and
- Policy/Funding Alignment.<sup>2</sup>

Additionally, OPEP began the Employment First State Leadership Mentoring Program (EFSLMP) in 2012 in response to state requests for assistance on how to support individuals with significant disabilities in CIE. Over the 13 years it has been active, ODEP has supported 24 states in their strategic efforts to increase CIE for individuals with disabilities, including those with significant disabilities. The EFSLMP inspired selected states to facilitate policy reform and fully implement the Employment First approach with funding alignment, service coordination, and capacity building across state government agencies and external stakeholders which are all vital to promoting CIE options for individuals with significant disabilities.<sup>3</sup>

##### Governor's Commission on Jobs for Floridians with Disabilities

In 2011, Governor Scott created the Governor's Commission on Jobs for Floridians with Disabilities (commission).<sup>4</sup> The vision of the commission is to "advance job and employment opportunities for Floridians with disabilities in order to help those Floridians achieve greater independence."<sup>5</sup> The commission, which consists of 13 members appointed by the Governor,<sup>6</sup> has three responsibilities:

- Identify and recommend strategies to cultivate job opportunities for persons with disabilities in the state;

---

<sup>1</sup> Department of Labor, Office of Disability Employment Policy, *Employment First*, <https://www.dol.gov/agencies/odep/initiatives/employment-first> (last visited Jan. 18, 2024).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Fla. Exec. Order No. 11-161 (2011); Governor's Commission on Jobs for Floridians with Disabilities, <http://www.flgov.com/gcjfd/> (last visited Oct. 14, 2015).

<sup>5</sup> Fla. Exec. Order No. 11-161, s. 1 (2011).

<sup>6</sup> *Id.* at s. 4. The commission membership is as follows: two Florida citizens representing individuals with physical or developmental disabilities; four individuals representing the business community who have personal experience in creating private-sector jobs; two individuals representing the state community college system who have experience in education-to-employment transition programs; one individual who has a background in employment recruiting or experience in job training for individuals with disabilities; one representative from the Able Trust; one representative from the Division of Vocational Rehabilitation of DOE; one representative from APD; and one representative from the Agency for Workforce Development.



- Identify barriers in state and local programs that hinder individuals with disabilities from gaining employment and proposing solutions to mitigate those barriers; and
- Develop and leverage state and community resources to advance service delivery.<sup>7</sup>

Each year, on or before July 26, the commission must provide a report to the Governor outlining its accomplishments during the previous 12 months.<sup>8</sup>

### Florida's Employment First Initiative

In 2013, Governor Scott issued Executive Order Number 13-284, which ordered that an interagency cooperative agreement (agreement) be created between state agencies and other disability service organizations to ensure a long-term commitment to improving employment for individuals who have a disability.<sup>9</sup> It required certain agencies<sup>10</sup> to develop and implement the agreement with the following objectives:

- Establish a commitment among the agencies' leadership to maximize resources and coordinate with each other to improve employment outcomes for persons with disabilities seeking publicly funded services;
- Develop strategic goals and reasonable benchmarks to assist the agencies in implementing the agreement;
- Identify financing and contracting methods that will prioritize employment among the array of services paid for or provided by agencies;
- Identify ways training opportunities can be better utilized by agency employees and contracted providers to ensure the effectiveness of employment services;
- Ensure collaboration occurs during the development of service plans, including the Individual Plan for Employment, when individuals are served by multiple agencies to achieve their employment goals;
- Promote service innovation; and
- Identify accountability measures to ensure sustainability.<sup>11</sup>

In 2014, a five-year agreement identified as the Employment First Initiative was executed by the following agencies and organizations:

- Agency for Persons with Disabilities (APD);
- The Bureau of Exceptional Education and Student Services of the Department of Education (DOE);
- The Division of Vocational Rehabilitation of DOE;
- The Division of Blind Services of DOE;
- DEO;
- CareerSource Florida, Inc.;
- The Substance Abuse and Mental Health Office of Department of Children and Families (DCF);
- The Florida Developmental Disabilities Council, Inc.; and
- The Florida Association of Rehabilitation Facilitates, Inc.<sup>12</sup>

---

<sup>7</sup> *Id.* at s. 2.

<sup>8</sup> *Id.* at s. 3.

<sup>9</sup> Fla. Exec. Order No. 13-284, s. 1 (2013).

<sup>10</sup> The following agencies were tasked with developing the agreement: Division of Vocational Rehabilitation of DOE; Division of Blind Services of DOE; Bureau of Exception Education and Student Services of DOE; APD; Mental Health and Substance Abuse Program of DCF; Workforce Florida, Inc.; Florida Developmental Disabilities Council; and other state agencies and disability organizations that wish to participate. Fla. Exec. Order No. 13-284 at s. 4.

<sup>11</sup> *Id.* at s. 3.

<sup>12</sup> Interagency Cooperative Agreement, Employment First Initiative, FLDOE Contract No. IA-556 (2014), *available at* <https://apd.myflorida.com/customers/docs/2.Employment%20First%20Interagency%20Cooperative%20Agreement.5.7.14.pdf>

[hereinafter *Interagency Cooperative Agreement*].

The agreement was executed and became effective on July 1, 2014.<sup>13</sup> It incorporated the objectives from the executive order and established an organizational structure.<sup>14</sup> The agreement established three entities to carry out its required responsibilities: the Employment Partnership Coalition,<sup>15</sup> the State Level Employment First Collaborative Team,<sup>16</sup> and the Grassroots Level Group.<sup>17</sup> The agreement further provided that it will automatically terminate on June 30, 2019, unless it is renewed.<sup>18</sup>

### Employment First Act

In 2016, the Legislature created the Employment First Act (act) which provides legislative findings regarding employment opportunities for individuals with disabilities.<sup>19</sup> The purpose of the act is to prioritize the employment of individuals with disabilities and to change the employment system to better integrate individuals with disabilities into the workforce.<sup>20</sup>

To its stated purpose, the act requires the following agencies and organizations to develop and implement an interagency cooperative agreement (agreement) to provide the framework for a long-term commitment to improving employment outcomes for individuals with disabilities:

- The Division of Vocational Rehabilitation of DOE;
- The Division of Blind Services of DOE;
- The Bureau of Exceptional Education and Student Services of DOE;
- APD;
- The Substance Abuse and Mental Health Program of DCF;
- DEO;
- CareerSource Florida, Inc.;
- The Florida Developmental Disabilities Council;
- The Florida Association of Rehabilitation Facilities, Inc.; and
- Other appropriate organizations.<sup>21</sup>

The agreement must identify the roles and responsibilities of these agencies and organizations and the objectives of the agreement, which must include:

- Establishing a commitment by the leadership of the agencies and organizations to maximize resources and coordination to improve employment outcomes for individuals with disabilities who seek publicly funded services;
- Developing strategic goals and benchmarks to assist the agencies and organizations in implementing the agreement;
- Identifying financing and contracting methods that will help to prioritize employment for individuals with disabilities;
- Establishing training methods to better integrate individuals with disabilities into the workforce;
- Ensuring collaborative efforts between multiple agencies to achieve the purposes of the act;
- Promoting service innovations to better assist individuals with disabilities in the workplace; and

---

<sup>13</sup> *Id.* at s. IV.

<sup>14</sup> *Id.*

<sup>15</sup> The coalition is composed of the leaders of each agency or organization that is a participant in the agreement and charged with overall coordination and implementation of activities required by the agreement, as well as to ensure continuous improvement.

<sup>16</sup> The team is composed of staff assigned by the participating entities and meets on a monthly basis. The team is responsible for identifying the barriers within extant systems and practices and creating potential solutions for those barriers. The team will present recommendations based upon their findings to the coalition.

<sup>17</sup> The group is “composed of self-advocates and local stakeholders representing a cross-section of persons with various disabilities.” The group meets quarterly to share information and “ensure the voice of the stakeholders is heard.”

<sup>18</sup> *Interagency Cooperative Agreement, supra* note 25 at s. VI.

<sup>19</sup> Section 7, ch. 2016-3, L.O.F., codified at s. 413.80, F.S.

<sup>20</sup> Section 413.80(3), F.S.

<sup>21</sup> Section 413.80(4), F.S.

- Identifying accountability measures to ensure the sustainability of the agreement.<sup>22</sup>

### System Review and 2019 Employment First Interagency Cooperative Agreement

In 2018, a comprehensive review of Florida's Employment First system was conducted collaboratively by key stakeholders, including the Florida Department of Education, Division of Vocational Rehabilitation; the Florida Agency for Persons with Disabilities; and the Florida Developmental Disabilities Council, Inc. By fostering collaboration, identifying challenges and disparities within disability employment services, and aligning available workforce with labor market needs, Florida has leveraged its existing infrastructure for disability and employment. The state has devised action plans that address both inter- and intra-agency objectives, ensuring that any Floridian with a disability who seeks employment can achieve economic self-sufficiency.<sup>23</sup>

Utilizing the High-Performing States Model as a framework for transformative actions, state agencies and organizations successfully established a state-level interagency coalition, fostered interagency cooperative agreements, and formulated an interagency plan. The report emphasizes several key elements of Florida's Employment First interagency collaboration:

- Multilevel leadership engagement, including collaborative teams at the local level.
- An extensive review of state policies and practices to pinpoint those that either facilitate or hinder integrated employment.
- Baseline employment outcome data collection for each participating agency or organization.
- A comprehensive set of services and strategies designed to advance the Employment First initiative, including:
  - The Abilities WorkWeb Portal and Help Desk.
  - The Florida Unique Abilities Partner Program.
  - Local Level Employment First Collaborative Teams.
  - The Department of Financial Services' Financial Literacy Program for Individuals with Developmental Disabilities.
  - Workers' compensation laws that extend coverage to individuals with disabilities participating in state-sponsored on-the-job training.<sup>24</sup>

Following this system review, all of the signatories to the original interagency cooperative agreement plus The Arc of Florida, Inc.,<sup>25</sup> and the Florida Commission for the Transportation of the Disadvantaged<sup>26</sup> entered into the current agreement in 2019.<sup>27</sup> The current agreement remains in effect until June 30, 2024.<sup>28</sup> This agreement serves as the foundational framework for outlining the roles and responsibilities of state agencies and organizations.<sup>29</sup>

### The Florida Endowment Foundation for Vocational Rehabilitation (The ABLE Trust)

---

<sup>22</sup> Section 413.80(5), F.S.

<sup>23</sup> Winsor, Jean E. et al., *Using the High-Performing States Model to Facilitate Employment First in Florida*, 2019, available at <https://content.iospress.com/download/journal-of-vocational-rehabilitation/jvr191016?id=journal-of-vocational-rehabilitation%2Fjvr191016>.

<sup>24</sup> *Id.*

<sup>25</sup> The Arc of Florida is a nonprofit organization whose mission is to improve the quality of life for persons with intellectual and developmental disabilities. The Arc of Florida, *About*, <https://www.arcflorida.org/about> (last visited Jan. 18, 2024).

<sup>26</sup> The Florida Legislature created the Commission for the Transportation Disadvantaged in 1989. The Commission sets policies and provides direction to its staff in quality assurance and program evaluation, technical assistance, and training, review of policies and procedures, contract management, and financial accountability. The Commission for the Transportation Disadvantaged administers the Transportation Disadvantaged Trust Fund and implements all provisions in Chapter 427.013 F.S. Florida Department of Transportation, Florida Commission for the Transportation of the Disadvantaged, *About Us*, <https://www.fdot.gov/ctd/aboutus> (last visited Jan. 18, 2024).

<sup>27</sup> Email, Florida Endowment Foundation for Vocational Rehabilitation (Jan. 18, 2024), with attachment, on file with the Postsecondary Education & Workforce Subcommittee.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

In 1990, the Legislature recognized the need to encourage public and private support to enhance vocational rehabilitation and employment of Florida's citizens who are disabled by establishing the Florida Endowment Foundation for Vocational Rehabilitation, also known as The ABLE Trust, as a direct support organization for the Division of Vocational Rehabilitation within the DOE. The ABLE Trust is approved by the division to be operating for the benefits and best interest of the state through a contract.<sup>30</sup> A board of directors, appointed by the Governor, oversees the operations of The ABLE Trust and ensures that funds are provided for programs or initiatives which engage in the research, promotion, or aid of job training and counseling for Florida's disabled citizens, and to support the work of the division.<sup>31</sup>

In 2023, the Legislature required the Florida Endowment Foundation for Vocational Rehabilitation to conduct research and issue a report on the systems in Florida that provide services to individuals with disabilities, including autism and intellectual and developmental disabilities.<sup>32</sup> The board was required to, and did, submit the report to the Legislature by December 1, 2023. The report was statutorily required to:

- Identify the current systems for service delivery to persons with disabilities, including operations, services, coordination activities, and structures.
- Identify barriers and obstacles in transportation for persons with disabilities living in the home or receiving community-based services for jobs, medical appointments, and peer-to-peer groups.
- Identify workforce issues related to direct support professionals, behavioral or mental health specialists, health care practitioners, and other individuals who assist with the provision of services to persons with disabilities.
- Examine the best practices for uniform and efficient service delivery and the coordination of and transition among systems, including transitioning out of high school.
- Examine federal and state law and rules that impact or limit supports or services for persons with disabilities.
- Identify systemwide incongruency and inefficiencies in service delivery.
- Identify opportunities for job coaching and community participation supports, including those opportunities for individuals who cannot or choose not to go into the community because of underlying issues.<sup>33</sup>

### 2023 Maximizing Employment for Persons with Disabilities in Florida Report on Employment First

The final report from the Florida Endowment Foundation for Vocational Rehabilitation concluded that in order to fully maximize the efforts of the Employment First partners, more work must be done to align policies, regulatory guidance, and reimbursement structures to promote and support competitive integrated employment as Florida's priority of publicly funded day and employment services.<sup>34</sup>

Specifically, the report recommended long-term strategic and annual action plans for achieving the specified criteria should be developed, implemented, and measured. Additionally, the report stated that the partners should establish uniform employment outcome data and set targets for improvement and accountability.<sup>35</sup>

### **Effect of Proposed Changes**

The bill clarifies that under the act the collaborative efforts between the designated agencies must include the collection and sharing of data. Additionally, when identifying accountability measures under the act, the partner agencies must, at a minimum, include systemwide measures to increase the

---

<sup>30</sup> Section 413.615(5)-(6), F.S.

<sup>31</sup> Sections 413.615(4), (8), and (10), F.S.

<sup>32</sup> Section 5, ch. 2023-81, L.O.F.

<sup>33</sup> Section 413.615(10)(a)2., F.S.

<sup>34</sup> Florida Endowment Foundation for Vocation Rehabilitation, *Maximizing Employment for Persons with Disabilities in Florida*, at 30, available at <https://www.abletrust.org/wp-content/uploads/2023/12/FINAL-REPORT-11.28.2023.pdf>.

<sup>35</sup> *Id.*

number of individuals working in CIE, decrease the number of individuals working in subminimum wage employment, and decrease the number of individuals working in nonintegrated employment settings.

The bill requires the Office of Reimagining Education and Career Help, within the Executive Office of the Governor, to issue an annual statewide report, by December 1 each year, on the implementation of the Employment First Act and progress of the identified accountability measures.

**B. SECTION DIRECTORY:**

**Section 1:** Amends s. 413.80, F.S.; requiring the collection and sharing of data between multiple agencies for the interagency cooperative agreement; providing requirements for accountability measures; requiring the Office of Reimagining Education and Career Help to issue an annual statewide report by a specified date each year.

**Section 2:** Provides an effective date.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

#### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.

1                                   A bill to be entitled  
 2           An act relating to employment of individuals with  
 3           disabilities; amending s. 413.80, F.S.; requiring the  
 4           collection and sharing of data between multiple  
 5           agencies for the interagency cooperative agreement;  
 6           providing requirements for accountability measures;  
 7           requiring the Office of Reimagining Education and  
 8           Career Help to issue an annual statewide report by a  
 9           specified date each year; providing an effective date.

10

11 Be It Enacted by the Legislature of the State of Florida:

12

13           Section 1. Paragraphs (e) and (g) of subsection (5) of  
 14           section 413.80, Florida Statutes, are amended, and subsection  
 15           (6) is added to that section, to read:

16           413.80 Employment First Act.—

17           (5) ROLES, RESPONSIBILITIES, AND OBJECTIVES.—The  
 18           interagency cooperative agreement must identify the roles and  
 19           responsibilities of the state agencies and organizations  
 20           identified in subsection (4) and the objectives of the  
 21           interagency cooperative agreement, which must include all of the  
 22           following:

23           (e) Ensuring collaborative efforts between multiple  
 24           agencies to achieve the purposes of this act, including the  
 25           collection and sharing of data.

HB 1137

2024

26 (g) Identifying accountability measures to ensure the  
27 sustainability of this agreement. At a minimum, the  
28 accountability measures shall include systemwide measures to  
29 increase the number of individuals working in competitive  
30 integrated employment, decrease the number of individuals  
31 working in subminimum wage employment, and decrease the number  
32 of individuals working in nonintegrated employment settings.

33 (6) ANNUAL REPORT.—The Office of Reimagining Education and  
34 Career Help shall issue an annual statewide report by December 1  
35 each year on the implementation of this act and progress of the  
36 accountability measures.

37 Section 2. This act shall take effect July 1, 2024.





**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 1429 District and School Advisory Councils

**SPONSOR(S):** Education Quality Subcommittee, Bell and others

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 1652

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Education Quality Subcommittee	14 Y, 0 N, As CS	Wolff	Sanchez
2) Education & Employment Committee		Wolff	Hassell

**SUMMARY ANALYSIS**

Current law requires that each district school board establish an advisory council for each school in the district and to develop procedures for the election and appointment of advisory council members. The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of school improvement and education accountability.

The bill updates the name for the district and school advisory council to the district and community advisory board. The bill requires that at least 70 percent of the members of the board be persons not employed by the school district. The bill specifies the length of member terms and provides term limits for specified community advisory board members, specifically, members serve 2-year terms while the president, vice president, secretary, and treasurer of the board may not serve consecutive terms.

The bill requires the community advisory board to publicize open positions on the community advisory board, information regarding board elections and appointments, and information about becoming a member of the community advisory board. Additionally, the bill requires the board to work with each school to ensure the board's efforts to publicize such information are effective.

The bill requires that the advisory board adopt bylaws for the approval, review, and updating of its bylaws. Each district school board must establish a schedule to approve, review, and update such bylaws.

The bill does not appear to have a fiscal impact.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### District and School Advisory Councils

Current law requires that each district school board establish an advisory council for each school in the district and develop procedures for the election and appointment of advisory council members. The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of school improvement and education accountability.<sup>1</sup>

The advisory councils must consist of the principal and an appropriately balanced number of teachers,<sup>2</sup> education support employees,<sup>3</sup> students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner.<sup>4</sup>

The district school board must review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner of education shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status.<sup>5</sup>

The law provides an exception to the requirement that each school have a school advisory council for school districts with a student population of 10,000 or less. In such districts, the district school board is only required to establish a district advisory council that includes at least one duly elected teacher from each school in the district.<sup>6</sup>

The district school board may establish a district advisory council representative of the district that is composed of teachers, students, parents, and other citizens or a district advisory council that may be comprised of representatives of each school advisory council.<sup>7</sup> Similarly, the district school boards may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district for those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs.<sup>8</sup>

Each school advisory council shall adopt bylaws establishing procedures for:

- Requiring a quorum, or a majority of the membership, to be present before a vote may be taken by the school advisory council.

---

<sup>1</sup> Section 1001.452(1)(a), F.S.

<sup>2</sup> For the purposes of school advisory councils and district advisory councils, the term “teacher” includes classroom teachers, certified student services personnel, and media specialists.

<sup>3</sup> For the purposes of school advisory councils and district advisory councils, “education support employee” means any person employed by a school who is not defined as instructional or administrative personnel and whose duties require 20 or more hours in each normal working week.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* (flush left provision at the end of the paragraph).

<sup>6</sup> *Id.* (flush left provision at the end of the paragraph).

<sup>7</sup> Section 1001.452(1)(b), F.S.

<sup>8</sup> Section 1001.452(1)(c), F.S.

- Requiring at least 3 days' advance notice in writing to all members of the advisory council of any matter that is scheduled to come before the council for a vote.
- Scheduling meetings when parents, students, teachers, businesspersons, and members of the community can attend.
- Replacing any member who has two unexcused consecutive absences from a school advisory council meeting that is noticed according to the procedures in the bylaws.
- Recording minutes of meetings.<sup>9</sup>

The district school board may review all proposed bylaws of a school advisory council and shall maintain a record of minutes of council meetings.<sup>10</sup>

Each advisory council must perform functions established by regulations of the district school board; however, no advisory council can have any of the powers and duties reserved by law to the district school board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan. Additionally, with technical assistance from the Department of Education, each school advisory council must assist in the preparation of the school's annual budget.<sup>11</sup>

Currently, members serving on a school advisory council do not have term limits.

### **Effect of Proposed Changes**

The bill updates the name for the district and school advisory council to the district and community advisory board. The bill requires that at least 70 percent of the members of the board be persons not employed by the school district.

The bill requires the community advisory board to publicize open positions on the community advisory board, information regarding board elections and appointments, and information about becoming a member of the community advisory board. Additionally, the bill requires the board to work with each school to ensure the board's efforts to publicize such information are effective.

The bill specifies the length of member terms and provides term limits for specified community advisory board members, specifically, members serve 2-year terms while the president, vice president, secretary, and treasurer of the board may not serve consecutive terms.

The bill requires school districts to provide, and board members to complete, training to advisory board members.

The bill requires that the advisory board adopt bylaws for the approval, review, and updating of its bylaws. Each district school board must establish a schedule to approve, review, and update such bylaws.

#### **B. SECTION DIRECTORY:**

**Section 1:** Amends s. 1001.452, F.S.; renaming district advisory councils and school advisory councils as "district community advisory boards" and "community advisory boards," respectively; requiring community advisory boards to publicize specified information; establishing terms for board members; establishing term limits for specified board officers; requiring district school boards to establish training for community advisory board members; requiring members of such boards to complete such training; revising the requirements for community advisory board bylaws

**Section 2:** Amends s. 24.121, F.S.; conforming provisions to changes made by the act.

**Section 3:** Amends s. 1001.42, F.S.; conforming provisions to changes made by the act.

<sup>9</sup> Section 1001.452(1)(d), F.S.

<sup>10</sup> *Id.* (flush left provision at the end of the paragraph).

<sup>11</sup> Section 1001.452(2), F.S.

- Section 4:** Amends s. 1001.43, F.S.; conforming provisions to changes made by the act.
- Section 5:** Amends s. 1002.23, F.S.; conforming provisions to changes made by the act.
- Section 6:** Amends s. 1002.32, F.S.; conforming provisions to changes made by the act.
- Section 7:** Amends s. 1002.33, F.S.; conforming provisions to changes made by the act.
- Section 8:** Amends s. 1003.02, F.S.; conforming provisions to changes made by the act.
- Section 9:** Amends s. 1003.4203, F.S.; conforming provisions to changes made by the act.
- Section 10:** Amends s. 1006.07, F.S.; conforming provisions to changes made by the act.
- Section 11:** Amends s. 1008.345, F.S.; conforming provisions to changes made by the act.
- Section 12:** Amends s. 1008.36, F.S.; conforming provisions to changes made by the act.
- Section 13:** Amends s. 1012.71, F.S.; conforming provisions to changes made by the act.
- Section 14:** Amends s. 1012.98, F.S.; conforming provisions to changes made by the act.
- Section 15:** Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

#### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On January 25, 2024, the Education Quality Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment:

- requires that at least 70 percent of the members of a district and community advisory board be persons not employed by the school district, rather than a simple majority as previously required.

The analysis is drafted to the committee substitute adopted by the Education Quality Subcommittee.



26 | ~~councils.~~—  
 27 |       (1) ESTABLISHMENT.—  
 28 |       (a) The district school board shall establish a community  
 29 | ~~an~~ advisory board ~~council~~ for each school in the district and  
 30 | shall develop procedures for the election and appointment of  
 31 | advisory board ~~council~~ members. Each community ~~school~~ advisory  
 32 | board ~~council~~ shall include in its name the words "community  
 33 | ~~school~~ advisory board ~~council~~." The community ~~school~~ advisory  
 34 | board ~~council~~ shall be the sole body responsible for final  
 35 | decisionmaking at the school relating to implementation of ss.  
 36 | 1001.42(18) and 1008.345. At least 70 percent ~~A majority~~ of the  
 37 | members of each community ~~school~~ advisory board ~~council~~ must be  
 38 | persons who are not employed by the school district. Each  
 39 | community advisory board ~~council~~ shall be composed of the  
 40 | principal and an appropriately balanced number of teachers,  
 41 | education support employees, students, parents, and other  
 42 | business and community citizens who are representative of the  
 43 | ethnic, racial, and economic community served by the school.  
 44 | Career center and high school community advisory boards ~~councils~~  
 45 | shall include students, and middle and junior high school  
 46 | community advisory boards ~~councils~~ may include students.  
 47 | Community ~~school~~ advisory boards ~~councils~~ of career centers and  
 48 | adult education centers are not required to include parents as  
 49 | members. Board ~~Council~~ members representing teachers, education  
 50 | support employees, students, and parents shall be elected by



51 | their respective peer groups at the school in a fair and  
52 | equitable manner as follows:

- 53 |       1. Teachers shall be elected by teachers.  
54 |       2. Education support employees shall be elected by  
55 | education support employees.  
56 |       3. Students shall be elected by students.  
57 |       4. Parents shall be elected by parents.

58 |

59 | The district school board shall establish procedures to be used  
60 | by schools in selecting business and community members that  
61 | include means of ensuring wide notice of vacancies and of taking  
62 | input on possible members from local business, chambers of  
63 | commerce, community and civic organizations and groups, and the  
64 | public at large. The district school board shall review the  
65 | membership composition of each community advisory board ~~council~~.  
66 | If the district school board determines that the membership  
67 | elected by the school is not representative of the ethnic,  
68 | racial, and economic community served by the school, the  
69 | district school board shall appoint additional members to  
70 | achieve proper representation. The commissioner shall determine  
71 | if schools have maximized their efforts to include on their  
72 | community advisory boards ~~councils~~ minority persons and persons  
73 | of lower socioeconomic status. A community advisory board must  
74 | publicize open positions on the community advisory board,  
75 | information regarding board elections and appointments, and

76 information about becoming a member of the community advisory  
 77 board. The community advisory board must work with each school  
 78 to ensure the board's efforts to publicize such information are  
 79 effective. Members of the community advisory board shall serve  
 80 2-year terms. The president, vice president, secretary, and  
 81 treasurer of the community advisory board may not serve  
 82 consecutive terms. Each district school board shall administer  
 83 training and each member of a community advisory board must  
 84 complete such training at least once. Although schools are  
 85 strongly encouraged to establish community ~~school~~ advisory  
 86 boards ~~councils~~, the district school board of any school  
 87 district that has a student population of 10,000 or fewer may  
 88 establish a district community advisory board ~~council~~ which  
 89 includes at least one duly elected teacher from each school in  
 90 the district. For the purposes of community ~~school~~ advisory  
 91 boards ~~councils~~ and district community advisory boards ~~councils~~,  
 92 the term "teacher" includes classroom teachers, certified  
 93 student services personnel, and media specialists. For purposes  
 94 of this paragraph, "education support employee" means any person  
 95 employed by a school who is not defined as instructional or  
 96 administrative personnel pursuant to s. 1012.01 and whose duties  
 97 require 20 or more hours in each normal working week.

98 (b) The district school board may establish a district  
 99 community advisory board ~~council~~ representative of the district  
 100 and composed of teachers, students, parents, and other citizens

101 or a district community advisory board ~~council~~ that may be  
102 comprised of representatives of each community ~~school~~ advisory  
103 board ~~council~~. Recognized schoolwide support groups that meet  
104 all criteria established by law or rule may function as  
105 community ~~school~~ advisory boards ~~councils~~.

106 (c) For those schools operating for the purpose of  
107 providing educational services to youth in Department of  
108 Juvenile Justice programs, district school boards may establish  
109 a district community advisory board ~~council~~ with appropriate  
110 representatives for the purpose of developing and monitoring a  
111 district school improvement plan that encompasses all such  
112 schools in the district, pursuant to s. 1001.42(18)(a).

113 (d) Each community ~~school~~ advisory board ~~council~~ shall  
114 adopt bylaws establishing procedures for:

115 1. The approval, review, and updating of its bylaws.  
116 District school boards shall establish a schedule to approve,  
117 review, and update such bylaws.

118 ~~2.1.~~ Requiring a quorum to be present before a vote may be  
119 taken by the community ~~school~~ advisory board ~~council~~. A majority  
120 of the membership of the board ~~council~~ constitutes a quorum.

121 ~~3.2.~~ Requiring at least 3 days' advance notice in writing  
122 to all members of the community advisory board ~~council~~ of any  
123 matter that is scheduled to come before the board ~~council~~ for a  
124 vote.

125 ~~4.3.~~ Scheduling meetings when parents, students, teachers,

126 businesspersons, and members of the community can attend.

127 5.4. Replacing any member who has two unexcused  
 128 consecutive absences from a community school advisory board  
 129 ~~council~~ meeting that is noticed according to the procedures in  
 130 the bylaws.

131 6.5. Recording minutes of meetings.

132  
 133 The district school board shall ~~may~~ review all proposed bylaws  
 134 of a community school advisory board ~~council~~ and shall maintain  
 135 a record of minutes of board ~~council~~ meetings.

136 (2) DUTIES.—Each community advisory board ~~council~~ shall  
 137 perform functions prescribed by regulations of the district  
 138 school board; however, no community advisory board ~~council~~ shall  
 139 have any of the powers and duties now reserved by law to the  
 140 district school board. Each community school advisory board  
 141 ~~council~~ shall assist in the preparation and evaluation of the  
 142 school improvement plan required pursuant to s. 1001.42(18).  
 143 With technical assistance from the Department of Education, each  
 144 community school advisory board ~~council~~ shall assist in the  
 145 preparation of the school's annual budget and plan as required  
 146 by s. 1008.385(1). A portion of funds provided in the annual  
 147 General Appropriations Act for use by community school advisory  
 148 boards ~~councils~~ must be used for implementing the school  
 149 improvement plan.

150 Section 2. Paragraphs (c) and (d) of subsection (5) of

151 section 24.121, Florida Statutes, are amended to read:

152 24.121 Allocation of revenues and expenditure of funds for  
153 public education.—

154 (5)

155 (c) A portion of such net revenues, as determined annually  
156 by the Legislature, shall be distributed to each school district  
157 and shall be made available to each public school in the  
158 district for enhancing school performance through development  
159 and implementation of a school improvement plan pursuant to s.  
160 1001.42(18). A portion of these moneys, as determined annually  
161 in the General Appropriations Act, must be allocated to each  
162 school in an equal amount for each student enrolled. These  
163 moneys may be expended only on programs or projects selected by  
164 the community school advisory board council or by a parent  
165 advisory committee created pursuant to this paragraph. If a  
166 school does not have a community school advisory board council,  
167 the district community advisory board council must appoint a  
168 parent advisory committee composed of parents of students  
169 enrolled in that school, which is representative of the ethnic,  
170 racial, and economic community served by the school, to advise  
171 the school's principal on the programs or projects to be funded.  
172 Neither school district staff nor principals may override the  
173 recommendations of the community school advisory board council  
174 or the parent advisory committee. These moneys may not be used  
175 for capital improvements or for any project or program that has

176 a duration of more than 1 year; however, a community school  
 177 advisory board ~~council~~ or parent advisory committee may  
 178 independently determine that a program or project formerly  
 179 funded under this paragraph should receive funds in a subsequent  
 180 year.

181 (d) No funds shall be released for any purpose from the  
 182 Educational Enhancement Trust Fund to any school district in  
 183 which one or more schools do not have an approved school  
 184 improvement plan pursuant to s. 1001.42(18) or do not comply  
 185 with community school ~~advisory board council~~ membership  
 186 composition requirements pursuant to s. 1001.452(1). The  
 187 Commissioner of Education shall withhold disbursements from the  
 188 trust fund to any school district that fails to adopt the  
 189 performance-based salary schedule required by s. 1012.22(1).

190 Section 3. Paragraphs (a) and (c) of subsection (19) of  
 191 section 1001.42, Florida Statutes, are amended to read:

192 1001.42 Powers and duties of district school board.—The  
 193 district school board, acting as a board, shall exercise all  
 194 powers and perform all duties listed below:

195 (19) LOCAL-LEVEL DECISIONMAKING.—

196 (a) Adopt policies that clearly encourage and enhance  
 197 maximum decisionmaking appropriate to the school site. Such  
 198 policies must include guidelines for schools in the adoption and  
 199 purchase of district and school site instructional materials and  
 200 technology, the implementation of student health and fitness

201 standards, staff training, community school advisory board  
 202 ~~council~~ member training, student support services, budgeting,  
 203 and the allocation of staff resources.

204 (c) Develop policies for periodically monitoring the  
 205 membership composition of community school advisory boards  
 206 ~~councils~~ to ensure compliance with requirements established in  
 207 s. 1001.452.

208 Section 4. Subsection (5) of section 1001.43, Florida  
 209 Statutes, is amended to read:

210 1001.43 Supplemental powers and duties of district school  
 211 board.—The district school board may exercise the following  
 212 supplemental powers and duties as authorized by this code or  
 213 State Board of Education rule.

214 (5) SCHOOL COMMUNITY RELATIONS.—The district school board  
 215 may adopt policies governing public gifts and donations to  
 216 schools; input from the community concerning instruction  
 217 resources; advertising in schools; participation in community  
 218 affairs, including coordination with local governments and  
 219 planning authorities; protocols for interagency agreements;  
 220 business community partnerships; community use of school  
 221 facilities; public solicitations in schools, including the  
 222 distribution and posting of promotional materials and  
 223 literature; visitors to the school campus; community school  
 224 advisory boards ~~councils~~; and parent volunteers and chaperones.

225 Section 5. Paragraph (c) of subsection (2) and paragraph

226 (d) of subsection (4) of section 1002.23, Florida Statutes, are  
 227 amended to read:

228 1002.23 Family and School Partnership for Student  
 229 Achievement Act.—

230 (2) To facilitate meaningful parent and family  
 231 involvement, the Department of Education shall develop  
 232 guidelines for a parent guide to successful student achievement  
 233 which describes what parents need to know about their child's  
 234 educational progress and how they can help their child to  
 235 succeed in school. The guidelines shall include, but need not be  
 236 limited to:

237 (c) Opportunities for parental participation, such as  
 238 parenting classes, adult education, community ~~school~~ advisory  
 239 boards ~~councils~~, and school volunteer programs;

240 (4) Each district school board shall adopt rules that  
 241 strengthen family involvement and family empowerment. The rules  
 242 shall be developed in collaboration with parents, school  
 243 administrators, teachers, and community partners, and shall  
 244 address:

245 (d) Opportunities for parents to participate on community  
 246 ~~school~~ advisory boards ~~councils~~ and in school volunteer programs  
 247 and other activities.

248 Section 6. Subsections (6) and (8) of section 1002.32,  
 249 Florida Statutes, are amended to read:

250 1002.32 Developmental research (laboratory) schools.—



251 (6) SUPPLEMENTAL-SUPPORT ORGANIZATIONS.—Each lab school  
 252 may accrue supplemental revenue from supplemental-support  
 253 organizations, which include, but are not limited to, alumni  
 254 associations, foundations, parent-teacher associations, and  
 255 booster associations. The governing body of each supplemental-  
 256 support organization shall recommend the expenditure of moneys  
 257 collected by the organization for the benefit of the school.  
 258 Such expenditures shall be contingent upon the recommendations  
 259 of the community school advisory board ~~council~~ and review of the  
 260 director. The director may override any proposed expenditure of  
 261 the organization that would violate Florida Statutes or breach  
 262 sound educational management.

263 (8) ADVISORY BOARDS.—Each public school in the state shall  
 264 establish a community school advisory board ~~council~~ that is  
 265 reflective of the population served by the school, pursuant to  
 266 s. 1001.452, and is responsible for the development and  
 267 implementation of the school improvement plan pursuant to s.  
 268 1003.02(3). Lab schools shall comply with the provisions of s.  
 269 1001.452 in one of two ways:

270 (a) Each lab school may establish two advisory bodies as  
 271 follows:

272 1. An advisory body pursuant to the provisions and  
 273 requirements of s. 1001.452 to be responsible for the  
 274 development and implementation of the school improvement plan,  
 275 pursuant to s. 1003.02(3).

276           2. An advisory board to provide general oversight and  
277 guidance. The dean of the affiliated college of education shall  
278 be a standing member of the board, and the president of the  
279 university shall appoint four faculty members from the related  
280 university, at least two of whom are from the college of  
281 education, one layperson who resides in the county in which the  
282 school is located, two parents of students who attend the lab  
283 school, and one lab school student appointed by the principal to  
284 serve on the advisory board. The term of each member shall be  
285 for 2 years, and any vacancy shall be filled with a person of  
286 the same classification as his or her predecessor for the  
287 balance of the unexpired term. The president shall stagger the  
288 terms of the initial appointees in a manner that results in the  
289 expiration of terms of no more than two members in any year. The  
290 president shall call the organizational meeting of the board.  
291 The board shall annually elect a chair and a vice chair. There  
292 shall be no limitation on successive appointments to the board  
293 or successive terms that may be served by a chair or vice chair.  
294 The board shall adopt internal organizational procedures or  
295 bylaws necessary for efficient operation as provided in chapter  
296 120. Board members shall not receive per diem or travel expenses  
297 for the performance of their duties. The board shall:  
298           a. Meet at least quarterly.  
299           b. Monitor the operations of the school and the  
300 distribution of moneys allocated for such operations.

301 c. Establish necessary policy, program, and administration  
302 modifications.

303 d. Evaluate biennially the performance of the director and  
304 principal and recommend corresponding action to the dean of the  
305 college of education.

306 e. Annually review evaluations of the school's operation  
307 and research findings.

308 (b) Each lab school may establish one advisory body  
309 responsible for the development and implementation of the school  
310 improvement plan, pursuant to s. 1003.02(3), in addition to  
311 general oversight and guidance responsibilities. The advisory  
312 body shall reflect the membership composition requirements  
313 established in s. 1001.452, but may also include membership by  
314 the dean of the college of education and additional members  
315 appointed by the president of the university that represent  
316 faculty members from the college of education, the university,  
317 or other bodies deemed appropriate for the mission of the  
318 school.

319 Section 7. Paragraph (b) of subsection (3) of section  
320 1002.33, Florida Statutes, is amended to read:

321 1002.33 Charter schools.—

322 (3) APPLICATION FOR CHARTER STATUS.—

323 (b) An application for a conversion charter school shall  
324 be made by the district school board, the principal, teachers,  
325 parents, and/or the community school advisory board ~~council~~ at

326 an existing public school that has been in operation for at  
327 least 2 years prior to the application to convert. A public  
328 school-within-a-school that is designated as a school by the  
329 district school board may also submit an application to convert  
330 to charter status. An application submitted proposing to convert  
331 an existing public school to a charter school shall demonstrate  
332 the support of at least 50 percent of the teachers employed at  
333 the school and 50 percent of the parents voting whose children  
334 are enrolled at the school, provided that a majority of the  
335 parents eligible to vote participate in the ballot process,  
336 according to rules adopted by the State Board of Education. A  
337 district school board denying an application for a conversion  
338 charter school shall provide notice of denial to the applicants  
339 in writing within 10 days after the meeting at which the  
340 district school board denied the application. The notice must  
341 articulate in writing the specific reasons for denial and must  
342 provide documentation supporting those reasons. A private  
343 school, parochial school, or home education program shall not be  
344 eligible for charter school status.

345 Section 8. Paragraph (d) of subsection (1) of section  
346 1003.02, Florida Statutes, is amended to read:

347 1003.02 District school board operation and control of  
348 public K-12 education within the school district.—As provided in  
349 part II of chapter 1001, district school boards are  
350 constitutionally and statutorily charged with the operation and

351 control of public K-12 education within their school districts.  
 352 The district school boards must establish, organize, and operate  
 353 their public K-12 schools and educational programs, employees,  
 354 and facilities. Their responsibilities include staff  
 355 development, public K-12 school student education including  
 356 education for exceptional students and students in juvenile  
 357 justice programs, special programs, adult education programs,  
 358 and career education programs. Additionally, district school  
 359 boards must:

360 (1) Provide for the proper accounting for all students of  
 361 school age, for the attendance and control of students at  
 362 school, and for proper attention to health, safety, and other  
 363 matters relating to the welfare of students in the following  
 364 areas:

365 (d) Courses of study and instructional materials.—

366 1. Provide adequate instructional materials for all  
 367 students as follows and in accordance with the requirements of  
 368 chapter 1006, in the core courses of mathematics, language arts,  
 369 social studies, science, reading, and literature, except for  
 370 instruction for which the community school advisory board  
 371 ~~council~~ approves the use of a program that does not include a  
 372 textbook as a major tool of instruction.

373 2. Adopt courses of study for use in the schools of the  
 374 district.

375 3. Provide for proper requisitioning, distribution,

376 accounting, storage, care, and use of all instructional  
 377 materials as may be needed, and ensure that instructional  
 378 materials used in the district are consistent with the district  
 379 goals and objectives and the course descriptions approved by the  
 380 State Board of Education, as well as with the state and school  
 381 district performance standards required by law and state board  
 382 rule.

383 Section 9. Paragraph (b) of subsection (2) of section  
 384 1003.4203, Florida Statutes, is amended to read:

385 1003.4203 Digital materials, CAPE Digital Tool  
 386 certificates, and technical assistance.—

387 (2) CAPE DIGITAL TOOL CERTIFICATES.—The department shall  
 388 identify, in the CAPE Industry Certification Funding List under  
 389 ss. 1003.492 and 1008.44, CAPE Digital Tool certificates that  
 390 indicate a student's digital skills. The department shall notify  
 391 each school district when the certificates are available. The  
 392 certificates shall be made available to all public elementary  
 393 and middle grades students.

394 (b) The school district shall notify each middle school  
 395 community advisory board ~~council~~ of the methods of delivery of  
 396 the open-access content and assessments for the certificates. If  
 397 there is no middle school community advisory board ~~council~~,  
 398 notification must be provided to the district community advisory  
 399 board ~~council~~.

400 Section 10. Subsection (2) of section 1006.07, Florida

401 Statutes, is amended to read:

402       1006.07 District school board duties relating to student  
403 discipline and school safety.—The district school board shall  
404 provide for the proper accounting for all students, for the  
405 attendance and control of students at school, and for proper  
406 attention to health, safety, and other matters relating to the  
407 welfare of students, including:

408       (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
409 conduct for elementary schools and a code of student conduct for  
410 middle and high schools and distribute the appropriate code to  
411 all teachers, school personnel, students, and parents, at the  
412 beginning of every school year. Each code shall be organized and  
413 written in language that is understandable to students and  
414 parents and shall be discussed at the beginning of every school  
415 year in student classes, community school advisory board ~~council~~  
416 meetings, and parent and teacher association or organization  
417 meetings. Each code shall be based on the rules governing  
418 student conduct and discipline adopted by the district school  
419 board and shall be made available in the student handbook or  
420 similar publication. Each code shall include, but is not limited  
421 to:

422       (a) Consistent policies and specific grounds for  
423 disciplinary action, including in-school suspension, out-of-  
424 school suspension, expulsion, and any disciplinary action that  
425 may be imposed for the possession or use of alcohol on school

426 | property or while attending a school function or for the illegal  
427 | use, sale, or possession of controlled substances as defined in  
428 | chapter 893.

429 |       (b) Procedures to be followed for acts requiring  
430 | discipline, including corporal punishment.

431 |       (c) An explanation of the responsibilities and rights of  
432 | students with regard to attendance, respect for persons and  
433 | property, knowledge and observation of rules of conduct, the  
434 | right to learn, free speech and student publications, assembly,  
435 | privacy, and participation in school programs and activities.

436 |       (d)1. An explanation of the responsibilities of each  
437 | student with regard to appropriate dress, respect for self and  
438 | others, and the role that appropriate dress and respect for self  
439 | and others has on an orderly learning environment. Each district  
440 | school board shall adopt a dress code policy that prohibits a  
441 | student, while on the grounds of a public school during the  
442 | regular school day, from wearing clothing that exposes underwear  
443 | or body parts in an indecent or vulgar manner or that disrupts  
444 | the orderly learning environment.

445 |       2. Any student who violates the dress policy described in  
446 | subparagraph 1. is subject to the following disciplinary  
447 | actions:

448 |       a. For a first offense, a student shall be given a verbal  
449 | warning and the school principal shall call the student's parent  
450 | or guardian.



451           b. For a second offense, the student is ineligible to  
452 participate in any extracurricular activity for a period of time  
453 not to exceed 5 days and the school principal shall meet with  
454 the student's parent or guardian.

455           c. For a third or subsequent offense, a student shall  
456 receive an in-school suspension pursuant to s. 1003.01(13) for a  
457 period not to exceed 3 days, the student is ineligible to  
458 participate in any extracurricular activity for a period not to  
459 exceed 30 days, and the school principal shall call the  
460 student's parent or guardian and send the parent or guardian a  
461 written letter regarding the student's in-school suspension and  
462 ineligibility to participate in extracurricular activities.

463           (e) Notice that illegal use, possession, or sale of  
464 controlled substances, as defined in chapter 893, by any student  
465 while the student is upon school property or in attendance at a  
466 school function is grounds for disciplinary action by the school  
467 and may also result in criminal penalties being imposed.

468           (f) Notice that use of a wireless communications device  
469 includes the possibility of the imposition of disciplinary  
470 action by the school or criminal penalties if the device is used  
471 in a criminal act. A student may possess a wireless  
472 communications device while the student is on school property or  
473 in attendance at a school function; however, a student may not  
474 use a wireless communications device during instructional time,  
475 except when expressly directed by a teacher solely for

476 educational purposes. A teacher shall designate an area for  
477 wireless communications devices during instructional time. Each  
478 district school board shall adopt rules governing the use of a  
479 wireless communications device by a student while the student is  
480 on school property or in attendance at a school function.

481 (g) Notice that the possession of a firearm or weapon as  
482 defined in chapter 790 by any student while the student is on  
483 school property or in attendance at a school function is grounds  
484 for disciplinary action and may also result in criminal  
485 prosecution. Simulating a firearm or weapon while playing or  
486 wearing clothing or accessories that depict a firearm or weapon  
487 or express an opinion regarding a right guaranteed by the Second  
488 Amendment to the United States Constitution is not grounds for  
489 disciplinary action or referral to the criminal justice or  
490 juvenile justice system under this section or s. 1006.13.  
491 Simulating a firearm or weapon while playing includes, but is  
492 not limited to:

- 493 1. Brandishing a partially consumed pastry or other food  
494 item to simulate a firearm or weapon.
- 495 2. Possessing a toy firearm or weapon that is 2 inches or  
496 less in overall length.
- 497 3. Possessing a toy firearm or weapon made of plastic  
498 snap-together building blocks.
- 499 4. Using a finger or hand to simulate a firearm or weapon.
- 500 5. Vocalizing an imaginary firearm or weapon.

501           6. Drawing a picture, or possessing an image, of a firearm  
502 or weapon.

503           7. Using a pencil, pen, or other writing or drawing  
504 utensil to simulate a firearm or weapon.

505  
506 However, a student may be subject to disciplinary action if  
507 simulating a firearm or weapon while playing substantially  
508 disrupts student learning, causes bodily harm to another person,  
509 or places another person in reasonable fear of bodily harm. The  
510 severity of consequences imposed upon a student, including  
511 referral to the criminal justice or juvenile justice system,  
512 must be proportionate to the severity of the infraction and  
513 consistent with district school board policies for similar  
514 infractions. If a student is disciplined for such conduct, the  
515 school principal or his or her designee must call the student's  
516 parent. Disciplinary action resulting from a student's clothing  
517 or accessories shall be determined pursuant to paragraph (d)  
518 unless the wearing of the clothing or accessory causes a  
519 substantial disruption to student learning, in which case the  
520 infraction may be addressed in a manner that is consistent with  
521 district school board policies for similar infractions. This  
522 paragraph does not prohibit a public school from adopting a  
523 school uniform policy.

524           (h) Notice that violence against any district school board  
525 personnel by a student is grounds for in-school suspension, out-

526 of-school suspension, expulsion, or imposition of other  
527 disciplinary action by the school and may also result in  
528 criminal penalties being imposed.

529 (i) Notice that violation of district school board  
530 transportation policies, including disruptive behavior on a  
531 school bus or at a school bus stop, by a student is grounds for  
532 suspension of the student's privilege of riding on a school bus  
533 and may be grounds for disciplinary action by the school and may  
534 also result in criminal penalties being imposed.

535 (j) Notice that violation of the district school board's  
536 sexual harassment policy by a student is grounds for in-school  
537 suspension, out-of-school suspension, expulsion, or imposition  
538 of other disciplinary action by the school and may also result  
539 in criminal penalties being imposed.

540 (k) Policies to be followed for the assignment of violent  
541 or disruptive students to an alternative educational program or  
542 referral of such students to mental health services identified  
543 by the school district pursuant to s. 1012.584(4).

544 (l) Notice that any student who is determined to have  
545 brought a firearm or weapon, as defined in chapter 790, to  
546 school, to any school function, or onto any school-sponsored  
547 transportation, or to have possessed a firearm at school, will  
548 be expelled, with or without continuing educational services,  
549 from the student's regular school for a period of not less than  
550 1 full year and referred to mental health services identified by

551 the school district pursuant to s. 1012.584(4) and the criminal  
552 justice or juvenile justice system. District school boards may  
553 assign the student to a disciplinary program or second chance  
554 school for the purpose of continuing educational services during  
555 the period of expulsion. District school superintendents may  
556 consider the 1-year expulsion requirement on a case-by-case  
557 basis and request the district school board to modify the  
558 requirement by assigning the student to a disciplinary program  
559 or second chance school if the request for modification is in  
560 writing and it is determined to be in the best interest of the  
561 student and the school system.

562 (m) Notice that any student who is determined to have made  
563 a threat or false report, as defined by ss. 790.162 and 790.163,  
564 respectively, involving school or school personnel's property,  
565 school transportation, or a school-sponsored activity will be  
566 expelled, with or without continuing educational services, from  
567 the student's regular school for a period of not less than 1  
568 full year and referred for criminal prosecution and mental  
569 health services identified by the school district pursuant to s.  
570 1012.584(4) for evaluation or treatment, when appropriate.  
571 District school boards may assign the student to a disciplinary  
572 program or second chance school for the purpose of continuing  
573 educational services during the period of expulsion. District  
574 school superintendents may consider the 1-year expulsion  
575 requirement on a case-by-case basis and request the district

576 school board to modify the requirement by assigning the student  
 577 to a disciplinary program or second chance school if it is  
 578 determined to be in the best interest of the student and the  
 579 school system.

580 (n) Criteria for recommending to law enforcement that a  
 581 student who commits a criminal offense be allowed to participate  
 582 in a civil citation or similar prearrest diversion program as an  
 583 alternative to expulsion or arrest. All civil citation or  
 584 similar prearrest diversion programs must comply with s. 985.12.

585 (o) Criteria for assigning a student who commits a petty  
 586 act of misconduct, as defined by the district school board  
 587 pursuant to s. 1006.13(2)(c), to a school-based intervention  
 588 program. If a student's assignment is based on a noncriminal  
 589 offense, the student's participation in a school-based  
 590 intervention program may not be entered into the Juvenile  
 591 Justice Information System Prevention Web.

592 Section 11. Paragraphs (b) and (c) of subsection (6) and  
 593 paragraph (c) of subsection (7) of section 1008.345, Florida  
 594 Statutes, are amended to read:

595 1008.345 Implementation of state system of school  
 596 improvement and education accountability.-

597 (6)

598 (b) Upon request, the department shall provide technical  
 599 assistance and training to any school, including any school  
 600 operating for the purpose of providing educational services to

601 youth in Department of Juvenile Justice programs, community  
602 ~~school~~ advisory board ~~council~~, district, or district school  
603 board for conducting needs assessments, developing and  
604 implementing school improvement plans, or implementing other  
605 components of school improvement and accountability. Priority  
606 for these services shall be given to schools designated with a  
607 grade of "D" or "F" and school districts in rural and sparsely  
608 populated areas of the state.

609 (c) Pursuant to s. 24.121(5)(d), the department shall not  
610 release funds from the Educational Enhancement Trust Fund to any  
611 district in which a school, including schools operating for the  
612 purpose of providing educational services to youth in Department  
613 of Juvenile Justice programs, does not have an approved school  
614 improvement plan, pursuant to s. 1001.42(18), after 1 full  
615 school year of planning and development, or does not comply with  
616 community ~~school~~ advisory board ~~council~~ membership composition  
617 requirements pursuant to s. 1001.452. The department shall send  
618 a technical assistance team to each school without an approved  
619 plan to develop such school improvement plan or to each school  
620 without appropriate community ~~school~~ advisory board ~~council~~  
621 membership composition to develop a strategy for corrective  
622 action. The department shall release the funds upon approval of  
623 the plan or upon establishment of a plan of corrective action.  
624 Notice shall be given to the public of the department's  
625 intervention and shall identify each school without a plan or

626 without appropriate community school advisory board council  
 627 membership composition.

628 (7) As a part of the system of educational accountability,  
 629 the Department of Education shall:

630 (c) Review the community school advisory boards councils  
 631 of each district as required by s. 1001.452.

632 Section 12. Subsection (4) of section 1008.36, Florida  
 633 Statutes, is amended to read:

634 1008.36 Florida School Recognition Program.—

635 (4) All selected schools shall receive financial awards  
 636 depending on the availability of funds appropriated and the  
 637 number and size of schools selected to receive an award. Funds  
 638 must be distributed to the school's fiscal agent and placed in  
 639 the school's account and must be used for purposes listed in  
 640 subsection (5) as determined jointly by the school's staff and  
 641 community school advisory board council. If school staff and the  
 642 community school advisory board council cannot reach agreement  
 643 by February 1, the awards must be equally distributed to all  
 644 classroom teachers currently teaching in the school. If a school  
 645 selected to receive a school recognition award is no longer in  
 646 existence at the time the award is paid, the district school  
 647 superintendent shall distribute the funds to teachers who taught  
 648 at the school in the previous year in the form of a bonus.

649  
 650 Notwithstanding statutory provisions to the contrary, incentive



CS/HB 1429

2024

651 awards are not subject to collective bargaining.

652 Section 13. Subsection (5) of section 1012.71, Florida  
653 Statutes, is amended to read:

654 1012.71 The Florida Teachers Classroom Supply Assistance  
655 Program.—

656 (5) Each classroom teacher must keep receipts for no less  
657 than 4 years to show that funds expended meet the requirements  
658 of this section. Any unused funds shall be deposited into the  
659 community school advisory board ~~council~~ account of the school at  
660 which the classroom teacher was employed when the funds were  
661 made available to the classroom teacher. If the school does not  
662 have a community school advisory board ~~council~~, the funds shall  
663 be expended for classroom materials and supplies as determined  
664 by the school principal.

665 Section 14. Subsection (2) of section 1012.98, Florida  
666 Statutes, is amended to read:

667 1012.98 School Community Professional Learning Act.—

668 (2) The school community includes students and parents,  
669 administrative personnel, managers, instructional personnel,  
670 support personnel, members of district school boards, members of  
671 community school advisory boards ~~councils~~, business partners,  
672 and personnel that provide health and social services to  
673 students.

674 Section 15. This act shall take effect July 1, 2024.



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** PCS for HB 7025 Education  
**SPONSOR(S):** Education & Employment Committee  
**TIED BILLS:** None. **IDEN./SIM. BILLS:** CS/SB 7004

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Education & Employment Committee		Blalock	Hassell

### SUMMARY ANALYSIS

In 2023, the Florida Legislature passed House Bill 1 (Ch. 2023-16, Laws of Fla.), which included provisions regarding the deregulation of public schools. In an effort to provide more flexibility and efficiency and reduce unnecessary regulation, the bill required the State Board of Education to develop and recommend to the Governor and Legislature for adoption during the 2024 legislative session repeals and revisions to the Florida Early Learning-20 Education Code, chapters 1000-1013, Florida Statutes.

The bill provides flexibility for district school boards to determine the adequate number of instructional materials in each classroom. It also provides superintendents with flexibility on instructional material reporting timeframes and removes the requirement for submitting a district school board plan for instructional materials use. The bill authorizes principals to determine collection of funds for lost or damaged instructional materials. In addition, the bill authorizes school districts to assess a processing fee for each objection to a material under certain circumstances.

The bill allows a school district to meet the requirement to offer summer Voluntary Prekindergarten (VPK) by contracting with private providers. The bill revises the requirement that summer VPK program providers administer the coordinated screening and progress monitoring (CSPM) system from 3 times per year to 2 times per year. The bill requires the referral of certain VPK students to the local school district to receive additional instruction prior to entering kindergarten. The bill removes the requirement for administration of the common assessment for students in Department of Juvenile Justice (DJJ) prevention, residential, or day treatment programs, as well as the requirement that district school boards take action on a provider contract for DJJ educational programs that continue to underperform within 6 months after a monitoring plan. Additionally, the bill allows the SBE to provide a school implementing a turnaround plan additional time to implement a community school model if the school has received a community school planning grant.

The bill removes the requirement for a school district to offer a virtual instruction option. The bill removes the requirement that a virtual provider be nonsectarian. The bill also authorizes a school district virtual program to provide the equipment and access necessary for participation to any full-time student enrolled in the program, regardless of income status.

The bill provides that a student who has filed a formal declaration of intent to terminate school enrollment may take the GED assessment, without an extraordinary exemption, after reaching the age of 16.

The bill revises the requirements that each Early Learning Coalition submit a School Readiness Plan to the Department of Education (DOE) and that the DOE review each plan every 3 years, rather than every 2 years.

The bill removes the requirement for the SBE to establish the tuition and out-of-state fees for developmental education and for credit instruction that may be counted toward certain post-secondary degrees. The bill also removes the requirement for the SBE to identify performance metrics for the Florida College System (FCS) and develop a plan that specifies goals and objectives for each FCS institution.

Finally, the bill repeals reporting relating to fine arts, charter technical career centers, middle grades career courses, academically high-performing school districts, Committee of Practitioners under the No Child Left Behind Act, and implementation of school improvement and accountability.

The bill does not appear to have a fiscal impact.

The bill takes effect July 1, 2024.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** pcs7025.EEC

**DATE:** 1/26/2024

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Background**

In 2023, the Florida Legislature passed House Bill 1 (HB1) (Ch. 2023-16, Laws of Fla.), which included provisions regarding the deregulation of public schools. In an effort to provide more flexibility and efficiency and reduce unnecessary regulation, the bill required the State Board of Education (SBE) to develop and recommend to the Governor and Legislature for adoption during the 2024 legislative session repeals and revisions to the Florida Early Learning-20 Education Code, chapters 1000-1013, Florida Statutes.

Pursuant to HB1, the Department of Education (DOE) reviewed the entirety of the Code and considered input from Florida teachers, superintendents, administrators, school boards, public and private postsecondary institutions, home educators, and other stakeholders. Following that review, the SBE developed recommendations for the deregulation of Florida public schools and provided them to the Governor and Legislature on November 1, 2023.<sup>1</sup>

#### **Instructional Materials**

##### Present Situation

##### *Instructional Materials Purchase and Reporting*

Each district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students.<sup>2</sup> Adequate instructional materials is defined as a sufficient number of student or site licenses or set of materials that are available in bound, unbound, kit or package form and may consist of textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media and computer courseware or software that serve as the basis for instruction for each student in the core subject areas.<sup>3</sup> The core subject areas are mathematics, language arts, social studies, science, reading, and literature. Each district school board is required to purchase current instructional materials to provide each student in kindergarten through grade 12 with a major tool of instruction in core courses.<sup>4</sup> Purchases are required to be made within the first 3 years after the effective date of the adoption cycle for instructional materials adopted by the state.<sup>5</sup>

Each district school board or a consortium of school districts may implement an instructional materials program that includes the review, recommendation, adoption, and purchase of instructional materials.<sup>6</sup> Procedures for the adoption of instructional materials by school districts or a consortium of school districts are specified in law.<sup>7</sup>

The district school superintendent is required to certify to the DOE annually by March 31 that all instructional materials for core courses used by the district are aligned with state standards.<sup>8</sup> In addition, each district school superintendent is required to annually notify the DOE by April 1 of the state adopted materials that will be requisitioned for use in the district. The notification includes

---

<sup>1</sup> Florida Department of Education (DOE), *Recommendations to Reduce Regulation in Public Schools* (2023), available at [https://flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf).

<sup>2</sup> Section 1006.28(2), F.S.

<sup>3</sup> Section 1006.28(1)(a)1., F.S.

<sup>4</sup> Section 1006.40(2), F.S.

<sup>5</sup> Section 1006.40(2)-(3)(a), F.S.

<sup>6</sup> Section 1006.283(1), F.S.

<sup>7</sup> Section 1006.28(2), F.S.

<sup>8</sup> Section 1006.283(1), F.S.

providing a plan for instructional materials use to verify that adequate instructional materials were requisitioned.<sup>9</sup>

Each school principal is charged with duties related to instructional materials including proper use of instructional materials, collections for lost or damaged materials, sale of materials, disposition of funds collected for materials, accounting for materials, and selection of library media center materials.<sup>10</sup> For lost, destroyed, or unnecessarily damaged materials, the school principal is required to collect from each student or the student's parent the purchase price of the material. Failure to pay may result in the suspension of the student from participation in extracurricular activities or satisfaction of the debt by the student through community service activities at the school site as determined by the school principal, pursuant to district school board policies.<sup>11</sup>

### *Objection to Materials*

Each district school board is required to establish a process by which a parent or resident of the county may contest the district school board's adoption of a specific instructional material.<sup>12</sup> The parent or resident must file a petition, on a form provided by the school board, within 30 calendar days after the adoption of the instructional material. The school board must make the form available to the public and publish the form on the school district's website. The school board is required to conduct at least one open public hearing before an unbiased and qualified hearing officer that is not an employee or agent of the school district. Following the hearing, the school board's decision is made and not subject to further petition or review.<sup>13</sup>

In addition, each school district must have a process by which a parent or resident of the county can object to the use of a specific instructional material that was not subject to public adoption procedures or any other material used in a classroom, made available in a school library, or included on a reading list.<sup>14</sup> If, through this process, the district school board finds that an instructional material does not meet state standards for adoption or that a material contains content harmful to a minor, is not suited to student needs and ability to comprehend the material, or is inappropriate for the grade level and age group it is used for, the district must discontinue the use of the material for that grade level or age group.<sup>15</sup>

Beginning June 30, 2023, the district school board must submit to the Commissioner of Education a report that identifies:

- each material for which the school district received an objection for the school year, including the grade level and course the material was used in and the grounds for the objection;
- each material that was removed or discontinued; and
- each material that was not removed or discontinued and the rationale for not removing or discontinuing the material.<sup>16</sup>

The DOE must publish and regularly update a list of materials that were removed or discontinued as a result of an objection and disseminate the list to school districts for consideration in their selection procedures.<sup>17</sup>

In fiscal year 2022-23, there were 1,218 objections in the state resulting in removal of 386 books. Over half of the objections came from two school districts, Clay and Escambia. Clay County District Schools

---

<sup>9</sup> Section 1006.28(3)(b), F.S.

<sup>10</sup> Section 1006.28(4), F.S.

<sup>11</sup> Section 1006.28(4)(b), F.S.

<sup>12</sup> Section 1006.28(2)(a)3., F.S.

<sup>13</sup> *Id.*

<sup>14</sup> Section 1006.28(2)(a)2., F.S.

<sup>15</sup> *Id.*

<sup>16</sup> Section 1006.28(2)(e)3., F.S.

<sup>17</sup> *Id.*

reported 489 objections that resulted in removal of 177 book titles. Escambia County Public Schools reported 215 objections that resulted in the removal of 9 book titles.<sup>18</sup>

### Effect of Proposed Changes

#### *Instructional Materials Purchase and Reporting*

The bill provides flexibility for district school boards to determine the adequate number of instructional materials in each classroom, which authorizes sharing of materials, if appropriate.

The bill changes from a specific date to annually, as determined by the superintendent, for each superintendent to certify to the DOE that all instructional materials for core courses are aligned with state standards and to notify the DOE of the state-adopted instructional materials requisitioned for use in his or her school district. The bill also removes the requirement that the notification must include a district school board plan for instructional materials use.

Finally, the bill authorizes the school principal to determine when the collection of the purchase price for lost, destroyed, or damaged materials is appropriate.

#### *Objection to Materials*

The bill authorizes school districts to assess a processing fee of \$100 for each objection to a material by a resident or parent whose student is not enrolled in the school where the material is located if the parent or resident has unsuccessfully objected to five materials during the calendar year. The bill also requires the school district to return the fee if the objection is upheld.

The bill requires that the DOE-published and regularly updated list of materials that were removed or discontinued as a result of an objection be sorted by grade level.

### **PreK-12 Assessment, School Improvement, and Accountability**

#### Present Situation

##### *Pre-K-12 Assessments*

The DOE is required to operate a statewide assessment program designed to accurately measure the core curricula content of the state educational standards.<sup>19</sup> Participation in the assessment program is mandatory for all school districts and all students attending public schools.<sup>20</sup>

The statewide, standardized coordinated screening and progress monitoring (CSPM) system is used to measure student progress in public schools and in the Voluntary Prekindergarten (VPK) program to identify the educational strengths and needs of students.<sup>21</sup> The system measures student progress in meeting the appropriate expectations in early literacy and mathematics skills and in English Language Arts (ELA) and mathematics standards. For students in VPK through grade 3, the system measures student performance in oral language development, phonological and phonemic awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension, as applicable by grade level. The system must be administered at least three times in the school year and summer VPK programs.<sup>22</sup>

##### *Student Assessment for Department of Juvenile Justice Programs*

---

<sup>18</sup> DOE, *2022-2023 School District Reporting Pursuant to Section 1006.28(2), Florida Statutes (2023)*, available at <https://www.fldoe.org/core/fileparse.php/5574/urlt/2223ObjectionList.pdf>.

<sup>19</sup> Section 1008.22(3), F.S.

<sup>20</sup> *Id.*

<sup>21</sup> Section 1008.25(8)(a)1., F.S.

<sup>22</sup> Section 1008.25(9)(b), F.S.; see rule 6M-8.620, F.A.C.

The SBE must adopt rules prescribing expectations for education programs in Department of Juvenile Justice (DJJ) prevention, day treatment, residential, and detention programs.<sup>23</sup> The rules include, but are not limited to, assessment procedures that require:

- A common assessment for students in DJJ prevention, residential, or day treatment programs with a career assessment and academic assessment designed to benchmark student-level learning gains in ELA and mathematics between entry and exit from a DJJ education program.<sup>24</sup>
- A determination of areas of academic need and strategies for intervention and instruction for students in a DJJ detention center.

The DOE, with school districts and juvenile justice education providers, selects an assessment instrument to measure learning gains in ELA and mathematics for a student in a juvenile justice education program.<sup>25</sup> Not only must students complete the common assessment, but all students in DJJ programs must participate in the statewide, standardized CSPM system as well as assessments for high school graduation.<sup>26</sup> The results of these assessments, together with a portfolio depicting the student's academic and career accomplishments, must be included in the discharge packet assembled for each student.<sup>27</sup>

SBE rules must also include an accountability system with a series of graduated sanctions for district school boards whose educational programs in DJJ programs are considered to be unsatisfactory and if district school boards fail to meet standards prescribed by law, rule, or SBE policy. These sanctions include the option of requiring a district school board to contract with a provider or another district school board within 6 months if the educational program at the DJJ program continues to perform below minimum standards at the end of a 3-year monitoring period.<sup>28</sup>

### *Community Partnership Schools*

The community school is an approach used to improve the success of students, families and a community through collaborations between a school and community partners.<sup>29</sup> The community school model utilizes a long-term partnership program among a school district, a community organization, a college or university, and a health care provider to establish, develop, and sustain a system for addressing student, family, and community needs during and outside of the school day.<sup>30</sup> In 2019, Florida created a competitive grant program to expand community schools to improve student success by promoting the collaborations between a school and community partners.<sup>31</sup>

Currently there are 36 schools that are utilizing the community partnership model in Florida. Of the approx. 33,600 students enrolled in a community school, 95 percent of those students are considered economically disadvantaged.<sup>32</sup> In the 2022-2023 school year, over 550,000 hours of tutoring and academic support and over 12,000 hours of mentoring were provided to students enrolled in a community partnership school.<sup>33</sup> Additionally, over 9,600 behavioral health sessions and over 4,000 primary health visits were provided to students enrolled in a community partnership school.<sup>34</sup>

### Effect of Proposed Changes

---

<sup>23</sup> Section 1003.51(2), F.S.

<sup>24</sup> Section 1003.51(2)(g)1. *See also* Florida Department of Education, *FAQs on the Common Assessment for DJJ Programs*, available at <https://www.fldoe.org/schools/k-12-public-schools/school-improvement/faq.stml> (last visited Dec. 20, 2023).

<sup>25</sup> Section 1003.52(3)(d), F.S.

<sup>26</sup> Rule 6A-6.05281, F.A.C.

<sup>27</sup> Section 1003.51(2)(g)2., F.S.

<sup>28</sup> Section 1003.51(2)(r), F.S. *See also* Rule 6A-1.099813, F.A.C.

<sup>29</sup> University of Central Florida Center for Community Schools, *About Community Schools*, <https://ccie.ucf.edu/communityschools/schools/>, (last visited Jan. 24, 2024).

<sup>30</sup> Section 1003.64(2)(c), F.S.

<sup>31</sup> Ch. 2011-23, L.O.F.

<sup>32</sup> *Id.*

<sup>33</sup> University of Central Florida, Center for Community School, *2022-2023 Impact data*, <https://ccie.ucf.edu/communityschools/partnership-schools/cps-impact-data/>, (last visited Jan. 24, 2024).

<sup>34</sup> *Id.*

## *Pre-K-12 Assessments*

The bill revises the requirement that summer VPK program providers administer the CSPM system from 3 times per year to 2 times per year, once at the beginning and once at the end of the summer program. Administering the CSPM system 3 times per year during the shortened summer program adds no instructional value and will not provide sufficient time between administrations to make data informed decisions.

## *Student Assessment for Department of Juvenile Justice Programs*

The bill removes the requirement for duplicative assessments of students in DJJ programs. Students in DJJ programs are required to take the same statewide assessments as all public school students. Under Florida's new statewide CSPM system, the common assessment requirement is no longer needed and removing it is consistent with the goal of reducing testing. The bill also revises the requirements for which assessment results must be included in a student's discharge packet.

The bill also removes the requirement that SBE rule include a provision that district school boards, for programs that still fail to meet standards, take action on a provider contract within six months after a monitoring plan. This will provide greater flexibility to the SBE to determine improvement measures for district school board education programs.

## *Community Partnership Schools*

The bill allows the SBE to provide a school implementing a turnaround plan additional time to implement a community school model if the school has received a community school planning grant.

## **Grade Retention and Supports**

### Present Situation

Florida has long been a national leader in investments and policy ideas targeted at improving early grades literacy. Specifically, over the past five years, the legislature has passed several policies that provide targeted supports for early grades literacy, such as:

- Implementing a CSPM system in grades VPK-3 to allow educators to make real-time adjustments to instruction throughout the school year.<sup>35</sup>
- Enhancing the requirements for educators earning the reading endorsement.<sup>36</sup>
- Providing books to eligible student in grades K-5 through the New Worlds Reading Initiative.<sup>37</sup>
- Inclusion of a grade 3 English Language Arts (ELA) component in the school grades model.<sup>38</sup>

### *Interventions and Required Supports for Struggling Readers*

Students in kindergarten through grade 3 who exhibit a substantial reading deficiency, based on locally collected data, statewide assessments, or through teacher observations, must be given intensive reading instruction immediately following the identification of the deficiency.<sup>39</sup> A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions.<sup>40</sup> A student's reading proficiency must be monitored and the intensive interventions must continue until the student

---

<sup>35</sup> Ch. 2021-10, L.O.F.

<sup>36</sup> Ch. 2021-09, L.O.F.

<sup>37</sup> Ch. 2021-193, L.O.F.

<sup>38</sup> Ch. 2023-39, L.O.F.

<sup>39</sup> Section 1008.25(5)(a), F.S.

<sup>40</sup> Section 1008.25(5)(a), F.S. *See also* s. 1003.57, F.S. For purposes of this section, a licensed professional means an individual licensed pursuant to ch. 490, F.S.



demonstrates grade level proficiency in a manner determined by the school district, which may include achieving a Level 3 on the statewide, standardized ELA assessment.<sup>41</sup>

Students who do not achieve a Level 3 or above on the statewide, standardized ELA assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.<sup>42</sup> District school boards are required to prioritize remedial and supplemental instruction resources first to students in kindergarten through grade 3 who have a substantial reading deficiency and then to students who fail to meet performance levels required for promotion under the school district's student progression plan.<sup>43</sup>

A student who is not meeting school district or state requirements for satisfactory performance in ELA must be covered by one of the following plans:<sup>44</sup>

- A federally required student plan such as an individual education plan (IEP);
- A school wide system of progress monitoring for all students, except that a student who scores Level 4 or above on the ELA assessment may be exempted from participation by the principal; or
- An individualized progress monitoring plan.

School districts have a variety of intervention and progress monitoring options available to help students improve their academic performance. Retention is mandatory for grade 3 students who score at Level 1 on the statewide, standardized ELA assessment.<sup>45</sup> Any student retained in grade 3 because of his or her statewide, standardized ELA assessment score must receive intensive interventions and be taught by a "highly-effective" teacher with a reading endorsement or certification in reading.<sup>46</sup>

Interventions must include:<sup>47</sup>

- Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.
- Participation in the school district's summer reading camp.
- A minimum of 90 minutes of daily, uninterrupted reading instruction. This instruction may include coordinated integration of content-rich texts in science and civic literacy; small group instruction; reduced teacher-student ratios; more frequent progress monitoring, tutoring or mentoring; transition classes containing and grades 3 and 4 students; and extended school day, week, or year.

Additionally, each school district must establish at each school, when applicable, an intensive reading acceleration course for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2. The intensive reading acceleration course must provide the following:<sup>48</sup>

- Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 state academic standards in other core subject areas through content-rich texts.
- Small group instruction.
- Reduced teacher-student ratios.
- The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.
- A read-at-home plan.

---

<sup>41</sup> Section 1008.25(5)(a), F.S.

<sup>42</sup> Section 1008.25(4)(a), F.S.

<sup>43</sup> Section 1008.25(3), F.S.

<sup>44</sup> Section 1008.25(4)(b), F.S.

<sup>45</sup> Section 1008.25(5)(c), F.S. A student may be promoted if he or she meets a "good cause" exception as provided in s. 1008.25(6)(b), F.S.

<sup>46</sup> See ss. 1008.25(7)(b)3. and 1012.34(2)(e), F.S.

<sup>47</sup> Section 1008.25(7)(a), F.S.

<sup>48</sup> Section 1008.25(7)(b)4., F.S.

### *Third Grade Retention and Good Cause Exemptions*

Since 2002, Florida has mandated that third grade students who score at an achievement level 1 on a statewide, standardized assessment be retained unless a student meets a good cause exemption.<sup>49</sup> Students can meet a good cause exemption if one of the following criteria is met:<sup>50</sup>

- Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program.
- Students with disabilities whose IEP indicates that participation in the statewide assessment program is not appropriate.
- Students who demonstrate an acceptable level of performance on an alternative standardized reading or ELA assessment approved by the State Board of Education.
- A student who demonstrates through a student portfolio that he or she is performing at least at Level 2 on the statewide, standardized ELA assessment.
- Students with disabilities who take the statewide, standardized ELA assessment and who have an IEP or a Section 504 plan that reflects that the student has received intensive instruction in reading or ELA for more than 2 years but still demonstrates a deficiency and was previously retained in prekindergarten, kindergarten, grade 1, grade 2, or grade 3.
- Students who have received intensive reading intervention for 2 or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. A student may not be retained more than once in grade 3.

#### Effect of Proposed Changes

The bill requires each district school board to include VPK program students, who have been referred to the school district as a result of exhibiting a substantial deficiency in early literacy skills as determined by the midyear or final CSPM assessment, in the district's comprehensive plan for student progression.

Additionally, the bill requires that the student progression plan specify retention requirements for students in kindergarten through grade 2 based on each student's performance in ELA and mathematics. For students who are retained in kindergarten through grade 2, the plan must incorporate parental notification requirements, include an opportunity for parental input on the retention decision, and include information on the importance of students mastering early literacy and communication skills in order to be reading at or above grade level by the end of grade 3.

The bill authorizes the use of remedial and supplemental instructional resources for VPK program students who have a substantial deficiency in early literacy or early mathematics skills.

The bill requires that an individualized progress monitoring plan, for a student with a substantial reading or mathematics deficiency, be developed within 45 days after the results of the CSPM system becoming available.

The bill requires public school VPK program students who exhibit a substantial deficiency in early literacy or early mathematics skills, as determined by the results of the midyear or final administration of the CSPM, be provided specific reading interventions immediately following the identification of the deficiency.

The bill requires the SBE to adopt rules to provide guidelines for determining whether a student in a public school VPK program has a substantial deficiency in reading or mathematics.

Current law requires that VPK students who exhibit a substantial deficiency in early literacy or early mathematics skills, based upon the results of the final CSPM, be referred to the local school district and

---

<sup>49</sup> Ch. 2002-387, L.O.F.

<sup>50</sup> Section 1008.25(7)(b)1.-6., F.S.

provides that such student may be eligible to receive instruction in early literacy or early mathematics skills before participating in kindergarten. The bill expands this to include VPK program students who exhibit a substantial deficiency in the midyear CSPM.

The bill requires that parents of any VPK through grade 3 public school student, who exhibits a substantial deficiency in reading or mathematics be immediately notified in writing. The notification must include information on the student progression requirements. Furthermore, upon the request of the parent, the bill requires the teacher or school administrator meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification.

For students who have been promoted to 4<sup>th</sup> grade with a good cause exemption, the bill requires that upon the request of the parent, the teacher or school administrator must meet to discuss the student's progress. The parent may request more frequent notification of the student's progress, more frequent interventions or supports, and earlier implementation of the additional interventions or supports described in the initial notification.

## **High School Equivalency Diploma Program**

### Present Situation

The High School Equivalency Diploma offers students who are no longer enrolled in high school an opportunity to earn a high school diploma by successfully passing the standard GED tests. A candidate for a high school equivalency diploma must be at least 18 years of age on the date of the examination, except that in extraordinary circumstances, as provided for in rules of the district school board of the district in which the candidate resides or attends school, a candidate may take the examination after reaching the age of 16.<sup>51</sup> School districts may not require a student who has reached the age of 16 to take any course before taking the examination unless the student fails to achieve a passing score on the GED practice test.<sup>52</sup> In the 2021-2022 graduation cohort, 392 students earned a GED-based diploma.<sup>53</sup>

### Effect of Proposed Changes

The bill provides that a student who has filed a formal declaration of intent to terminate school enrollment pursuant to s. 1003.21(1)(C), may take the assessment for a high school equivalency diploma, without an extraordinary exemption, after reaching the age of 16.

## **Education Choice and Virtual Instruction Programs**

### Present Situation

#### *Academically Challenging Curriculum to Enhance Learning (ACCEL) Options*

Each Florida school is required to offer Academically Challenging Curriculum to Enhance Learning (ACCEL) options.<sup>54</sup> At a minimum each school must offer ACCEL options that include but are not limited to: whole grade and midyear promotion; subject matter acceleration; virtual instruction in higher grade level subjects; and the Credit Acceleration Program. Parents may request student participation in an ACCEL option. However, when the option is requested by the parent, a performance contract must be executed between the student, parent, and principal. At a minimum, the performance contract must require compliance with:

- Minimum student attendance requirements.

---

<sup>51</sup> Section 1003.435(4), F.S.

<sup>52</sup> *Id.*

<sup>53</sup> Florida Department of Education, *Florida's High School Cohort 2021-22 Graduation Rate*, <https://www.fldoe.org/core/fileparse.php/7584/urlt/GradRates2122.pdf>, (last visited Jan. 24, 2024).

<sup>54</sup> Section 1002.3105, F.S.

- Minimum student conduct requirements.
- ACCEL option requirements established by the principal, which may include participation in extracurricular activities, educational outings, field trips, interscholastic competitions, and other activities related to the ACCEL option selected.<sup>55</sup>

### *Virtual Instruction Programs*

Virtual instruction programs are programs of instruction provided in an interactive learning environment created through technology in which students are separated from their teachers by time, space, or both.<sup>56</sup> Under Florida law<sup>57</sup>, a school district must establish multiple opportunities for student participation in part-time and full-time kindergarten through grade 12 virtual instruction. Options include, but are not limited to:

- School district operated part-time or full-time virtual instruction programs for kindergarten through grade 12 students enrolled in the school district. A full-time program must operate under its own Master School Identification Number.
- Florida Virtual School instructional services.
- Blended learning instruction provided by charter schools.
- Virtual charter school instruction.
- Courses delivered in the traditional school setting by personnel providing direct instruction through virtual instruction or through blended learning courses consisting of both traditional classroom and online instructional techniques.
- Virtual courses offered in the course code directory to students within the school district or to students in other school districts throughout the state.<sup>58</sup>

School districts are required to provide at least one option for part-time and full-time virtual instruction for students residing within the school district.<sup>59</sup> School districts must also provide parents with timely written notification of at least one open enrollment period for full-time students of 90 days or more which ends 30 days before the first day of the school year.<sup>60</sup> To be approved, a virtual instruction program provider must document that it is nonsectarian in its programs, admission policies, employment practices, and operations.<sup>61</sup>

School district virtual instruction programs must meet the following requirements:<sup>62</sup>

- Align virtual course curriculum and course content to the state academic standards.
- Offer instruction that is designed to enable a student to gain proficiency in each virtual instruction course of study.
- Provide each student enrolled in the virtual instruction program with all the necessary instructional materials.
- Provide each full-time student enrolled in the virtual instruction program who qualifies for free or reduced-price school lunches under the National School Lunch Act, or who is on the direct certification list, and who does not have a computer or Internet access in his or her home with:
  - All equipment necessary for participants in the virtual instruction program, including, but not limited to, a computer, computer monitor, and printer, if a printer is necessary to participate in the virtual instruction program; and
  - Access to or reimbursement for all Internet services necessary for online delivery of instruction.

<sup>55</sup> Section 1002.3105(4)(c), F.S.

<sup>56</sup> Section 1002.45(1)(a)3., F.S.

<sup>57</sup> Ch. 2011-137, L.O.F.

<sup>58</sup> Section 1002.321(3), F.S.

<sup>59</sup> Section 1002.45(1)(b)1., F.S.

<sup>60</sup> *Id.*

<sup>61</sup> Section 1002.45(2)(a)1., F.S.

<sup>62</sup> Section 1002.45(3), F.S.

In 2023, the Legislature removed the requirement that a student take at least one online course in order to graduate with a standard high school diploma.<sup>63</sup>

### Effect of Proposed Changes

#### *Academically Challenging Curriculum to Enhance Learning (ACCEL) Options*

The bill removes the requirement for a performance contract to be executed between the student, parent, and principal when the request for an ACCEL option is made by the parent. Instead a performance contract may be used at the principal's discretion. This aligns with the flexibility offered to a principal for a school-initiated ACCEL option.

#### *Virtual Instruction Programs*

The bill removes the requirement for a school district to establish multiple opportunities for student participation in part-time and full-time kindergarten through grade 12 virtual instruction. The bill also removes the requirement for the school district to offer a virtual option since the Legislature removed the virtual course requirement for graduation. These changes provide school districts with more flexibility and ability to compete.

The bill removes the requirement for a virtual provider to document that it is nonsectarian in its programs, admission policies, employment practices, and operations.

Finally, the bill authorizes a school district virtual program to provide the equipment and access necessary for participation to any full-time student enrolled in the program, not limited to those meeting specified criteria.

### **School District and Department of Education Required Reports**

#### Present Situation

##### *Fine Arts Report*

The Commissioner of Education (commissioner) is required to prepare an annual report that includes a description, based on annual reporting by schools, of student access to and participation in fine arts courses, which are visual arts, music, dance, and theatre courses; the number and certification status of educators providing instruction in the courses; educational facilities designed and classroom space equipped for fine arts instruction; and the manner in which schools are providing the core curricular content for fine arts established in the state academic standards. The report is to be posted on the DOE's website and updated annually through the Know Your Schools portal.<sup>64</sup>

##### *Charter Technical Career Centers Report*

A charter technical career center is a public school or a public technical center operated under a charter granted by a district school board or Florida College System (FCS) institution board of trustees, or a consortium of districts and FCS institutions.<sup>65</sup>

The commissioner must provide for an annual comparative evaluation of charter technical career centers and public technical centers. By December 30 of each year, the commissioner must submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Senate and House committees that have responsibility for secondary and postsecondary career and

---

<sup>63</sup> Ch. 2023-16, L.O.F.

<sup>64</sup> Section 1003.4995, F.S.

<sup>65</sup> Section 1002.34(3)(a), F.S.

technical education a report of the comparative evaluation completed for the previous school year.<sup>66</sup> There is only one charter technical center operating in Florida, Lake Technical College.<sup>67</sup>

### *Middle Grades Career and Professional Academy Courses and Career-Themed Courses Report*

Each district school board, in collaboration with local workforce development boards, economic development agencies, and state-approved postsecondary institutions, are required to include plans to implement a career and professional academy or a career-themed course in at least one middle school in the district as part of the strategic 3-year plan.<sup>68</sup> The DOE is required to collect and report student achievement data for students enrolled in an academy or a career-themed course.<sup>69</sup>

### *Academically High-Performing School District Report*

A school district is an academically high-performing school district if it meets the following criteria:<sup>70</sup>

- Earns a grade of “A” for 2 consecutive years; and has no district-operated school that earns a grade of “F”;
- Complies with all class size requirements in s. 1, Art. IX of the State Constitution; and
- Has no material weaknesses or instances of material noncompliance noted in the annual financial audit conducted.

After a school district is determined to be an academically high-performing school district, it is required to submit to the SBE and the Legislature an annual report on December 1 which delineates the performance of the school district relative to the academic performance of students at each grade level in reading, writing, mathematics, science, and any other subject that is included as a part of the statewide assessment program.<sup>71</sup>

### *Committee of Practitioners Pursuant to the Federal No Child Left Behind Act*

The DOE is required to establish a committee of practitioners pursuant to federal requirements of the No Child Left Behind Act of 2001. The committee members shall be appointed by the commissioner and shall annually report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1. The committee is required to meet regularly and is authorized to review potential rules and policies that will be considered by the SBE.<sup>72</sup>

### *Implementation of State System of School Improvement and Education Accountability*

The commissioner is responsible for implementing and maintaining a system of intensive school improvement and stringent education accountability.<sup>73</sup> The DOE must provide an annual feedback report that includes the following:<sup>74</sup>

- For each school district:
  - The percentage of students, by school and grade level, demonstrating learning growth in ELA and mathematics.
  - The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in ELA and mathematics.

---

<sup>66</sup> Section 1002.34(19), F.S.

<sup>67</sup> Florida Department of Education, *A Comparison of State of Florida Charter Technical Career Centers to District Non-Charter Career Centers, Program Year 2021-2022*, available at <https://www.fldoe.org/core/fileparse.php/9904/urlt/charterreview22.pdf>.

<sup>68</sup> Section 1003.4935(1), F.S.

<sup>69</sup> Section 1003.4935(3), F.S.

<sup>70</sup> Section 1003.621(1), F.S.

<sup>71</sup> Section 1003.621(4), F.S.

<sup>72</sup> Section 1008.332, F.S.

<sup>73</sup> Section 1008.345, F.S.

<sup>74</sup> Section 1008.345(5), F.S.

- The information contained in the school district's required annual report to the parent of each student on the progress of the student toward achieving state and district expectations for proficiency in ELA, science, social studies, and mathematics.<sup>75</sup>
- Intervention and support strategies used by school districts whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.
- Intervention and support strategies used by school districts whose schools provide educational services to youth in DJJ programs that demonstrate learning growth in ELA and mathematics that exceeds the statewide average learning growth for students in those subjects.
- Intervention and support strategies used by school districts that were effective in improving the reading performance of students, as indicated by student performance data, who are identified as having a substantial reading deficiency.

The commissioner must review each district school board's feedback report and submit findings to the SBE. If adequate progress is not being made toward implementing and maintaining a system of school improvement and education accountability, the SBE will direct the commissioner to prepare and implement a corrective action plan. The commissioner and SBE must monitor the development and implementation of the corrective action plan.<sup>76</sup>

The commissioner will assign a community assessment team to each school district or governing board with a school that earned a grade of "D" or "F" to review the school performance data and determine causes for the low performance, including the role of school, area, and district administrative personnel. The team will make recommendations to the school board or the governing board and to the SBE based on the interventions and support strategies identified in the feedback report to address the causes of the school's low performance and to incorporate the strategies into the school improvement plan. The assessment team must include, but not be limited to, a department representative, parents, business representatives, educators, representatives of local governments, and community activists, and must represent the demographics of the community from which they are appointed.<sup>77</sup>

### Effect of Proposed Changes

The bill repeals the following required reports:

- Fine Arts Report.
- Charter Technical Career Centers Report.
- Middle Grades Career and Professional Academy Courses and Career-Themed Courses Report.
- Academically High-Performing School District Report.

All of the data used for these reports will still be available to the general public through the Know Your Schools Portal and the PK-12 Public School Data Publications and Reports on the DOE website, or can be provided upon request by the DOE.

The bill removes the requirement for an annual report from the committee of practitioners pursuant to the federal requirements of the No Child Left Behind Act as this report is neither required in federal law nor necessary. The bill also updates references to the Every Student Succeeds Act of 2015.

The bill removes the requirement that the DOE develop an annual feedback report on progress toward implementing and maintaining a system of school improvement and education accountability as this data is available through the Know Your Schools Portal and the information collected by the DOE is sufficient to inform the SBE and Legislature on the state of school improvement and necessary policy revisions.

---

<sup>75</sup> Section 1008.25(10), F.S.

<sup>76</sup> Section 1008.345(4), F.S.

<sup>77</sup> Section 1008.345(6)(d), F.S.

Finally, the bill removes the use of feedback reports when community assessment teams are making recommendations to the school board or the governing board and to the SBE to address the causes of a school's low performance.

## **School District Programs**

### Present Situation

#### *Competency Based Pilot Program*

Beginning with the 2016-2017 school year, the Competency-Based Education Pilot Program was created within the DOE to be administered for a period of 7 years, through the 2022-23 school year. The purpose of the pilot program was to provide an educational environment that allows students to advance to higher levels of learning upon the mastery of concepts and skills through statutory exemptions relating to student progression and the awarding of credits.<sup>78</sup> The program was open to the following school districts:<sup>79</sup>

- The P.K. Yonge Developmental Research School
- Lake County School District
- Palm Beach County School District
- Pinellas County School District
- Seminole County School District

The last year of the program was the 2022-23 school year.

#### *Single-Gender Programs*

Florida allows a district school board to establish and maintain a non-vocational class, extracurricular activity, or school for elementary, middle, or high school students in which enrollment is limited to a single gender if the school district also makes available a substantially equal:<sup>80</sup>

- Single-gender class, extracurricular activity, or school to students of the other gender; and
- Coeducational class, extracurricular activity, or school to all students.

#### *Art in the Capitol Competition*

The Art in the Capitol Competition is a statewide visual arts competition for students in grades 6 through 8, administered by the Department of Management Services and the DOE. Each school district must annually hold an Art in the Capitol Competition for all public, private, and home education students in grades 6 through 8.<sup>81</sup>

### Effect of Proposed Changes

The bill repeals the competency-based pilot program as 2022-23 was the last year of the pilot and it was not extended in statute. It also repeals the state authorization for single-gender programs as it is unnecessary and duplicative of federal law. School districts may still offer single-gender classes, activities, or schools as long as they comport with applicable federal law.<sup>82</sup> Finally, the bill makes the Art in the Capitol Competition optional for school districts.

## **School Readiness Oversight**

### Present Situation

---

<sup>78</sup> Section 1003.4996, F.S.

<sup>79</sup> Section 1003.4996(1), F.S.

<sup>80</sup> Sections 1000.05 and 1002.311, F.S.

<sup>81</sup> Section 1003.49965, F.S.

<sup>82</sup> 34 C.F.R. s.106.34 provides federal provisions for education programs for students on the basis of their sex.



Established in 1999,<sup>83</sup> the School Readiness Program provides subsidies for child care services and early childhood education for children of low-income families; children in protective services who are at risk of abuse, neglect, abandonment, or homelessness; foster children; and children with disabilities.<sup>84</sup> The School Readiness Program offers financial assistance for child care to these families while supporting children in the development of skills for success in school. Additionally, the program provides developmental screening and referrals to health and education specialists where needed. These services are provided in conjunction with other programs for young children such as Head Start, Early Head Start, Migrant Head Start, Child Care Resource and Referral (CCR&R), and the VPK Program.<sup>85</sup>

The School Readiness Program is a state-federal partnership between the DOE and the Office of Child Care of the United States Department of Health and Human Services.<sup>86</sup> It is administered by early learning coalitions (ELCs) at the county or regional level.<sup>87</sup> The DOE's Division of Early Learning (DEL) is the lead administrator of the program at the state level, including statewide coordination of the ELCs.<sup>88</sup>

### *Department of Education Oversight*

The DOE is the lead agency in Florida for administering the federal Child Care and Development Block Grant (CCDBG), from which funds are used to implement the School Readiness Program. Florida law requires the DOE to focus on improving the educational quality of all program providers participating in the School Readiness Program while preserving parental choice by permitting parents to choose from a variety of child care categories.<sup>89</sup>

The DOE must adopt, in rule, a statewide provider contract to be used by each School Readiness Program provider, review and approve each ELC's School Readiness Plan every 2 years, monitor and evaluate the performance of each ELC in administering the School Readiness Program and the VPK Program, and identify valid, reliable, observation-based child assessments.<sup>90</sup>

### *Early Learning Coalition Oversight*

Each ELC administers the School Readiness Program,<sup>91</sup> the VPK Program,<sup>92</sup> and the CCR&R Program in its county or multicounty region.<sup>93</sup> There are currently 30 ELCs.<sup>94</sup> Each ELC is governed by a board of directors comprised of various stakeholders and community representatives. Three board members, including the chair, are appointed by the Governor.<sup>95</sup>

---

<sup>83</sup> Section 1, ch. 99-357, L.O.F.

<sup>84</sup> Sections 1002.81 and 1002.87, F.S.

<sup>85</sup> Florida Department of Education, Division of Early Learning, *What is School Readiness (SR)?*, <https://www.fldoe.org/schools/early-learning/parents/school-readiness.shtml> (last visited Dec. 20, 2023).

<sup>86</sup> Section 1002.82(1), F.S., U.S. Department of Health and Human Services, Office of Child Care (OCC), *OCC Fact Sheet*, <http://www.acf.hhs.gov/programs/occ/fact-sheet-occ> (last visited Dec. 20, 2023).

<sup>87</sup> Section 1002.83(1), F.S.

<sup>88</sup> Section 1002.82(1), F.S., *see also* Florida Department of Education, Division of Early Learning, *What is School Readiness (SR)?*, <https://www.fldoe.org/schools/early-learning/parents/school-readiness.shtml> (last visited Dec. 20, 2023).

<sup>89</sup> Section 1002.82(1) and (2)(a)-(b), F.S. Care and curriculum by a faith-based provider must not be limited or excluded in any of these categories.

<sup>90</sup> Section 1002.82(2)(e), (k), (m), and (s), F.S.

<sup>91</sup> Part VI, ch. 1002, F.S.

<sup>92</sup> Part V, ch. 1002, F.S.

<sup>93</sup> Section 1002.84, F.S.

<sup>94</sup> Florida Department of Education, Division of Early Learning, *Early Learning Coalitions Directory*, available at <https://www.fldoe.org/core/fileparse.php/20648/urlt/ELCDirectory.pdf>. Florida law permits the establishment of 30 or fewer ELCs. Section 1002.83(1), F.S.

<sup>95</sup> Section 1002.83(3), F.S. In the absence of a governor-appointed chair, the Commissioner of Education may appoint an interim chair from the current ELC board membership.

In order to participate in the School Readiness Program, each ELC must biennially submit a School Readiness Plan to the DOE for approval.<sup>96</sup> The plan must include, but is not limited to:

- The ELC's operations, including its membership and articles of incorporation and bylaws, if applicable.
- The minimum number of children to be served by care level.
- The procedures for implementing program requirements such as single point of entry, uniform waiting list, eligibility and enrollment processes and local eligibility priorities, parent access and choice, sliding fee scale, payment rate, use of preassessments and postassessments, as applicable, and the use of contracted slots based on the ELC's assessment of local priorities.
- A detailed description of the ELC's quality activities and services, including resource and referral and school-age child care, infant and toddler early learning, inclusive early learning programs, and quality improvement strategies that strengthen teaching practices and increase child outcomes.
- A detailed budget outlining the estimated expenditures for state, federal, and local matching funds.
- A detailed accounting of all revenues and expenditures during the previous state fiscal year.
- Updated policies and procedures governing procurement, maintenance of tangible personal property, maintenance of records, information technology security, and disbursement controls.
- A description of the procedures for monitoring school readiness program providers, including in response to a parental complaint, to determine that standards are met using a standard monitoring tool adopted by the department.
- Documentation that the coalition has solicited and considered comments regarding the proposed school readiness plan from the local community.
- An assessment of local priorities within the county or multicounty region based on the needs of families and provider capacity using available community data.<sup>97</sup>

### Effect of Proposed Changes

The bill revises the requirement that each ELC submit a School Readiness Plan to the DOE from every 2 years to every 3 years. The bill also revises the requirement that the DOE review each ELC's School Readiness Plan from every 2 years to every 3 years. These changes align the review process with the DOE's submission of the federal Child Care and Development Fund (CCDF) Plan. In addition, the bill requires the ELCs to provide a detailed accounting of all revenues and expenditures during the 2 previous state fiscal years, rather than just the previous fiscal year. This aligns with the shift of the plan submission and review from every 2 years to every 3 years.

## **Voluntary Prekindergarten Program**

### Present Situation

Since the inception of the Voluntary Prekindergarten (VPK) program, public schools have been instrumental in delivering the program. Public schools deliver both the 540 hour school year VPK program<sup>98</sup> and the 300 hour summer VPK program.<sup>99</sup> In general, public schools comprise just over 20 percent of the overall VPK programs during the entire program year.<sup>100</sup>

Public schools are required to contract through the early learning coalitions and are subject to the same requirements as non-public programs in terms of implementing instructional standards, personnel requirements, and program accountability. While both public schools and private providers offer the school year prekindergarten program, public school districts are required to offer the summer VPK program, consisting of 300 hours of instruction, to any parent who enrolls his or her child in the

---

<sup>96</sup> Section 1002.85(2), F.S.

<sup>97</sup> *Id.*

<sup>98</sup> Section 1002.63(1), F.S.

<sup>99</sup> Section 1002.61(1), F.S.

<sup>100</sup> Florida Department of Education, *Division of Early Learning Annual Report 2021-2022*, available at:

<https://www.fldoe.org/core/fileparse.php/20628/urlt/2122-DEL-AnnualReport.pdf>.

program.<sup>101</sup> Participation in the summer VPK program has steadily declined from 2016-2017 to 2022-2023. For example, in the 2016-2017 summer VPK program there were 5,272 children enrolled, and in the 2022-2023 summer program there were 2,620 children enrolled.<sup>102</sup> According to 2022-2023 summer VPK program data, there were 1,330 children enrolled in summer VPK public school programs across 42 school districts.<sup>103</sup> These enrollments are in contrast to the 153,638 school year VPK enrollment for 2022-2023.<sup>104</sup>

Public school district funding for the summer VPK program requires that the number of children funded is divisible by 12.<sup>105</sup> For example, if a district serves only 2 children for the summer VPK program, the district is funded for 12 children. Based on data for the 2022-2023 program, 36 districts received additional funding for 196 full-time equivalent enrollments over the actual program enrollment, for a total of \$469,028.<sup>106</sup>

In general, VPK programs in public schools are subject to the same oversight as private VPK programs, including requirements for use of the state contract, instructor to child ratios, instructor training, attendance and reporting, accountability, and methods regarding reimbursement for the VPK program. Early learning coalitions are required to monitor the compliance of public school VPK programs in their county or multi-county service region for both school year<sup>107</sup> and summer<sup>108</sup> VPK programs.

### Effect of Proposed Changes

Current law requires each school district to administer a summer VPK Program. The bill authorizes a public school district to contract with private providers to satisfy this requirement.

## **Florida College System Governance**

### Present Situation

#### *State Board of Education Duties*

The State Board of Education (SBE) is the constitutional entity charged with supervising the system of free public schools in Florida.<sup>109</sup> In this role, it coordinates and implements public education in Florida, except for the State University System. The SBE establishes objectives and long-range plans, appoints the Commissioner of Education, annually develops a coordinated K-20 budget, and oversees the Florida Department of Education (DOE).<sup>110</sup> The SBE has rulemaking authority to carry out these functions<sup>111</sup> and implements accountability measures based primarily on student achievement for Florida's K-20 public education system, which includes K-12 free public schools and the Florida College System (FCS).<sup>112</sup>

Specifically, the SBE has education and oversight authority over school districts and the FCS concerning performance and compliance with laws. This includes the authority of the commissioner to investigate allegations of noncompliance; order compliance within a specified timeframe; and withhold

---

<sup>101</sup> Section 1002.53(6)(b), F.S.

<sup>102</sup> Office of Economic & Demographic Research, *Early Learning Programs Estimating Conference Prekindergarten Education Program, Conference Package* (Aug. 10, 2023), available at <http://edr.state.fl.us/Content/conferences/vpk/VPKResults.pdf>.

<sup>103</sup> Email, Florida Department of Education, Legislative Affairs (Oct. 27, 2023), on file with the Education & Employment Committee.

<sup>104</sup> *Id.*

<sup>105</sup> Section 1002.71(3)(d), F.S.

<sup>106</sup> Email, Florida Department of Education, Legislative Affairs (Oct. 27, 2023), on file with the Education & Employment Committee. The amount is based on the 2022-23 summer VPK base student allocation of \$2,393.

<sup>107</sup> Section 1002.63(9)(a), F.S.

<sup>108</sup> Section 1002.61(10)(a), F.S.

<sup>109</sup> See Fla. Const. Art. IX, s. 2; s. 1001.02(1), F.S.

<sup>110</sup> See s. 1001.02, F.S.

<sup>111</sup> Section 1001.02(1), F.S.

<sup>112</sup> See ss. 1008.31 and 1008.32, F.S.

the transfer of state funds, discretionary grant funds, discretionary lottery funds, and other funds deemed eligible by the Legislature until compliance is achieved.<sup>113</sup>

The SBE is responsible for reviewing and administering the state program of support for the FCS institutions and, subject to existing law, must establish the tuition and out-of-state fees for developmental education and for credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree.<sup>114</sup> The SBE is also charged with identifying performance metrics for the FCS and developing a plan that specifies goals and objectives for each FCS institution.<sup>115</sup>

### *Florida College System Institution Student Fees*

Florida Statute provides requirements for establishing tuition and fees at FCS institutions.<sup>116</sup> This applies to fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, or an associate in science degree, or a baccalaureate degree authorized pursuant to s. 1007.33, for noncollege credit developmental education defined in s. 1004.02, and for educator preparation institute programs defined in s. 1004.85.<sup>117</sup>

Tuition and out-of-state fees for upper-division courses must reflect the fact that the FCS institution has a less expensive cost structure than that of a state university. Therefore, the board of trustees shall establish tuition and out-of-state fees for upper-division courses in approved baccalaureate degree programs consistent with law and proviso language in the General Appropriations Act. However, the board of trustees may vary tuition and out-of-state fees only as provided in statute.<sup>118</sup> Each FCS institution board of trustees shall establish tuition and out-of-state fees, which may vary no more than 10 percent below and 15 percent above the combined total of the standard tuition and fees established in statute.<sup>119</sup>

Any proposal or action of a FCS institution to raise, impose, or authorize any fee, as authorized by law, except for tuition, must be approved by a supermajority vote of the members of the board of trustees of the institution, if approval by the board of trustees is required by general law, and at least a supermajority vote of the members of the SBE, if approval by the SBE is required by general law, in order to take effect.<sup>120</sup>

### *Florida College System Institution Accountability Process*

The SBE and the FCS institution boards of trustees must develop and implement an accountability plan to improve and evaluate the instructional and administrative efficiency and effectiveness of the FCS. The SBE must also submit an annual report, at the same time as the agency strategic plan required by law,<sup>121</sup> providing the results of initiatives taken during the prior year and the initiatives and related objective performance measures proposed for the next year. Within the annual evaluation, the SBE must address the performance of the FCS executive director, and the FCS institution boards of trustees must address the performance of the presidents, in the achievement of the performance goals established by the accountability process.<sup>122</sup>

### *Baccalaureate Degree Access*

---

<sup>113</sup> See s. 1008.32(2)-(4), F.S.

<sup>114</sup> Section 1001.02(5), F.S.

<sup>115</sup> Section 1001.03(17), F.S.

<sup>116</sup> Section 1009.23, F.S.

<sup>117</sup> Section 1009.23(1), F.S.

<sup>118</sup> Section 1009.23(2)(b), F.S.

<sup>119</sup> Section 1009.23(4), F.S.

<sup>120</sup> Section 1009.23(21), F.S.

<sup>121</sup> Section 1001.02(3), F.S.

<sup>122</sup> Section 1008.45, F.S.

In 2001, the Legislature authorized a process by which community colleges could seek approval by the SBE to grant baccalaureate degrees in limited areas. In that same legislation, St. Petersburg Junior College was re-established as St. Petersburg College and its Board of Trustees was authorized to establish one or more bachelor of applied science degree programs based on an analysis of workforce needs in Pinellas, Pasco, and Hernando Counties and other counties approved by the DOE.<sup>123</sup>

### Effect of Proposed Changes

The bill removes the requirement for the SBE to establish the tuition and out-of-state fees for developmental education and for credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree. This language is outdated and unnecessary, as the SBE does not set tuition and fees, rather these are established pursuant to s. 1009.23, F.S. The bill removes the requirement for the SBE to identify performance metrics for the FCS and develop a plan that specifies goals and objectives for each FCS institution. This provision conflicts with the statutory requirement that the SBE include the FCS in its strategic plan that specifies goals and objectives for the state's public schools and Florida College System institutions.<sup>124</sup>

The bill also removes obsolete language referring to the Executive Director of the Florida College System and regarding a special baccalaureate approval process for St. Petersburg College that was put in place when bachelor's degrees were first authorized in the FCS. Florida colleges have been granted authorization from the Legislature to offer bachelor's degrees to meet local and regional workforce need and demand.<sup>125</sup>

## **Automotive Service Technology Education Programs**

### Present Situation

All automotive service technology programs are required to be industry certified in accordance with rules adopted by the SBE. New programs and programs in the process of becoming certified have 3 years to do so. Students enrolled in a program that is not certified are not eligible to be reported for state funding.<sup>126</sup>

### Effect of Proposed Changes

The bill repeals this section of law as it is not necessary for program quality as this is not required for any other unregulated training program.

## **B. SECTION DIRECTORY:**

- Section 1:** Amends s. 1001.02, F.S., deleting a requirement that the State Board of Education establish the cost of tuition and fees for developmental education and credit instruction that may be counted toward an associate in arts degree, an associate in applied science degree, or an associate in science degree.
- Section 2:** Amends s. 1001.03, F.S., deleting a requirement that the state board identify performance metrics for the Florida College System and develop a plan that specifies goals and objectives for each Florida College System institution.
- Section 3:** Amends s. 1002.3105, F.S., deleting a requirement that a performance contract must be executed between the student, parent, and principal when the request for an Academically Challenging Curriculum to Enhance Learning (ACCEL) option is made by

---

<sup>123</sup> Section 1007.33, F.S.; *see also* Florida Department of Education, *History of the Need for Baccalaureates Policy Paper* (2005), available at <https://www.fldoe.org/core/fileparse.php/5592/urlt/0082822-histbacc.pdf>.

<sup>124</sup> Section 1001.02(3), F.S.

<sup>125</sup> Section 1007.33, F.S.

<sup>126</sup> Section 1004.925, F.S.

the parent; providing that a performance contract may be used at the discretion of the principal.

- Section 4:** Repeals s. 1002.311, F.S., relating to single-gender programs.
- Section 5:** Amends s. 1002.34, F.S., deleting a requirement for the Commissioner of Education to provide for an annual comparative evaluation of charter technical career centers and public technical centers.
- Section 6:** Amends s. 1002.45, F.S., deleting a requirement that school districts offer a virtual instruction program; deleting a requirement that a virtual instruction program provider document that it is nonsectarian in its programs, admission policies, employment practices; and operations; authorizing a school district virtual program to provide the equipment and access necessary for participation to any full-time student enrolled in the program.
- Section 7:** Amends s. 1002.61, F.S., authorizing school districts to satisfy specified requirements for such program by contracting with certain providers.
- Section 8:** Amends s. 1002.82, F.S., requiring the Department of Education to review school readiness program plans every 3 years, rather than every 2 years.
- Section 9:** Amends s. 1002.85, F.S., requiring early learning coalitions to submit school readiness program plans to the department every 3 years, rather than every 2 years; requiring early learning coalitions to provide a detailed accounting of all revenues and expenditures during the 2 previous state fiscal years, rather than just the previous fiscal year, in their school readiness program plans.
- Section 10:** Amends s. 1003.432, F.S., revising the eligibility requirements for students to take the high school equivalency examination.
- Section 11:** Amends s. 1003.4935, F.S., deleting a requirement that the Department of Education collect and report student achievement data for students enrolled in a middle school career and professional academy or a career-themed course.
- Section 12:** Repeals s. 1003.4995, F.S., relating to the fine arts report prepared by the Commissioner of Education.
- Section 13:** Repeals s. 1003.4996, F.S., relating to the Competency-Based Education Pilot Program.
- Section 14:** Amends s. 1003.49965, F.S., authorizing, rather than requiring, a school district to hold an Art in the Capitol Competition.
- Section 15:** Amends s. 1003.51, F.S., deleting a requirement for administration of the common assessment for students in Department of Juvenile Justice (DJJ) prevention, residential, or day treatment programs; revising requirements for which assessment results must be included in a student's discharge packet; providing the DOE and DJJ with the authority to develop an accountability system for all programs specifically by removing the reference to a 6 month timeline for a district school board to take action on a provider contract for a DJJ educational program performing below minimum standards.
- Section 16:** Amends s. 1003.621, F.S., deleting a requirement for academically high-performing school districts to submit an annual report to the state board.
- Section 17:** Repeals s. 1004.925, F.S., relating to automotive service technology education programs and certification.

- Section 18:** Amends s. 1006.28, F.S., providing flexibility for district school boards to determine the adequate number of instructional materials in each classroom; authorizing school districts to assess a processing fee of \$100 for each objection to a material under certain circumstances; requiring the school district to return the fee if the objection is upheld; requiring that the list of materials that were removed or discontinued as a result of an objection, published and regularly updated by the Department of Education, be sorted by grade level; changing from a specific date to annually for each superintendent to notify the department of requisitioned state-adopted materials; deleting a requirement that such notification must include a district school board plan for instructional materials use; authorizing, rather than requiring, a school principal to collect the purchase price of instructional materials lost, destroyed, or unnecessarily damaged by a student.
- Section 19:** Amends s. 1006.283, F.S., changing from a specific date to annually for each superintendent to certify to the department that all instructional materials for core courses are aligned with state standards.
- Section 20:** Amends s. 1007.33, F.S., deleting a provision authorizing the Board of Trustees of St. Petersburg College to establish certain baccalaureate degree programs.
- Section 21:** Amends s. 1008.25, F.S., revising the requirements for comprehensive plans for student progression; revising the students who receive priority for allocation of remedial and supplemental instruction resources; requiring individualized progress monitoring plans to be developed within a specified timeframe; providing requirements for students in the Voluntary Prekindergarten Education Program who exhibit a substantial deficiency in early literacy skills and early mathematics skills; providing that substantial deficiencies in early literacy skills and early mathematics skills for such students are determined by specified results of the coordinated screening and progress monitoring; requiring the State Board of Education to identify specified guidelines in rule; requiring teachers and school administrators to meet with specified parents upon the request of such parents; authorizing such parents to request specified actions; revising requirements for the administration of the coordinated screening and progress monitoring system; providing requirements for the administration of such system for students in the summer prekindergarten program.
- Section 22:** Amends s. 1008.31, F.S., revising a provision relating to the No Child Left Behind Act of 2001.
- Section 23:** Amends s. 1008.33, F.S., authorizing the state board to allow certain schools additional time to implement a community school model.
- Section 24:** Amends s. 1008.332, F.S., revising a provision relating to the No Child Left Behind Act to relate to the Every Student Succeeds Act; deleting a requirement for the committee of practitioners to annually report to the Governor, the President of the Senate, and the Speaker of the House of Representatives.
- Section 25:** Amends s. 1008.34, F.S., conforming cross references.
- Section 26:** Amends s. 1008.345, F.S., deleting a requirement for the Department of Education to develop an annual feedback report; deleting a requirement for the Commissioner of Education to review specified feedback reports and submit findings to the State Board of Education; deleting certain requirements for a report the commissioner produces annually for the state board and Legislature; deleting the use of feedback reports when community assessment teams are making recommendations to the school board or the governing board and to the state board; conforming a cross reference.
- Section 27:** Amends s. 1008.45, F.S., deleting outdated language referencing the Executive Director of the Florida College System.

- Section 28:** Amends s. 1000.05, F.S., conforming cross-references and provisions to changes made by the act.
- Section 29:** Amends s. 1002.31, F.S., conforming cross-references and provisions to changes made by the act.
- Section 30:** Amends s. 1002.321, F.S., conforming cross-references and provisions to changes made by the act.
- Section 31:** Amends s. 1002.33, F.S., conforming cross-references and provisions to changes made by the act.
- Section 32:** Amends s. 1002.455, F.S., conforming cross-references and provisions to changes made by the act.
- Section 33:** Amends s. 1008.22, F.S., conforming cross-references and provisions to changes made by the act.
- Section 34:** Amends s. 1008.37, F.S., conforming cross-references and provisions to changes made by the act.
- Section 35:** Amends s. 1013.841, F.S., conforming cross-references and provisions to changes made by the act.
- Section 36:** Providing an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:



1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide any additional rulemaking authority, however, rules adopted under existing authority will need to be amended to conform with the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

#### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not Applicable.

1                   A bill to be entitled  
2           An act relating to education; amending s. 1001.02,  
3           F.S.; deleting a requirement that the State Board of  
4           Education establish the cost of certain tuition and  
5           fees; amending s. 1001.03, F.S.; deleting a  
6           requirement that the state board identify certain  
7           metrics and develop a specified plan relating to the  
8           Florida College System; amending s. 1002.3105, F.S.;  
9           deleting a requirement that a performance contract be  
10          completed if a student participates in an Academically  
11          Challenging Curriculum to Enhance Learning option;  
12          providing that a performance contract may be used at  
13          the discretion of the principal; repealing s.  
14          1002.311, F.S., relating to single-gender programs;  
15          amending s. 1002.34, F.S.; deleting a requirement for  
16          the Commissioner of Education to provide for an annual  
17          comparative evaluation of charter technical career  
18          centers and public technical centers; amending s.  
19          1002.45, F.S.; deleting a requirement that school  
20          districts provide certain virtual instruction options  
21          to students; deleting a requirement that virtual  
22          instruction program providers be nonsectarian;  
23          authorizing school districts to provide certain  
24          students with the equipment and access necessary for  
25          participation in virtual instruction programs;

26 | amending s. 1002.61, F.S.; authorizing school  
27 | districts to satisfy specified requirements for such  
28 | program by contracting with certain providers;  
29 | amending s. 1002.82, F.S.; requiring the Department of  
30 | Education to review school readiness program plans  
31 | every 3 years, rather than every 2 years; amending s.  
32 | 1002.85, F.S.; requiring early learning coalitions to  
33 | submit school readiness program plans to the  
34 | department every 3 years, rather than every 2 years;  
35 | amending s. 1003.435, F.S.; revising the eligibility  
36 | requirements for students to take the high school  
37 | equivalency examination; amending s. 1003.4935, F.S.;  
38 | deleting a requirement that the department collect and  
39 | report certain data relating to a middle school career  
40 | and professional academy or a career-themed course;  
41 | repealing s. 1003.4995, F.S., relating to the fine  
42 | arts report prepared by the Commissioner of Education;  
43 | repealing s. 1003.4996, F.S., relating to the  
44 | Competency-Based Education Pilot Program; amending s.  
45 | 1003.49965, F.S.; authorizing, rather than requiring,  
46 | a school district to hold an Art in the Capitol  
47 | Competition; amending s. 1003.51, F.S.; deleting a  
48 | requirement regarding assessment procedures for  
49 | Department of Juvenile Justice education programs;  
50 | revising requirements for which assessment results

51 must be included in a student's discharge packet;  
52 revising requirements for when a district school board  
53 must face sanctions for unsatisfactory performance in  
54 its Department of Juvenile Justice programs; amending  
55 s. 1003.621, F.S.; deleting a requirement for  
56 academically high-performing school districts to  
57 submit an annual report to the state board; repealing  
58 s. 1004.925, F.S., relating to automotive service  
59 technology education programs and certification;  
60 amending s. 1006.28, F.S.; revising the definition of  
61 the term "adequate instructional materials";  
62 authorizing school districts to assess a processing  
63 fee for certain objections to materials; providing  
64 requirements for the assessment of such fee; providing  
65 for the return of such fee under certain  
66 circumstances; requiring certain information published  
67 and regularly updated by the Department of Education  
68 to be sorted by grade level; deleting a timeframe  
69 requirement for each district school superintendent to  
70 notify the department about instructional materials;  
71 deleting a requirement for such notification;  
72 authorizing, rather than requiring, a school principal  
73 to collect the purchase price of instructional  
74 materials lost, destroyed, or unnecessarily damaged by  
75 a student; amending s. 1006.283, F.S.; deleting a

76 | timeframe requirement for a district school  
77 | superintendent to certify to the department that  
78 | certain instructional materials meet applicable state  
79 | standards; amending s. 1007.33, F.S.; deleting a  
80 | provision authorizing the Board of Trustees of St.  
81 | Petersburg College to establish certain degree  
82 | programs; amending s. 1008.25, F.S.; revising the  
83 | requirements for comprehensive plans for student  
84 | progression; revising the students who receive  
85 | priority for allocation of remedial and supplemental  
86 | instruction resources; requiring individualized  
87 | progress monitoring plans to be developed within a  
88 | specified timeframe; providing requirements for  
89 | students in the Voluntary Prekindergarten Education  
90 | Program who exhibit a substantial deficiency in early  
91 | literacy skills and early mathematics skills;  
92 | providing that substantial deficiencies in early  
93 | literacy skills and early mathematics skills for such  
94 | students are determined by specified results of the  
95 | coordinated screening and progress monitoring;  
96 | requiring the State Board of Education to identify  
97 | specified guidelines in rule; requiring teachers and  
98 | school administrators to meet with specified parents  
99 | upon the request of such parents; authorizing such  
100 | parents to request specified actions; revising

101 requirements for the administration of the coordinated  
102 screening and progress monitoring system; providing  
103 requirements for the administration of such system for  
104 students in the summer prekindergarten program;  
105 amending s. 1008.31, F.S.; revising a provision  
106 relating to the No Child Left Behind Act of 2001 to  
107 relate to the Every Student Succeeds Act of 2015;  
108 amending s. 1008.33, F.S.; authorizing the state board  
109 to allow certain schools additional time to implement  
110 a community school model; amending s. 1008.332, F.S.;  
111 revising a provision relating to the No Child Left  
112 Behind Act of 2001 to relate to the Every Student  
113 Succeeds Act of 2015; deleting a requirement for  
114 certain committee members to annually report to  
115 specified entities; amending s. 1008.34, F.S.;  
116 conforming a cross-reference; amending s. 1008.345,  
117 F.S.; deleting a requirement for the department to  
118 develop an annual feedback report; deleting a  
119 requirement for the Commissioner of Education to  
120 review specified feedback reports and submit findings  
121 to the state board; deleting certain requirements for  
122 a report the commissioner produces annually for the  
123 state board and the Legislature; revising what  
124 information certain community assessment team  
125 recommendations are based on; amending s. 1008.45,

126 F.S.; deleting a requirement that the state board  
 127 provide a specified annual evaluation; amending ss.  
 128 1000.05, 1002.31, 1002.321, 1002.33, 1002.455,  
 129 1008.22, 1008.37, and 1013.841, F.S.; conforming  
 130 provisions and cross-references to changes made by the  
 131 act; providing an effective date.

132

133 Be It Enacted by the Legislature of the State of Florida:

134

135 Section 1. Subsection (5) of section 1001.02, Florida  
 136 Statutes, is amended to read:

137 1001.02 General powers of State Board of Education.—

138 (5) The State Board of Education is responsible for  
 139 reviewing and administering the state program of support for the  
 140 Florida College System institutions and, ~~subject to existing~~  
 141 ~~law, shall establish the tuition and out-of-state fees for~~  
 142 ~~developmental education and for credit instruction that may be~~  
 143 ~~counted toward an associate in arts degree, an associate in~~  
 144 ~~applied science degree, or an associate in science degree.~~

145 Section 2. Subsection (17) of section 1001.03, Florida  
 146 Statutes, is amended to read:

147 1001.03 Specific powers of State Board of Education.—

148 ~~(17) PLAN SPECIFYING GOALS AND OBJECTIVES. By July 1,~~  
 149 ~~2013, the State Board of Education shall identify performance~~  
 150 ~~metrics for the Florida College System and develop a plan that~~

151 ~~specifies goals and objectives for each Florida College System~~  
 152 ~~institution. The plan must include:~~

153 ~~(a) Performance metrics and standards common for all~~  
 154 ~~institutions and metrics and standards unique to institutions~~  
 155 ~~depending on institutional core missions, including, but not~~  
 156 ~~limited to, remediation success, retention, graduation,~~  
 157 ~~employment, transfer rates, licensure passage, excess hours,~~  
 158 ~~student loan burden and default rates, job placement, faculty~~  
 159 ~~awards, and highly respected rankings for institution and~~  
 160 ~~program achievements.~~

161 ~~(b) Student enrollment and performance data delineated by~~  
 162 ~~method of instruction, including, but not limited to,~~  
 163 ~~traditional, online, and distance learning instruction.~~

164 Section 3. Paragraphs (c) and (d) of subsection (4) of  
 165 section 1002.3105, Florida Statutes, are amended to read:

166 1002.3105 Academically Challenging Curriculum to Enhance  
 167 Learning (ACCEL) options.—

168 (4) ACCEL REQUIREMENTS.—

169 (c) If a student participates in an ACCEL option pursuant  
 170 to the parental request under subparagraph (b)1., a performance  
 171 contract is not required but may be used at the discretion of  
 172 the principal ~~must be executed by the student, the parent, and~~  
 173 ~~the principal. At a minimum, the performance contract must~~  
 174 ~~require compliance with:~~

175 ~~1. Minimum student attendance requirements.~~



176 ~~2. Minimum student conduct requirements.~~

177 ~~3. ACCEL option requirements established by the principal,~~  
 178 ~~which may include participation in extracurricular activities,~~  
 179 ~~educational outings, field trips, interscholastic competitions,~~  
 180 ~~and other activities related to the ACCEL option selected.~~

181 ~~(d)~~ If a principal initiates a student's participation in  
 182 an ACCEL option, the student's parent must be notified. A  
 183 performance contract, ~~pursuant to paragraph (c),~~ is not required  
 184 when a principal initiates participation but may be used at the  
 185 discretion of the principal.

186 Section 4. Section 1002.311, Florida Statutes, is  
 187 repealed.

188 Section 5. Subsection (19) of section 1002.34, Florida  
 189 Statutes, is amended to read:

190 1002.34 Charter technical career centers.—

191 ~~(19) EVALUATION; REPORT.—The Commissioner of Education~~  
 192 ~~shall provide for an annual comparative evaluation of charter~~  
 193 ~~technical career centers and public technical centers. The~~  
 194 ~~evaluation may be conducted in cooperation with the sponsor,~~  
 195 ~~through private contracts, or by department staff. At a minimum,~~  
 196 ~~the comparative evaluation must address the demographic and~~  
 197 ~~socioeconomic characteristics of the students served, the types~~  
 198 ~~and costs of services provided, and the outcomes achieved. By~~  
 199 ~~December 30 of each year, the Commissioner of Education shall~~  
 200 ~~submit to the Governor, the President of the Senate, the Speaker~~

201 ~~of the House of Representatives, and the Senate and House~~  
202 ~~committees that have responsibility for secondary and~~  
203 ~~postsecondary career and technical education a report of the~~  
204 ~~comparative evaluation completed for the previous school year.~~

205 Section 6. Paragraphs (c) through (e) of subsection (1) of  
206 section 1002.45, Florida Statutes, are redesignated as  
207 paragraphs (b) through (d), respectively, and present paragraphs  
208 (b), (c), and (e) of that subsection, subsection (2), paragraph  
209 (d) of subsection (3), subsection (5), and paragraph (a) of  
210 subsection (6) are amended to read:

211 1002.45 Virtual instruction programs.—

212 (1) PROGRAM.—

213 ~~(b)1. Each school district shall provide at least one~~  
214 ~~option for part-time and full-time virtual instruction for~~  
215 ~~students residing within the school district. All school~~  
216 ~~districts must provide parents with timely written notification~~  
217 ~~of at least one open enrollment period for full-time students of~~  
218 ~~90 days or more which ends 30 days before the first day of the~~  
219 ~~school year. A school district virtual instruction program shall~~  
220 ~~consist of the following:~~

221 ~~a. Full-time and part-time virtual instruction for~~  
222 ~~students enrolled in kindergarten through grade 12.~~

223 ~~b. Full-time or part-time virtual instruction for students~~  
224 ~~enrolled in dropout prevention and academic intervention~~  
225 ~~programs under s. 1003.53, Department of Juvenile Justice~~

226 ~~education programs under s. 1003.52, core-curricula courses to~~  
 227 ~~meet class size requirements under s. 1003.03, or Florida~~  
 228 ~~College System institutions under this section.~~

229 ~~2. Each virtual instruction program established under~~  
 230 ~~paragraph (c) by a school district either directly or through a~~  
 231 ~~contract with an approved virtual instruction program provider~~  
 232 ~~shall operate under its own Master School Identification Number~~  
 233 ~~as prescribed by the department.~~

234 (b)~~(e)~~ To provide students residing within the school  
 235 district the option of participating in virtual instruction  
 236 programs ~~as required by paragraph (b)~~, a school district may:

237 1. Contract with the Florida Virtual School or establish a  
 238 franchise of the Florida Virtual School pursuant to s.  
 239 1002.37(2) ~~for the provision of a program under paragraph (b)~~.

240 2. Contract with an approved virtual instruction program  
 241 provider under subsection (2) ~~for the provision of a full-time~~  
 242 ~~or part-time program under paragraph (b)~~.

243 3. Enter into an agreement with other school districts to  
 244 allow the participation of its students in an approved virtual  
 245 instruction program provided by the other school district. The  
 246 agreement must indicate a process for the transfer of funds  
 247 required by paragraph (6) (b) .

248 4. Establish school district operated part-time or full-  
 249 time kindergarten through grade 12 virtual instruction programs.

250 5. Enter into an agreement with a virtual charter school

251 | authorized by the school district under s. 1002.33.

252 |

253 | Contracts under subparagraph 1. or subparagraph 2. may include  
 254 | multidistrict contractual arrangements executed by a regional  
 255 | consortium service organization established pursuant to s.  
 256 | 1001.451 for its member districts. A multidistrict contractual  
 257 | arrangement or an agreement under subparagraph 3. is not subject  
 258 | to s. 1001.42(4)(d) and does not require the participating  
 259 | school districts to be contiguous. ~~These arrangements may be~~  
 260 | ~~used to fulfill the requirements of paragraph (b).~~

261 |       (d)~~(e)~~ Each school district shall:

262 |           1. Provide to the department by each October 1~~7~~, a copy of  
 263 | each contract and the amount paid per unweighted full-time  
 264 | equivalent virtual student for services procured pursuant to  
 265 | subparagraphs (b)1. and 2. ~~(e)1. and 2.~~

266 |           2. Expend any difference in the amount of funds per  
 267 | unweighted full-time equivalent virtual student allocated to the  
 268 | school district pursuant to subsection (6) and the amount paid  
 269 | per unweighted full-time equivalent virtual student by the  
 270 | school district for a contract executed pursuant to subparagraph  
 271 | (b)1. ~~(e)1.~~ or subparagraph (b)2. ~~(e)2.~~ on acquiring computer  
 272 | and device hardware and associated operating system software  
 273 | that comply with the requirements of s. 1001.20(4)(a)1.b.

274 |           3. Provide to the department by September 1 of each year  
 275 | an itemized list of items acquired in subparagraph 2.

276 4. Limit the enrollment of full-time equivalent virtual  
 277 students residing outside of the school district providing the  
 278 virtual instruction pursuant to paragraph (b) ~~(e)~~ to no more  
 279 than those that can be funded from state Florida Education  
 280 Finance Program funds.

281 (2) PROVIDER QUALIFICATIONS.—

282 (a) The department shall annually publish on its website a  
 283 list of providers approved by the State Board of Education to  
 284 offer virtual instruction programs. To be approved, a virtual  
 285 instruction program provider must document that it:

286 1. ~~Is nonsectarian in its programs, admission policies,~~  
 287 ~~employment practices, and operations;~~

288 ~~2.~~ Complies with the antidiscrimination provisions of s.  
 289 1000.05;

290 ~~2.3.~~ Locates an administrative office or offices in this  
 291 state, requires its administrative staff to be state residents,  
 292 requires all instructional staff to be Florida-certified  
 293 teachers under chapter 1012 and conducts background screenings  
 294 for all employees or contracted personnel, as required by s.  
 295 1012.32, using state and national criminal history records;

296 ~~3.4.~~ Electronically provides to parents and students  
 297 specific information that includes, but is not limited to, the  
 298 following teacher-parent and teacher-student contact information  
 299 for each course:

300 a. How to contact the instructor via phone, e-mail, or

301 online messaging tools.

302 b. How to contact technical support via phone, e-mail, or  
303 online messaging tools.

304 c. How to contact the administration office via phone, e-  
305 mail, or online messaging tools.

306 d. Any requirement for regular contact with the instructor  
307 for the course and clear expectations for meeting the  
308 requirement.

309 e. The requirement that the instructor in each course  
310 must, at a minimum, conduct one contact with the parent and the  
311 student each month;

312 ~~4.5-~~ Possesses prior, successful experience offering  
313 virtual instruction courses to elementary, middle, or high  
314 school students as demonstrated by quantified student learning  
315 gains in each subject area and grade level provided for  
316 consideration as an instructional program option. However, for a  
317 virtual instruction program provider without sufficient prior,  
318 successful experience offering online courses, the State Board  
319 of Education may conditionally approve the virtual instruction  
320 program provider to offer courses measured pursuant to  
321 subparagraph (7)(a)2. Conditional approval shall be valid for 1  
322 school year only and, based on the virtual instruction program  
323 provider's experience in offering the courses, the State Board  
324 of Education may grant approval to offer a virtual instruction  
325 program;

326        ~~5.6.~~ Is accredited by a regional accrediting association  
 327 as defined by State Board of Education rule;

328        ~~6.7.~~ Ensures instructional and curricular quality through  
 329 a detailed curriculum and student performance accountability  
 330 plan that addresses every subject and grade level it intends to  
 331 provide through contract with the school district, including:

332            a. Courses and programs that meet the standards of the  
 333 International Association for K-12 Online Learning and the  
 334 Southern Regional Education Board.

335            b. Instructional content and services that align with, and  
 336 measure student attainment of, student proficiency in the state  
 337 academic standards.

338            c. Mechanisms that determine and ensure that a student has  
 339 satisfied requirements for grade level promotion and high school  
 340 graduation with a standard diploma, as appropriate;

341        ~~7.8.~~ Publishes, in accordance with disclosure requirements  
 342 adopted in rule by the State Board of Education, as part of its  
 343 application as an approved virtual instruction program provider  
 344 and in all contracts negotiated pursuant to this section:

345            a. Information and data about the curriculum of each full-  
 346 time and part-time virtual instruction program.

347            b. School policies and procedures.

348            c. Certification status and physical location of all  
 349 administrative and instructional personnel.

350            d. Hours and times of availability of instructional

351 personnel.

352 e. Student-teacher ratios.

353 f. Student completion and promotion rates.

354 g. Student, educator, and school performance  
355 accountability outcomes;

356 ~~8.9.~~ If the approved virtual instruction program provider  
357 is a Florida College System institution, employs instructors who  
358 meet the certification requirements for instructional staff  
359 under chapter 1012; and

360 ~~9.10.~~ Performs an annual financial audit of its accounts  
361 and records conducted by an independent auditor who is a  
362 certified public accountant licensed under chapter 473. The  
363 independent auditor shall conduct the audit in accordance with  
364 rules adopted by the Auditor General and in compliance with  
365 generally accepted auditing standards, and include a report on  
366 financial statements presented in accordance with generally  
367 accepted accounting principles. The audit report shall be  
368 accompanied by a written statement from the approved virtual  
369 instruction program provider in response to any deficiencies  
370 identified within the audit report and shall be submitted by the  
371 approved virtual instruction program provider to the State Board  
372 of Education and the Auditor General no later than 9 months  
373 after the end of the preceding fiscal year.

374 (b) An approved virtual instruction program provider that  
375 maintains compliance with all requirements of this section shall



376 retain its approved status for a period of 3 school years after  
377 the date of approval by the State Board of Education.

378 (3) VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual  
379 instruction program under this section must:

380 (d) Provide each full-time student enrolled in the virtual  
381 instruction program who qualifies for free or reduced-price  
382 school lunches under the National School Lunch Act, or who is on  
383 the direct certification list, and who does not have a computer  
384 or Internet access in his or her home with:

385 1. All equipment necessary for participants in the virtual  
386 instruction program, including, but not limited to, a computer,  
387 computer monitor, and printer, if a printer is necessary to  
388 participate in the virtual instruction program; and

389 2. Access to or reimbursement for all Internet services  
390 necessary for online delivery of instruction.

391  
392 A school district may provide each full-time student enrolled in  
393 the virtual instruction program with the equipment and access  
394 necessary for participation in the program.

395 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student  
396 enrolled in the school district's virtual instruction program  
397 authorized pursuant to paragraph (1)(b) ~~(1)(e)~~ must:

398 (a) Comply with the compulsory attendance requirements of  
399 s. 1003.21. Student attendance must be verified by the school  
400 district.

401 (b) Take statewide assessments pursuant to s. 1008.22 and  
 402 participate in the coordinated screening and progress monitoring  
 403 system under s. 1008.25(9). Statewide assessments and progress  
 404 monitoring may be administered within the school district in  
 405 which such student resides, or as specified in the contract in  
 406 accordance with s. 1008.24(3). If requested by the approved  
 407 virtual instruction program provider or virtual charter school,  
 408 the district of residence must provide the student with access  
 409 to the district's testing facilities.

410 (6) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL  
 411 FUNDING.—

412 (a) All virtual instruction programs established pursuant  
 413 to paragraph (1)(b) ~~(1)(c)~~ are subject to the requirements of s.  
 414 1011.61(1)(c)1.b.(III), (IV), (VI), and (4), and the school  
 415 district providing the virtual instruction program shall report  
 416 the full-time equivalent students in a manner prescribed by the  
 417 department. A school district may report a full-time equivalent  
 418 student for credit earned by a student who is enrolled in a  
 419 virtual instruction course provided by the district which was  
 420 completed after the end of the regular school year if the full-  
 421 time equivalent student is reported no later than the deadline  
 422 for amending the final full-time equivalent student membership  
 423 report for that year.

424 Section 7. Paragraph (a) of subsection (1) of section  
 425 1002.61, Florida Statutes, is amended to read:

426 1002.61 Summer prekindergarten program delivered by public  
 427 schools and private prekindergarten providers.—

428 (1) (a) Each school district shall administer the Voluntary  
 429 Prekindergarten Education Program at the district level for  
 430 students enrolled under s. 1002.53(3) (b) in a summer  
 431 prekindergarten program delivered by a public school. A school  
 432 district may satisfy this requirement by contracting with  
 433 private prekindergarten providers.

434 Section 8. Paragraph (e) of subsection (2) of section  
 435 1002.82, Florida Statutes, is amended to read:

436 1002.82 Department of Education; powers and duties.—

437 (2) The department shall:

438 (e) Review each early learning coalition's school  
 439 readiness program plan every 3 ~~2~~ years and provide final  
 440 approval of the plan and any amendments submitted.

441 Section 9. Subsection (2) of section 1002.85, Florida  
 442 Statutes, is amended to read:

443 1002.85 Early learning coalition plans.—

444 (2) Each early learning coalition must ~~biennially~~ submit a  
 445 school readiness program plan every 3 years to the department  
 446 before the expenditure of funds. A coalition may not implement  
 447 its school readiness program plan until it receives approval  
 448 from the department. A coalition may not implement any revision  
 449 to its school readiness program plan until the coalition submits  
 450 the revised plan to and receives approval from the department.

451 If the department rejects a plan or revision, the coalition must  
 452 continue to operate under its previously approved plan. The plan  
 453 must include, but is not limited to:

454 (a) The coalition's operations, including its membership  
 455 and business organization, and the coalition's articles of  
 456 incorporation and bylaws if the coalition is organized as a  
 457 corporation. If the coalition is not organized as a corporation  
 458 or other business entity, the plan must include the contract  
 459 with a fiscal agent.

460 (b) The coalition's procedures for implementing the  
 461 requirements of this part, including:

- 462 1. Single point of entry.
- 463 2. Uniform waiting list.
- 464 3. Eligibility and enrollment processes and local  
 465 eligibility priorities for children pursuant to s. 1002.87.
- 466 4. Parent access and choice.
- 467 5. Sliding fee scale and policies on applying the waiver  
 468 or reduction of fees in accordance with s. 1002.84(9).
- 469 6. Use of preassessments and postassessments, as  
 470 applicable.
- 471 7. Use of contracted slots, as applicable, based on the  
 472 results of the assessment required under paragraph (i).

473 (c) A detailed description of the coalition's quality  
 474 activities and services, including, but not limited to:

- 475 1. Resource and referral and school-age child care.

- 476           2. Infant and toddler early learning.
- 477           3. Inclusive early learning programs.
- 478           4. Quality improvement strategies that strengthen teaching
- 479 practices and increase child outcomes.

480           (d) A detailed budget that outlines estimated expenditures  
 481 for state, federal, and local matching funds at the lowest level  
 482 of detail available by other-cost-accumulator code number; all  
 483 estimated sources of revenue with identifiable descriptions; a  
 484 listing of full-time equivalent positions; contracted  
 485 subcontractor costs with related annual compensation amount or  
 486 hourly rate of compensation; and a capital improvements plan  
 487 outlining existing fixed capital outlay projects and proposed  
 488 capital outlay projects that will begin during the budget year.

489           (e) A detailed accounting, in the format prescribed by the  
 490 department, of all revenues and expenditures during the 2  
 491 previous state fiscal years ~~year~~. Revenue sources should be  
 492 identifiable, and expenditures should be reported by two  
 493 categories: state and federal funds and local matching funds.

494           (f) Updated policies and procedures, including those  
 495 governing procurement, maintenance of tangible personal  
 496 property, maintenance of records, information technology  
 497 security, and disbursement controls.

498           (g) A description of the procedures for monitoring school  
 499 readiness program providers, including in response to a parental  
 500 complaint, to determine that the standards prescribed in ss.

501 1002.82 and 1002.88 are met using a standard monitoring tool  
 502 adopted by the department. Providers determined to be high risk  
 503 by the coalition as demonstrated by substantial findings of  
 504 violations of law shall be monitored more frequently.

505 (h) Documentation that the coalition has solicited and  
 506 considered comments regarding the proposed school readiness  
 507 program plan from the local community.

508 (i) An assessment of local priorities within the county or  
 509 multicounty region based on the needs of families and provider  
 510 capacity using available community data.

511 Section 10. Paragraph (a) of subsection (4) of section  
 512 1003.435, Florida Statutes, is amended to read:

513 1003.435 High school equivalency diploma program.—

514 (4)(a) A candidate who has filed a formal declaration of  
 515 intent to terminate school enrollment pursuant to 1003.21(1)(c)  
 516 may take for a high school equivalency diploma shall be at least  
 517 18 years of age on the date of the examination, except that in  
 518 extraordinary circumstances, as provided for in rules of the  
 519 district school board of the district in which the candidate  
 520 resides or attends school, a candidate may take the examination  
 521 after reaching the age of 16.

522 Section 11. Subsection (3) of section 1003.4935, Florida  
 523 Statutes, is amended to read:

524 1003.4935 Middle grades career and professional academy  
 525 courses and career-themed courses.—

526 ~~(3) Beginning with the 2012-2013 school year, if a school~~  
 527 ~~district implements a middle school career and professional~~  
 528 ~~academy or a career-themed course, the Department of Education~~  
 529 ~~shall collect and report student achievement data pursuant to~~  
 530 ~~performance factors identified under s. 1003.492(3) for students~~  
 531 ~~enrolled in an academy or a career-themed course.~~

532 Section 12. Section 1003.4995, Florida Statutes, is  
 533 repealed.

534 Section 13. Section 1003.4996, Florida Statutes, is  
 535 repealed.

536 Section 14. Subsection (2) of section 1003.49965, Florida  
 537 Statutes, is amended to read:

538 1003.49965 Art in the Capitol Competition.—

539 (2) A ~~Each~~ school district may ~~shall~~ annually hold an Art  
 540 in the Capitol Competition for all public, private, and home  
 541 education students in grades 6 through 8. Submissions shall be  
 542 judged by a selection committee consisting of art teachers whose  
 543 students have not submitted artwork for consideration.

544 Section 15. Paragraphs (g) and (r) of subsection (2) of  
 545 section 1003.51, Florida Statutes, are amended to read:

546 1003.51 Other public educational services.—

547 (2) The State Board of Education shall adopt rules  
 548 articulating expectations for effective education programs for  
 549 students in Department of Juvenile Justice programs, including,  
 550 but not limited to, education programs in juvenile justice

551 prevention, day treatment, residential, and detention programs.  
 552 The rule shall establish policies and standards for education  
 553 programs for students in Department of Juvenile Justice programs  
 554 and shall include the following:

555 (g) Assessment procedures that, ~~which~~:

556 ~~1. For prevention, day treatment, and residential~~  
 557 ~~programs, include appropriate academic and career assessments~~  
 558 ~~administered at program entry and exit that are selected by the~~  
 559 ~~Department of Education in partnership with representatives from~~  
 560 ~~the Department of Juvenile Justice, district school boards, and~~  
 561 ~~education providers. Assessments must be completed within the~~  
 562 ~~first 10 school days after a student's entry into the program.~~

563 ~~2.~~ provide for determination of the areas of academic need  
 564 and strategies for appropriate intervention and instruction for  
 565 each student in a detention facility within 5 school days after  
 566 the student's entry into the program and for the administration  
 567 of ~~administer~~ a research-based assessment that will assist the  
 568 student in determining his or her educational and career options  
 569 and goals within 22 school days after the student's entry into  
 570 the program. The results of the ~~these~~ assessments required under  
 571 this paragraph and s. 1003.52(3)(d), together with a portfolio  
 572 depicting the student's academic and career accomplishments,  
 573 must ~~shall~~ be included in the discharge packet assembled for  
 574 each student.

575 (r) A series of graduated sanctions for district school



576 boards whose educational programs in Department of Juvenile  
 577 Justice programs are considered to be unsatisfactory and for  
 578 instances in which district school boards fail to meet standards  
 579 prescribed by law, rule, or State Board of Education policy.  
 580 These sanctions must ~~shall~~ include the option of requiring a  
 581 district school board to contract with a provider or another  
 582 district school board if the educational program at the  
 583 Department of Juvenile Justice program is performing below  
 584 minimum standards and, ~~after 6 months, is still performing below~~  
 585 ~~minimum standards.~~

586 Section 16. Subsection (4) of section 1003.621, Florida  
 587 Statutes, is amended to read:

588 1003.621 Academically high-performing school districts.—It  
 589 is the intent of the Legislature to recognize and reward school  
 590 districts that demonstrate the ability to consistently maintain  
 591 or improve their high-performing status. The purpose of this  
 592 section is to provide high-performing school districts with  
 593 flexibility in meeting the specific requirements in statute and  
 594 rules of the State Board of Education.

595 ~~(4) REPORTS.—The academically high-performing school~~  
 596 ~~district shall submit to the State Board of Education and the~~  
 597 ~~Legislature an annual report on December 1 which delineates the~~  
 598 ~~performance of the school district relative to the academic~~  
 599 ~~performance of students at each grade level in reading, writing,~~  
 600 ~~mathematics, science, and any other subject that is included as~~

601 ~~a part of the statewide assessment program in s. 1008.22. The~~  
602 ~~annual report shall be submitted in a format prescribed by the~~  
603 ~~Department of Education and shall include:~~

604 ~~(a) Longitudinal performance of students on statewide,~~  
605 ~~standardized assessments taken under s. 1008.22;~~

606 ~~(b) Longitudinal performance of students by grade level~~  
607 ~~and subgroup on statewide, standardized assessments taken under~~  
608 ~~s. 1008.22;~~

609 ~~(c) Longitudinal performance regarding efforts to close~~  
610 ~~the achievement gap;~~

611 ~~(d) 1. Number and percentage of students who take an~~  
612 ~~Advanced Placement Examination; and~~

613 ~~2. Longitudinal performance regarding students who take an~~  
614 ~~Advanced Placement Examination by demographic group,~~  
615 ~~specifically by age, gender, race, and Hispanic origin, and by~~  
616 ~~participation in the National School Lunch Program;~~

617 ~~(e) Evidence of compliance with subsection (1); and~~

618 ~~(f) A description of each waiver and the status of each~~  
619 ~~waiver.~~

620 Section 17. Section 1004.925, Florida Statutes, is  
621 repealed.

622 Section 18. Paragraph (a) of subsection (1), paragraphs  
623 (a) and (e) of subsection (2), paragraph (b) of subsection (3),  
624 and paragraph (b) of subsection (4) of section 1006.28, Florida  
625 Statutes, are amended to read:

626 1006.28 Duties of district school board, district school  
 627 superintendent; and school principal regarding K-12  
 628 instructional materials.—

629 (1) DEFINITIONS.—

630 (a) As used in this section, the term:

631 1. "Adequate instructional materials" means a sufficient  
 632 number of student or site licenses or sets of materials that are  
 633 available in bound, unbound, kit, or package form and may  
 634 consist of hardbacked or softbacked textbooks, electronic  
 635 content, consumables, learning laboratories, manipulatives,  
 636 electronic media, and computer courseware or software that serve  
 637 as the basis for instruction ~~for each student~~ in the core  
 638 subject areas of mathematics, language arts, social studies,  
 639 science, reading, and literature.

640 2. "Instructional materials" has the same meaning as in s.  
 641 1006.29(2).

642 3. "Library media center" means any collection of books,  
 643 ebooks, periodicals, or videos maintained and accessible on the  
 644 site of a school, including in classrooms.

645 (2) DISTRICT SCHOOL BOARD.—The district school board has  
 646 the constitutional duty and responsibility to select and provide  
 647 adequate instructional materials for all students in accordance  
 648 with the requirements of this part. The district school board  
 649 also has the following specific duties and responsibilities:

650 (a) Courses of study; adoption.—Adopt courses of study,

651 including instructional materials, for use in the schools of the  
652 district.

653 1. Each district school board is responsible for the  
654 content of all instructional materials and any other materials  
655 used in a classroom, made available in a school or classroom  
656 library, or included on a reading list, whether adopted and  
657 purchased from the state-adopted instructional materials list,  
658 adopted and purchased through a district instructional materials  
659 program under s. 1006.283, or otherwise purchased or made  
660 available.

661 2. Each district school board must adopt a policy  
662 regarding an objection by a parent or a resident of the county  
663 to the use of a specific material, which clearly describes a  
664 process to handle all objections and provides for resolution.  
665 The objection form, as prescribed by State Board of Education  
666 rule, and the district school board's process must be easy to  
667 read and understand and be easily accessible on the homepage of  
668 the school district's website. The objection form must also  
669 identify the school district point of contact and contact  
670 information for the submission of an objection. The process must  
671 provide the parent or resident the opportunity to proffer  
672 evidence to the district school board that:

673 a. An instructional material does not meet the criteria of  
674 s. 1006.31(2) or s. 1006.40(3)(d) if it was selected for use in  
675 a course or otherwise made available to students in the school

676 district but was not subject to the public notice, review,  
 677 comment, and hearing procedures under s. 1006.283(2)(b)8., 9.,  
 678 and 11.

679 b. Any material used in a classroom, made available in a  
 680 school or classroom library, or included on a reading list  
 681 contains content which:

682 (I) Is pornographic or prohibited under s. 847.012;

683 (II) Depicts or describes sexual conduct as defined in s.  
 684 847.001(19), unless such material is for a course required by s.  
 685 1003.46, s. 1003.42(2)(n)1.g., or s. 1003.42(2)(n)3., or  
 686 identified by State Board of Education rule;

687 (III) Is not suited to student needs and their ability to  
 688 comprehend the material presented; or

689 (IV) Is inappropriate for the grade level and age group  
 690 for which the material is used.

691  
 692 A school district may assess a \$100 processing fee for each  
 693 objection submitted by a parent or resident who does not have a  
 694 student enrolled in the school where the material is located if  
 695 the parent or resident has unsuccessfully objected to five  
 696 materials during the calendar year. The school district must  
 697 return to the parent or resident the processing fee for each  
 698 objection that is upheld. Any material that is subject to an  
 699 objection on the basis of sub-sub-subparagraph b.(I) or sub-sub-  
 700 subparagraph b.(II) must be removed within 5 school days after

701 ~~of~~ receipt of the objection and remain unavailable to students  
702 of that school until the objection is resolved. Parents shall  
703 have the right to read passages from any material that is  
704 subject to an objection. If the school board denies a parent the  
705 right to read passages due to content that meets the  
706 requirements under sub-sub-subparagraph b.(I), the school  
707 district shall discontinue the use of the material. If the  
708 district school board finds that any material meets the  
709 requirements under sub-subparagraph a. or that any other  
710 material contains prohibited content under sub-sub-subparagraph  
711 b.(I), the school district shall discontinue use of the  
712 material. If the district school board finds that any other  
713 material contains prohibited content under sub-sub-subparagraphs  
714 b.(II)-(IV), the school district shall discontinue use of the  
715 material for any grade level or age group for which such use is  
716 inappropriate or unsuitable.

717 3. Each district school board must establish a process by  
718 which the parent of a public school student or a resident of the  
719 county may contest the district school board's adoption of a  
720 specific instructional material. The parent or resident must  
721 file a petition, on a form provided by the school board, within  
722 30 calendar days after the adoption of the instructional  
723 material by the school board. The school board must make the  
724 form available to the public and publish the form on the school  
725 district's website. The form must be signed by the parent or

726 resident, include the required contact information, and state  
727 the objection to the instructional material based on the  
728 criteria of s. 1006.31(2) or s. 1006.40(3)(d). Within 30 days  
729 after the 30-day period has expired, the school board must, for  
730 all petitions timely received, conduct at least one open public  
731 hearing before an unbiased and qualified hearing officer. The  
732 hearing officer may not be an employee or agent of the school  
733 district. The hearing is not subject to the provisions of  
734 chapter 120; however, the hearing must provide sufficient  
735 procedural protections to allow each petitioner an adequate and  
736 fair opportunity to be heard and present evidence to the hearing  
737 officer. The school board's decision after convening a hearing  
738 is final and not subject to further petition or review.

739 4. Meetings of committees convened for the purpose of  
740 ranking, eliminating, or selecting instructional materials for  
741 recommendation to the district school board must be noticed and  
742 open to the public in accordance with s. 286.011. Any committees  
743 convened for such purposes must include parents of students who  
744 will have access to such materials.

745 5. Meetings of committees convened for the purpose of  
746 resolving an objection by a parent or resident to specific  
747 materials must be noticed and open to the public in accordance  
748 with s. 286.011. Any committees convened for such purposes must  
749 include parents of students who will have access to such  
750 materials.

751           6. If a parent disagrees with the determination made by  
752 the district school board on the objection to the use of a  
753 specific material, a parent may request the Commissioner of  
754 Education to appoint a special magistrate who is a member of The  
755 Florida Bar in good standing and who has at least 5 years'  
756 experience in administrative law. The special magistrate shall  
757 determine facts relating to the school district's determination,  
758 consider information provided by the parent and the school  
759 district, and render a recommended decision for resolution to  
760 the State Board of Education within 30 days after receipt of the  
761 request by the parent. The State Board of Education must approve  
762 or reject the recommended decision at its next regularly  
763 scheduled meeting that is more than 7 calendar days and no more  
764 than 30 days after the date the recommended decision is  
765 transmitted. The costs of the special magistrate shall be borne  
766 by the school district. The State Board of Education shall adopt  
767 rules, including forms, necessary to implement this  
768 subparagraph.

769           (e) Public participation.—Publish on its website, in a  
770 searchable format prescribed by the department, a list of all  
771 instructional materials, including those used to provide  
772 instruction required by s. 1003.42. Each district school board  
773 must:

774           1. Provide access to all materials, excluding teacher  
775 editions, in accordance with s. 1006.283(2)(b)8.a. before the



776 district school board takes any official action on such  
777 materials. This process must include reasonable safeguards  
778 against the unauthorized use, reproduction, and distribution of  
779 instructional materials considered for adoption.

780 2. Select, approve, adopt, or purchase all materials as a  
781 separate line item on the agenda and provide a reasonable  
782 opportunity for public comment. The use of materials described  
783 in this paragraph may not be selected, approved, or adopted as  
784 part of a consent agenda.

785 3. Annually, beginning June 30, 2023, submit to the  
786 Commissioner of Education a report that identifies:

787 a. Each material for which the school district received an  
788 objection pursuant to subparagraph (a)2., including the grade  
789 level and course the material was used in, for the school year  
790 and the specific objections thereto.

791 b. Each material that was removed or discontinued.

792 c. Each material that was not removed or discontinued and  
793 the rationale for not removing or discontinuing the material.

794

795 The department shall publish and regularly update a list of  
796 materials that were removed or discontinued, sorted by grade  
797 level, as a result of an objection and disseminate the list to  
798 school districts for consideration in their selection  
799 procedures.

800 (3) DISTRICT SCHOOL SUPERINTENDENT.—

801 (b) Each district school superintendent shall annually  
 802 notify the department ~~by April 1 of each year~~ the state-adopted  
 803 instructional materials that will be requisitioned for use in  
 804 his or her school district. ~~The notification shall include a~~  
 805 ~~district school board plan for instructional materials use to~~  
 806 ~~assist in determining if adequate instructional materials have~~  
 807 ~~been requisitioned.~~

808 (4) SCHOOL PRINCIPAL.—The school principal has the  
 809 following duties for the management and care of materials at the  
 810 school:

811 (b) *Money collected for lost or damaged instructional*  
 812 *materials; enforcement.*—The school principal may ~~shall~~ collect  
 813 from each student or the student's parent the purchase price of  
 814 any instructional material the student has lost, destroyed, or  
 815 unnecessarily damaged and to report and transmit the money  
 816 collected to the district school superintendent. A student who  
 817 fails to pay such sum may be suspended ~~the failure to collect~~  
 818 ~~such sum upon reasonable effort by the school principal may~~  
 819 ~~result in the suspension of the student~~ from participation in  
 820 extracurricular activities. A student may satisfy ~~or~~  
 821 ~~satisfaction of the debt by the student~~ through community  
 822 service activities at the school site as determined by the  
 823 school principal, pursuant to policies adopted by district  
 824 school board rule.

825 Section 19. Subsection (1) of section 1006.283, Florida

826 Statutes, is amended to read:

827 1006.283 District school board instructional materials  
828 review process.—

829 (1) A district school board or consortium of school  
830 districts may implement an instructional materials program that  
831 includes the review, recommendation, adoption, and purchase of  
832 instructional materials. The district school superintendent  
833 shall annually certify to the department ~~by March 31 of each~~  
834 ~~year~~ that all instructional materials for core courses used by  
835 the district are aligned with applicable state standards. A list  
836 of the core instructional materials that will be used or  
837 purchased for use by the school district shall be included in  
838 the certification.

839 Section 20. Subsection (4) of section 1007.33, Florida  
840 Statutes, is amended to read:

841 1007.33 Site-determined baccalaureate degree access.—

842 (4) A Florida College System institution may:

843 (a) Offer specified baccalaureate degree programs through  
844 formal agreements between the Florida College System institution  
845 and other regionally accredited postsecondary educational  
846 institutions pursuant to s. 1007.22.

847 (b) Offer baccalaureate degree programs that were  
848 authorized by law before ~~prior to~~ July 1, 2009.

849 (c) Establish a first or subsequent baccalaureate degree  
850 program for purposes of meeting district, regional, or statewide

851 workforce needs if approved by the State Board of Education  
852 under this section.

853  
854 ~~The Board of Trustees of St. Petersburg College is authorized to~~  
855 ~~establish one or more bachelor of applied science degree~~  
856 ~~programs based on an analysis of workforce needs in Pinellas,~~  
857 ~~Pasco, and Hernando Counties and other counties approved by the~~  
858 ~~Department of Education. For each program selected, St.~~  
859 ~~Petersburg College must offer a related associate in science or~~  
860 ~~associate in applied science degree program, and the~~  
861 ~~baccalaureate degree level program must be designed to~~  
862 ~~articulate fully with at least one associate in science degree~~  
863 ~~program. The college is encouraged to develop articulation~~  
864 ~~agreements for enrollment of graduates of related associate in~~  
865 ~~applied science degree programs. The Board of Trustees of St.~~  
866 ~~Petersburg College is authorized to establish additional~~  
867 ~~baccalaureate degree programs if it determines a program is~~  
868 ~~warranted and feasible based on each of the factors in paragraph~~  
869 ~~(5)(d). Prior to developing or proposing a new baccalaureate~~  
870 ~~degree program, St. Petersburg College shall engage in need,~~  
871 ~~demand, and impact discussions with the state university in its~~  
872 ~~service district and other local and regional, accredited~~  
873 ~~postsecondary providers in its region. Documentation, data, and~~  
874 ~~other information from inter-institutional discussions regarding~~  
875 ~~program need, demand, and impact shall be provided to the~~

876 ~~college's board of trustees to inform the program approval~~  
877 ~~process. Employment at St. Petersburg College is governed by the~~  
878 ~~same laws that govern Florida College System institutions,~~  
879 ~~except that upper-division faculty are eligible for continuing~~  
880 ~~contracts upon the completion of the fifth year of teaching.~~  
881 ~~Employee records for all personnel shall be maintained as~~  
882 ~~required by s. 1012.81.~~

883 Section 21. Paragraph (a) of subsection (2), paragraphs  
884 (a) and (b) of subsection (3), paragraph (c) of subsection (4),  
885 paragraphs (a), (b), and (c) of subsection (5), paragraphs (a),  
886 (b), and (c) of subsection (6), paragraph (b) of subsection (7),  
887 and paragraph (b) of subsection (9) of section 1008.25, Florida  
888 Statutes, are amended, and paragraph (h) is added to subsection  
889 (2) of that section, to read:

890 1008.25 Public school student progression; student  
891 support; coordinated screening and progress monitoring;  
892 reporting requirements.—

893 (2) STUDENT PROGRESSION PLAN.—Each district school board  
894 shall establish a comprehensive plan for student progression  
895 which must provide for a student's progression from one grade to  
896 another based on the student's mastery of the standards in s.  
897 1003.41, specifically English Language Arts, mathematics,  
898 science, and social studies standards. The plan must:

899 (a) Include criteria that emphasize student reading  
900 proficiency in kindergarten through grade 3 and provide targeted

901 instructional support for students with identified deficiencies  
902 in English Language Arts, mathematics, science, and social  
903 studies, including students who have been referred to the school  
904 district from the Voluntary Prekindergarten Education Program  
905 pursuant to paragraph (5) (b). High schools shall use all  
906 available assessment results, including the results of  
907 statewide, standardized English Language Arts assessments and  
908 end-of-course assessments for Algebra I and Geometry, to advise  
909 students of any identified deficiencies and to provide  
910 appropriate postsecondary preparatory instruction before high  
911 school graduation. The results of evaluations used to monitor a  
912 student's progress in grades K-12 must be provided to the  
913 student's teacher in a timely manner and as otherwise required  
914 by law. Thereafter, evaluation results must be provided to the  
915 student's parent in a timely manner. When available,  
916 instructional personnel must be provided with information on  
917 student achievement of standards and benchmarks in order to  
918 improve instruction.

919 (h) Specify retention requirements for students in  
920 kindergarten through grade 2 based upon each student's  
921 performance in English Language Arts and mathematics. For  
922 students who are retained in kindergarten through grade 2, the  
923 plan must incorporate the parental notification requirements  
924 provided in subsections (5) and (6), include an opportunity for  
925 parental input on the retention decision, and include

926 information on the importance of students mastering early  
927 literacy and communication skills in order to be reading at or  
928 above grade level by the end of grade 3.

929 (3) ALLOCATION OF RESOURCES.—District school boards shall  
930 allocate remedial and supplemental instruction resources to  
931 students in the following priority:

932 (a) Students in the Voluntary Prekindergarten Education  
933 Program who have a substantial deficiency in early literacy  
934 skills and students in kindergarten through grade 3 who have a  
935 substantial deficiency in reading or the characteristics of  
936 dyslexia as determined in paragraph (5)(a).

937 (b) Students in the Voluntary Prekindergarten Education  
938 Program who have a substantial deficiency in early mathematics  
939 skills and students in kindergarten through grade 4 who have a  
940 substantial deficiency in mathematics or the characteristics of  
941 dyscalculia as determined in paragraph (6)(a).

942 (4) ASSESSMENT AND SUPPORT.—

943 (c) A student who has a substantial reading deficiency as  
944 determined in paragraph (5)(a) or a substantial mathematics  
945 deficiency as determined in paragraph (6)(a) must be covered by  
946 a federally required student plan, such as an individual  
947 education plan or an individualized progress monitoring plan, or  
948 both, as necessary. The individualized progress monitoring plan  
949 must be developed within 45 days after the results of the  
950 coordinated screening and progress monitoring system become

951 available. The plan must ~~shall include,~~ at a minimum, include:

952 1. The student's specific, identified reading or  
953 mathematics skill deficiency.

954 2. Goals and benchmarks for student growth in reading or  
955 mathematics.

956 3. A description of the specific measures that will be  
957 used to evaluate and monitor the student's reading or  
958 mathematics progress.

959 4. For a substantial reading deficiency, the specific  
960 evidence-based literacy instruction grounded in the science of  
961 reading which the student will receive.

962 5. Strategies, resources, and materials that will be  
963 provided to the student's parent to support the student to make  
964 reading or mathematics progress.

965 6. Any additional services the student's teacher deems  
966 available and appropriate to accelerate the student's reading or  
967 mathematics skill development.

968 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

969 (a) Any student in a Voluntary Prekindergarten Education  
970 Program provided by a public school who exhibits a substantial  
971 deficiency in early literacy skills and any student in  
972 kindergarten through grade 3 who exhibits a substantial  
973 deficiency in reading or the characteristics of dyslexia based  
974 upon screening, diagnostic, progress monitoring, or assessment  
975 data; statewide assessments; or teacher observations must be



976 provided intensive, explicit, systematic, and multisensory  
 977 reading interventions immediately following the identification  
 978 of the reading deficiency or the characteristics of dyslexia to  
 979 address his or her specific deficiency or dyslexia. For the  
 980 purposes of this subsection, a Voluntary Prekindergarten  
 981 Education Program student is deemed to exhibit a substantial  
 982 deficiency in early literacy skills based upon the results of  
 983 the midyear or final administration of the coordinated screening  
 984 and progress monitoring under subsection (9).

985 1. The department shall provide a list of state examined  
 986 and approved comprehensive reading and intervention programs.  
 987 The intervention programs shall be provided in addition to the  
 988 comprehensive core reading instruction that is provided to all  
 989 students in the general education classroom. Dyslexia-specific  
 990 interventions, as defined by rule of the State Board of  
 991 Education, shall be provided to students who have the  
 992 characteristics of dyslexia. The reading intervention programs  
 993 must do all of the following:

994 a. Provide explicit, direct instruction that is  
 995 systematic, sequential, and cumulative in language development,  
 996 phonological awareness, phonics, fluency, vocabulary, and  
 997 comprehension, as applicable.

998 b. Provide daily targeted small group reading  
 999 interventions based on student need in phonological awareness,  
 1000 phonics, including decoding and encoding, sight words,

1001 | vocabulary, or comprehension.

1002 |       c. Be implemented during regular school hours.

1003 |       2. A school may not wait for a student to receive a

1004 | failing grade at the end of a grading period or wait until a

1005 | plan under paragraph (4)(b) is developed to identify the student

1006 | as having a substantial reading deficiency and initiate

1007 | intensive reading interventions. In addition, a school may not

1008 | wait until an evaluation conducted pursuant to s. 1003.57 is

1009 | completed to provide appropriate, evidence-based interventions

1010 | for a student whose parent submits documentation from a

1011 | professional licensed under chapter 490 which demonstrates that

1012 | the student has been diagnosed with dyslexia. Such interventions

1013 | must be initiated upon receipt of the documentation and based on

1014 | the student's specific areas of difficulty as identified by the

1015 | licensed professional.

1016 |       3. A student's reading proficiency must be monitored and

1017 | the intensive interventions must continue until the student

1018 | demonstrates grade level proficiency in a manner determined by

1019 | the district, which may include achieving a Level 3 on the

1020 | statewide, standardized English Language Arts assessment. The

1021 | State Board of Education shall identify by rule guidelines for

1022 | determining whether a student in a Voluntary Prekindergarten

1023 | Education Program has a deficiency in early literacy skills or a

1024 | student in kindergarten through grade 3 has a substantial

1025 | deficiency in reading.

1026 (b) A Voluntary Prekindergarten Education Program student  
1027 who exhibits a substantial deficiency in early literacy skills  
1028 based upon the results of the administration of the midyear or  
1029 final coordinated screening and progress monitoring under  
1030 subsection (9) shall be referred to the local school district  
1031 and may be eligible to receive instruction in early literacy  
1032 skills before participating in kindergarten. A student with an  
1033 individual education plan who has been retained pursuant to  
1034 paragraph (2)(g) and has demonstrated a substantial deficiency  
1035 in early literacy skills must receive instruction in early  
1036 literacy skills.

1037 (d) The parent of any student who exhibits a substantial  
1038 deficiency in reading, as described in paragraph (a), must be  
1039 immediately notified in writing of the following:

1040 1. That his or her child has been identified as having a  
1041 substantial deficiency in reading, including a description and  
1042 explanation, in terms understandable to the parent, of the exact  
1043 nature of the student's difficulty in learning and lack of  
1044 achievement in reading.

1045 2. A description of the current services that are provided  
1046 to the child.

1047 3. A description of the proposed intensive interventions  
1048 and supports that will be provided to the child that are  
1049 designed to remediate the identified area of reading deficiency.

1050 4. The student progression requirements under paragraph

1051 (2)(h) and that if the child's reading deficiency is not  
1052 remediated by the end of grade 3, the child must be retained  
1053 unless he or she is exempt from mandatory retention for good  
1054 cause.

1055 5. Strategies, including multisensory strategies and  
1056 programming, through a read-at-home plan the parent can use in  
1057 helping his or her child succeed in reading. The read-at-home  
1058 plan must provide access to the resources identified in  
1059 paragraph (e) ~~(f)~~.

1060 6. That the statewide, standardized English Language Arts  
1061 assessment is not the sole determiner of promotion and that  
1062 additional evaluations, portfolio reviews, and assessments are  
1063 available to the child to assist parents and the school district  
1064 in knowing when a child is reading at or above grade level and  
1065 ready for grade promotion.

1066 7. The district's specific criteria and policies for a  
1067 portfolio as provided in subparagraph (7)(b)4. and the evidence  
1068 required for a student to demonstrate mastery of Florida's  
1069 academic standards for English Language Arts. A school must  
1070 immediately begin collecting evidence for a portfolio when a  
1071 student in grade 3 is identified as being at risk of retention  
1072 or upon the request of the parent, whichever occurs first.

1073 8. The district's specific criteria and policies for  
1074 midyear promotion. Midyear promotion means promotion of a  
1075 retained student at any time during the year of retention once

1076 | the student has demonstrated ability to read at grade level.

1077 |         9. Information about the student's eligibility for the New  
 1078 | Worlds Reading Initiative under s. 1003.485 and the New Worlds  
 1079 | Scholarship Accounts under s. 1002.411 and information on parent  
 1080 | training modules and other reading engagement resources  
 1081 | available through the initiative.

1082 |  
 1083 | After initial notification, the school shall apprise the parent  
 1084 | at least monthly of the student's progress in response to the  
 1085 | intensive interventions and supports. Such communications must  
 1086 | be in writing and must explain any additional interventions or  
 1087 | supports that will be implemented to accelerate the student's  
 1088 | progress if the interventions and supports already being  
 1089 | implemented have not resulted in improvement. Upon the request  
 1090 | of the parent, the teacher or school administrator shall meet to  
 1091 | discuss the student's progress. The parent may request more  
 1092 | frequent notification of the student's progress, more frequent  
 1093 | interventions or supports, and earlier implementation of the  
 1094 | additional interventions or supports described in the initial  
 1095 | notification.

1096 |         (6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—

1097 |         (a) Any student in a Voluntary Prekindergarten Education  
 1098 | Program provided by a public school who exhibits a substantial  
 1099 | deficiency in early mathematics skills and any student in  
 1100 | kindergarten through grade 4 who exhibits a substantial

1101 deficiency in mathematics or the characteristics of dyscalculia  
1102 based upon screening, diagnostic, progress monitoring, or  
1103 assessment data; statewide assessments; or teacher observations  
1104 must:

1105 1. Immediately following the identification of the  
1106 mathematics deficiency, be provided systematic and explicit  
1107 mathematics instruction to address his or her specific  
1108 deficiencies through either:

1109 a. Daily targeted small group mathematics intervention  
1110 based on student need; or

1111 b. Supplemental, evidence-based mathematics interventions  
1112 before or after school, or both, delivered by a highly qualified  
1113 teacher of mathematics or a trained tutor.

1114 2. The performance of a student receiving mathematics  
1115 instruction under subparagraph 1. must be monitored, and  
1116 instruction must be adjusted based on the student's need.

1117 3. The department shall provide a list of state examined  
1118 and approved mathematics intervention programs, curricula, and  
1119 high-quality supplemental materials that may be used to improve  
1120 a student's mathematics deficiencies. In addition, the  
1121 department shall work, at a minimum, with the Florida Center for  
1122 Mathematics and Science Education Research established in s.  
1123 1004.86 to disseminate information to school districts and  
1124 teachers on effective evidence-based explicit mathematics  
1125 instructional practices, strategies, and interventions.

1126           4. A school may not wait for a student to receive a  
1127 failing grade at the end of a grading period or wait until a  
1128 plan under paragraph (4)(b) is developed to identify the student  
1129 as having a substantial mathematics deficiency and initiate  
1130 intensive mathematics interventions. In addition, a school may  
1131 not wait until an evaluation conducted pursuant to s. 1003.57 is  
1132 completed to provide appropriate, evidence-based interventions  
1133 for a student whose parent submits documentation from a  
1134 professional licensed under chapter 490 which demonstrates that  
1135 the student has been diagnosed with dyscalculia. Such  
1136 interventions must be initiated upon receipt of the  
1137 documentation and based on the student's specific areas of  
1138 difficulty as identified by the licensed professional.

1139           5. The mathematics proficiency of a student receiving  
1140 additional mathematics supports must be monitored and the  
1141 intensive interventions must continue until the student  
1142 demonstrates grade level proficiency in a manner determined by  
1143 the district, which may include achieving a Level 3 on the  
1144 statewide, standardized Mathematics assessment. The State Board  
1145 of Education shall identify by rule guidelines for determining  
1146 whether a student in a Voluntary Prekindergarten Education  
1147 Program has a deficiency in early mathematics skills or a  
1148 student in kindergarten through grade 4 has a substantial  
1149 deficiency in mathematics.

1150

1151 For the purposes of this subsection, a Voluntary Prekindergarten  
1152 Education Program student is deemed to exhibit a substantial  
1153 deficiency in mathematics skills based upon the results of the  
1154 midyear or final administration of the coordinated screening and  
1155 progress monitoring under subsection (9).

1156 (b) A Voluntary Prekindergarten Education Program student  
1157 who exhibits a substantial deficiency in early math skills based  
1158 upon the results of the administration of the midyear or final  
1159 coordinated screening and progress monitoring under subsection  
1160 (8) shall be referred to the local school district and may be  
1161 eligible to receive intensive mathematics interventions before  
1162 participating in kindergarten.

1163 (c) The parent of a student who exhibits a substantial  
1164 deficiency in mathematics, as described in paragraph (a), must  
1165 be immediately notified in writing of the following:

1166 1. That his or her child has been identified as having a  
1167 substantial deficiency in mathematics, including a description  
1168 and explanation, in terms understandable to the parent, of the  
1169 exact nature of the student's difficulty in learning and lack of  
1170 achievement in mathematics.

1171 2. A description of the current services that are provided  
1172 to the child.

1173 3. A description of the proposed intensive interventions  
1174 and supports that will be provided to the child that are  
1175 designed to remediate the identified area of mathematics



1176 deficiency.

1177 4. Strategies, including multisensory strategies and  
 1178 programming, through a home-based plan the parent can use in  
 1179 helping his or her child succeed in mathematics. The home-based  
 1180 plan must provide access to the resources identified in  
 1181 paragraph (d) ~~(e)~~.

1182  
 1183 After the initial notification, the school shall apprise the  
 1184 parent at least monthly of the student's progress in response to  
 1185 the intensive interventions and supports. Such communications  
 1186 must be in writing and must explain any additional interventions  
 1187 or supports that will be implemented to accelerate the student's  
 1188 progress if the interventions and supports already being  
 1189 implemented have not resulted in improvement. Upon the request  
 1190 of the parent, the teacher or school administrator shall meet to  
 1191 discuss the student's progress. The parent may request more  
 1192 frequent notification of the student's progress, more frequent  
 1193 interventions or supports, and earlier implementation of the  
 1194 additional interventions or supports described in the initial  
 1195 notification.

1196 (7) ELIMINATION OF SOCIAL PROMOTION.—

1197 (b) The district school board may only exempt students  
 1198 from mandatory retention, as provided in paragraph (5)(c), for  
 1199 good cause. A student ~~who is~~ promoted to grade 4 with a good  
 1200 cause exemption shall be provided intensive reading instruction

1201 and intervention that include specialized diagnostic information  
 1202 and specific reading strategies to meet the needs of each  
 1203 student so promoted. The school district shall assist schools  
 1204 and teachers with the implementation of explicit, systematic,  
 1205 and multisensory reading instruction and intervention strategies  
 1206 for students promoted with a good cause exemption which research  
 1207 has shown to be successful in improving reading among students  
 1208 who have reading difficulties. Upon the request of the parent,  
 1209 the teacher or school administrator shall meet to discuss the  
 1210 student's progress. The parent may request more frequent  
 1211 notification of the student's progress, more frequent  
 1212 interventions or supports, and earlier implementation of the  
 1213 additional interventions or supports described in the initial  
 1214 notification. Good cause exemptions are limited to the  
 1215 following:

1216 1. Limited English proficient students who have had less  
 1217 than 2 years of instruction in an English for Speakers of Other  
 1218 Languages program based on the initial date of entry into a  
 1219 school in the United States.

1220 2. Students with disabilities whose individual education  
 1221 plan indicates that participation in the statewide assessment  
 1222 program is not appropriate, consistent with the requirements of  
 1223 s. 1008.212.

1224 3. Students who demonstrate an acceptable level of  
 1225 performance on an alternative standardized reading or English

1226 Language Arts assessment approved by the State Board of  
 1227 Education.

1228 4. A student who demonstrates through a student portfolio  
 1229 that he or she is performing at least at Level 2 on the  
 1230 statewide, standardized English Language Arts assessment.

1231 5. Students with disabilities who take the statewide,  
 1232 standardized English Language Arts assessment and who have an  
 1233 individual education plan or a Section 504 plan that reflects  
 1234 that the student has received intensive instruction in reading  
 1235 or English Language Arts for more than 2 years but still  
 1236 demonstrates a deficiency and was previously retained in  
 1237 prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

1238 6. Students who have received intensive reading  
 1239 intervention for 2 or more years but still demonstrate a  
 1240 deficiency in reading and who were previously retained in  
 1241 kindergarten, grade 1, grade 2, or grade 3 for a total of 2  
 1242 years. A student may not be retained more than once in grade 3.

1243 (9) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

1244 (b) Beginning with the 2022-2023 school year, private  
 1245 Voluntary Prekindergarten Education Program providers and public  
 1246 schools must participate in the coordinated screening and  
 1247 progress monitoring system pursuant to this paragraph.

1248 1. For students in the school-year Voluntary  
 1249 Prekindergarten Education Program through grade 2, the  
 1250 coordinated screening and progress monitoring system must be

1251 administered at least three times within a ~~program year or~~  
1252 school year, ~~as applicable~~, with the first administration  
1253 occurring no later than the first 30 instructional days after a  
1254 student's enrollment or the start of the ~~program year or~~ school  
1255 year, the second administration occurring midyear, and the third  
1256 administration occurring within the last 30 days of the ~~program~~  
1257 ~~or~~ school year pursuant to state board rule. The state board may  
1258 adopt alternate timeframes to address nontraditional school year  
1259 calendars ~~or summer programs~~ to ensure the coordinated screening  
1260 and progress monitoring program is administered a minimum of  
1261 three times within a year ~~or program~~.

1262 2. For students in the summer prekindergarten program, the  
1263 coordinated screening and progress monitoring system must be  
1264 administered two times, with the first administration occurring  
1265 no later than the first 10 instructional days after a student's  
1266 enrollment or the start of the summer prekindergarten program,  
1267 and the final administration occurring within the last 10 days  
1268 of the summer prekindergarten program pursuant to state board  
1269 rule.

1270 3.2. For grades 3 through 10 English Language Arts and  
1271 grades 3 through 8 Mathematics, the coordinated screening and  
1272 progress monitoring system must be administered at the  
1273 beginning, middle, and end of the school year pursuant to state  
1274 board rule. The end-of-year administration of the coordinated  
1275 screening and progress monitoring system must be a comprehensive

1276 progress monitoring assessment administered in accordance with  
 1277 the scheduling requirements under s. 1008.22(7) (c).

1278 Section 22. Paragraph (c) of subsection (1) of section  
 1279 1008.31, Florida Statutes, is amended to read:

1280 1008.31 Florida's Early Learning-20 education performance  
 1281 accountability system; legislative intent; mission, goals, and  
 1282 systemwide measures; data quality improvements.-

1283 (1) LEGISLATIVE INTENT.-It is the intent of the  
 1284 Legislature that:

1285 (c) The Early Learning-20 education performance  
 1286 accountability system comply with the requirements of the Every  
 1287 Student Succeeds Act of 2015, Pub. L. No. 114-95 ~~"No Child Left~~  
 1288 ~~Behind Act of 2001," Pub. L. No. 107-110,~~ and the Individuals  
 1289 with Disabilities Education Act (IDEA).

1290 Section 23. Paragraph (a) of subsection (4) of section  
 1291 1008.33, Florida Statutes, is amended to read:

1292 1008.33 Authority to enforce public school improvement.-

1293 (4) (a) The state board shall apply intensive intervention  
 1294 and support strategies tailored to the needs of schools earning  
 1295 two consecutive grades of "D" or a grade of "F." In the first  
 1296 full school year after a school initially earns a grade of "D,"  
 1297 the school district must immediately implement intervention and  
 1298 support strategies prescribed in rule under paragraph (3) (c).  
 1299 For a school that initially earns a grade of "F" or a second  
 1300 consecutive grade of "D," the school district must either

1301 continue implementing or immediately begin implementing  
1302 intervention and support strategies prescribed in rule under  
1303 paragraph (3)(c) and provide the department, by September 1,  
1304 with the memorandum of understanding negotiated pursuant to s.  
1305 1001.42(21) and, by October 1, a district-managed turnaround  
1306 plan for approval by the state board. The district-managed  
1307 turnaround plan may include a proposal for the district to  
1308 implement an extended school day, a summer program, a  
1309 combination of an extended school day and a summer program, or  
1310 any other option authorized under paragraph (b) for state board  
1311 approval. A school district is not required to wait until a  
1312 school earns a second consecutive grade of "D" to submit a  
1313 turnaround plan for approval by the state board under this  
1314 paragraph. Upon approval by the state board, the school district  
1315 must implement the plan for the remainder of the school year and  
1316 continue the plan for 1 full school year. The state board may  
1317 allow a school an additional year of implementation before the  
1318 school must implement a turnaround option required under  
1319 paragraph (b) if it determines that the school is likely to  
1320 improve to a grade of "C" or higher after the first full school  
1321 year of implementation. The state board may also allow a school  
1322 that has received a grant pursuant to s. 1003.64 additional time  
1323 to implement a community school model.

1324 Section 24. Section 1008.332, Florida Statutes, is amended  
1325 to read:

1326           1008.332 Committee of practitioners pursuant to federal  
 1327 Every Student Succeeds ~~No Child Left Behind~~ Act.—The Department  
 1328 of Education shall establish a committee of practitioners  
 1329 pursuant to federal requirements of the Every Student Succeeds  
 1330 ~~No Child Left Behind~~ Act of 2015 ~~2001~~. The committee members  
 1331 shall be appointed by the Commissioner of Education ~~and shall~~  
 1332 ~~annually report to the Governor, the President of the Senate,~~  
 1333 ~~and the Speaker of the House of Representatives by January 1.~~  
 1334 The committee shall meet regularly and is authorized to review  
 1335 potential rules and policies that will be considered by the  
 1336 State Board of Education.

1337           Section 25. Subsection (5) of section 1008.34, Florida  
 1338 Statutes, is amended to read:

1339           1008.34 School grading system; school report cards;  
 1340 district grade.—

1341  
 1342  
 1343           (5) DISTRICT GRADE.—Beginning with the 2014-2015 school  
 1344 year, a school district's grade shall include a district-level  
 1345 calculation of the components under paragraph (3)(b). This  
 1346 calculation methodology captures each eligible student in the  
 1347 district who may have transferred among schools within the  
 1348 district or is enrolled in a school that does not receive a  
 1349 grade. The department shall develop a district report card that  
 1350 includes the district grade; the information required under s.

1351 1008.345(3) ~~s. 1008.345(5)~~; measures of the district's progress  
1352 in closing the achievement gap between higher-performing student  
1353 subgroups and lower-performing student subgroups; measures of  
1354 the district's progress in demonstrating Learning Gains of its  
1355 highest-performing students; measures of the district's success  
1356 in improving student attendance; the district's grade-level  
1357 promotion of students scoring achievement levels 1 and 2 on  
1358 statewide, standardized English Language Arts and Mathematics  
1359 assessments; and measures of the district's performance in  
1360 preparing students for the transition from elementary to middle  
1361 school, middle to high school, and high school to postsecondary  
1362 institutions and careers.

1363 Section 26. Subsections (5) through (7) of section  
1364 1008.345, Florida Statutes, are renumbered as subsections (3)  
1365 through (5), respectively, and present subsections (3), (4), and  
1366 (5) and paragraph (d) of present subsection (6) of that section  
1367 are amended to read:

1368 1008.345 Implementation of state system of school  
1369 improvement and education accountability.—

1370 ~~(3) The annual feedback report shall be developed by the~~  
1371 ~~Department of Education.~~

1372 ~~(4) The commissioner shall review each district school~~  
1373 ~~board's feedback report and submit findings to the State Board~~  
1374 ~~of Education. If adequate progress is not being made toward~~  
1375 ~~implementing and maintaining a system of school improvement and~~



1376 ~~education accountability, the State Board of Education shall~~  
1377 ~~direct the commissioner to prepare and implement a corrective~~  
1378 ~~action plan. The commissioner and State Board of Education shall~~  
1379 ~~monitor the development and implementation of the corrective~~  
1380 ~~action plan.~~

1381 (3)~~(5)~~ The commissioner shall annually report to the State  
1382 Board of Education and the Legislature and recommend changes in  
1383 state policy necessary to foster school improvement and  
1384 education accountability. The report must ~~shall~~ include:

1385 ~~(a)~~ for each school district:

1386 (a)1. The percentage of students, by school and grade  
1387 level, demonstrating learning growth in English Language Arts  
1388 and mathematics.

1389 (b)2. The percentage of students, by school and grade  
1390 level, in both the highest and lowest quartiles demonstrating  
1391 learning growth in English Language Arts and mathematics.

1392 (c)3. The information contained in the school district's  
1393 annual report required pursuant to s. 1008.25(10).

1394 ~~(b) Intervention and support strategies used by school~~  
1395 ~~districts whose students in both the highest and lowest~~  
1396 ~~quartiles exceed the statewide average learning growth for~~  
1397 ~~students in those quartiles.~~

1398 ~~(c) Intervention and support strategies used by school~~  
1399 ~~districts whose schools provide educational services to youth in~~  
1400 ~~Department of Juvenile Justice programs that demonstrate~~

1401 ~~learning growth in English Language Arts and mathematics that~~  
1402 ~~exceeds the statewide average learning growth for students in~~  
1403 ~~those subjects.~~

1404 ~~(d) Based upon a review of each school district's reading~~  
1405 ~~instruction plan submitted pursuant to s. 1003.4201,~~  
1406 ~~intervention and support strategies used by school districts~~  
1407 ~~that were effective in improving the reading performance of~~  
1408 ~~students, as indicated by student performance data, who are~~  
1409 ~~identified as having a substantial reading deficiency pursuant~~  
1410 ~~to s. 1008.25(5)(a).~~

1411  
1412 School reports must ~~shall~~ be distributed pursuant to this  
1413 subsection and s. 1001.42(18)(c) and according to rules adopted  
1414 by the State Board of Education.

1415 ~~(4)-(6)~~

1416 (d) The commissioner shall assign a community assessment  
1417 team to each school district or governing board with a school  
1418 that earned a grade of "D" or "F" pursuant to s. 1008.34 to  
1419 review the school performance data and determine causes for the  
1420 low performance, including the role of school, area, and  
1421 district administrative personnel. The community assessment team  
1422 shall review a high school's graduation rate calculated without  
1423 high school equivalency diploma recipients for the past 3 years,  
1424 disaggregated by student ethnicity. The team shall make  
1425 recommendations to the school board or the governing board and

1426 to the State Board of Education ~~based on the interventions and~~  
 1427 ~~support strategies identified pursuant to subsection (5) to~~  
 1428 address the causes of the school's low performance and to  
 1429 incorporate the strategies into the school improvement plan. The  
 1430 assessment team shall include, but not be limited to, a  
 1431 department representative, parents, business representatives,  
 1432 educators, representatives of local governments, and community  
 1433 activists, and shall represent the demographics of the community  
 1434 from which they are appointed.

1435 Section 27. Subsection (3) of section 1008.45, Florida  
 1436 Statutes, is amended to read:

1437 1008.45 Florida College System institution accountability  
 1438 process.—

1439 (3) ~~The State Board of Education shall address within the~~  
 1440 ~~annual evaluation of the performance of the executive director,~~  
 1441 ~~and the~~ Florida College System institution boards of trustees  
 1442 shall address within the annual evaluation of the presidents,  
 1443 the achievement of the performance goals established by the  
 1444 accountability process.

1445 Section 28. Paragraph (d) of subsection (2) of section  
 1446 1000.05, Florida Statutes, is amended to read:

1447 1000.05 Discrimination against students and employees in  
 1448 the Florida K-20 public education system prohibited; equality of  
 1449 access required.—

1450 (2)

1451 (d) Students may be separated by sex for a single-gender  
1452 program ~~as provided under s. 1002.311~~, for any portion of a  
1453 class that deals with human reproduction, or during  
1454 participation in bodily contact sports. For the purpose of this  
1455 section, bodily contact sports include wrestling, boxing, rugby,  
1456 ice hockey, football, basketball, and other sports in which the  
1457 purpose or major activity involves bodily contact.

1458 Section 29. Paragraph (b) of subsection (2) of section  
1459 1002.31, Florida Statutes, is amended to read:

1460 1002.31 Controlled open enrollment; public school parental  
1461 choice.—

1462 (2)

1463 (b) Each school district and charter school capacity  
1464 determinations for its schools, by grade level, must be updated  
1465 every 12 weeks and be identified on the school district and  
1466 charter school's websites. In determining the capacity of each  
1467 district school, the district school board shall incorporate the  
1468 specifications, plans, elements, and commitments contained in  
1469 the school district educational facilities plan and the long-  
1470 term work programs required under s. 1013.35. Each charter  
1471 school governing board shall determine capacity based upon its  
1472 charter school contract. Each virtual charter school and each  
1473 school district with a contract with an approved virtual  
1474 instruction program provider shall determine capacity based upon  
1475 the enrollment requirements established under s. 1002.45(1)(d)4.

1476 ~~s. 1002.45(1)(c)4.~~

1477 Section 30. Subsection (3) of section 1002.321, Florida  
 1478 Statutes, is amended to read:

1479 1002.321 Digital learning.—

1480 (3) CUSTOMIZED AND ACCELERATED LEARNING.—A school district  
 1481 must establish ~~multiple~~ opportunities for student participation  
 1482 in part-time and full-time kindergarten through grade 12 virtual  
 1483 instruction. Options include, but are not limited to:

1484 (a) School district operated part-time or full-time  
 1485 virtual instruction programs under s. 1002.45 ~~s. 1002.45(1)(b)~~  
 1486 for kindergarten through grade 12 students enrolled in the  
 1487 school district. A full-time program shall operate under its own  
 1488 Master School Identification Number.

1489 (b) Florida Virtual School instructional services  
 1490 authorized under s. 1002.37.

1491 (c) Blended learning instruction provided by charter  
 1492 schools authorized under s. 1002.33.

1493 (d) Virtual charter school instruction authorized under s.  
 1494 1002.33.

1495 (e) Courses delivered in the traditional school setting by  
 1496 personnel providing direct instruction through virtual  
 1497 instruction or through blended learning courses consisting of  
 1498 both traditional classroom and online instructional techniques  
 1499 pursuant to s. 1003.498.

1500 (f) Virtual courses offered in the course code directory

1501 to students within the school district or to students in other  
 1502 school districts throughout the state pursuant to s. 1003.498.

1503 Section 31. Subsection (1), paragraph (a) of subsection  
 1504 (6), and paragraph (a) of subsection (10) of section 1002.33,  
 1505 Florida Statutes, are amended to read:

1506 1002.33 Charter schools.—

1507 (1) AUTHORIZATION.—All charter schools in Florida are  
 1508 public schools and shall be part of the state's program of  
 1509 public education. A charter school may be formed by creating a  
 1510 new school or converting an existing public school to charter  
 1511 status. A charter school may operate a virtual charter school  
 1512 pursuant to s. 1002.45(1)(c) ~~s. 1002.45(1)(d)~~ to provide online  
 1513 instruction to students, pursuant to s. 1002.455, in  
 1514 kindergarten through grade 12. The school district in which the  
 1515 student enrolls in the virtual charter school shall report the  
 1516 student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and  
 1517 the home school district shall not report the student for  
 1518 funding. An existing charter school that is seeking to become a  
 1519 virtual charter school must amend its charter or submit a new  
 1520 application pursuant to subsection (6) to become a virtual  
 1521 charter school. A virtual charter school is subject to the  
 1522 requirements of this section; however, a virtual charter school  
 1523 is exempt from subparagraph (7)(a)13., subsections (18) and  
 1524 (19), paragraph (20)(c), and s. 1003.03. A public school may not  
 1525 use the term charter in its name unless it has been approved

1526 | under this section.

1527 |       (6) APPLICATION PROCESS AND REVIEW.—Charter school  
1528 | applications are subject to the following requirements:

1529 |       (a) A person or entity seeking to open a charter school  
1530 | shall prepare and submit an application on the standard  
1531 | application form prepared by the Department of Education which:

1532 |           1. Demonstrates how the school will use the guiding  
1533 | principles and meet the statutorily defined purpose of a charter  
1534 | school.

1535 |           2. Provides a detailed curriculum plan that illustrates  
1536 | how students will be provided services to attain the state  
1537 | academic standards.

1538 |           3. Contains goals and objectives for improving student  
1539 | learning and measuring that improvement. These goals and  
1540 | objectives must indicate how much academic improvement students  
1541 | are expected to show each year, how success will be evaluated,  
1542 | and the specific results to be attained through instruction.

1543 |           4. Describes the reading curriculum and differentiated  
1544 | strategies that will be used for students reading at grade level  
1545 | or higher and a separate curriculum and strategies for students  
1546 | who are reading below grade level. Reading instructional  
1547 | strategies for foundational skills shall include phonics  
1548 | instruction for decoding and encoding as the primary  
1549 | instructional strategy for word reading. Instructional  
1550 | strategies may not employ the three-cueing system model of

1551 reading or visual memory as a basis for teaching word reading.  
1552 Such strategies may include visual information and strategies  
1553 that improve background and experiential knowledge, add context,  
1554 and increase oral language and vocabulary to support  
1555 comprehension, but may not be used to teach word reading. A  
1556 sponsor shall deny an application if the school does not propose  
1557 a reading curriculum that is consistent with effective teaching  
1558 strategies that are grounded in scientifically based reading  
1559 research.

1560         5. Contains an annual financial plan for each year  
1561 requested by the charter for operation of the school for up to 5  
1562 years. This plan must contain anticipated fund balances based on  
1563 revenue projections, a spending plan based on projected revenues  
1564 and expenses, and a description of controls that will safeguard  
1565 finances and projected enrollment trends.

1566         6. Discloses the name of each applicant, governing board  
1567 member, and all proposed education services providers; the name  
1568 and sponsor of any charter school operated by each applicant,  
1569 each governing board member, and each proposed education  
1570 services provider that has closed and the reasons for the  
1571 closure; and the academic and financial history of such charter  
1572 schools, which the sponsor shall consider in deciding whether to  
1573 approve or deny the application.

1574         7. Contains additional information a sponsor may require,  
1575 which shall be attached as an addendum to the charter school



1576 application described in this paragraph.

1577 8. For the establishment of a virtual charter school,  
1578 documents that the applicant has contracted with a provider of  
1579 virtual instruction services pursuant to s. 1002.45(1)(c) ~~s.~~  
1580 ~~1002.45(1)(d)~~.

1581 9. Describes the mathematics curriculum and differentiated  
1582 strategies that will be used for students performing at grade  
1583 level or higher and a separate mathematics curriculum and  
1584 strategies for students who are performing below grade level.

1585 (10) ELIGIBLE STUDENTS.—

1586 (a)1. A charter school may be exempt from the requirements  
1587 of s. 1002.31 if the school is open to any student covered in an  
1588 interdistrict agreement and any student residing in the school  
1589 district in which the charter school is located.

1590 2. A virtual charter school when enrolling students shall  
1591 comply with the applicable requirements of s. 1002.31 and with  
1592 the enrollment requirements established under s. 1002.45(1)(d)4.  
1593 ~~s. 1002.45(1)(e)4.~~

1594 3. A charter lab school shall be open to any student  
1595 eligible to attend the lab school as provided in s. 1002.32 or  
1596 who resides in the school district in which the charter lab  
1597 school is located.

1598 4. Any eligible student shall be allowed interdistrict  
1599 transfer to attend a charter school when based on good cause.  
1600 Good cause shall include, but is not limited to, geographic

1601 proximity to a charter school in a neighboring school district.

1602 Section 32. Subsections (1), (2), and (5) of section  
1603 1002.455, Florida Statutes, are amended to read:

1604 1002.455 Student eligibility for K-12 virtual  
1605 instruction.—All students, including home education and private  
1606 school students, are eligible to participate in any of the  
1607 following virtual instruction options:

1608 (1) School district operated part-time or full-time  
1609 kindergarten through grade 12 virtual instruction programs  
1610 pursuant to s. 1002.45(1)(b)4. ~~s. 1002.45(1)(c)4.~~ to students  
1611 within the school district.

1612 (2) Part-time or full-time virtual charter school  
1613 instruction authorized pursuant to s. 1002.45(1)(b)5. ~~s.~~  
1614 ~~1002.45(1)(c)5.~~ to students within the school district or to  
1615 students in other school districts throughout the state pursuant  
1616 to s. 1002.31; however, the school district enrolling the full-  
1617 time equivalent virtual student shall comply with the enrollment  
1618 requirements established under s. 1002.45(1)(d)4. ~~s.~~  
1619 ~~1002.45(1)(c)4.~~

1620 (5) Virtual instruction provided by a school district  
1621 through a contract with an approved virtual instruction program  
1622 provider pursuant to s. 1002.45(1)(b)2. ~~s. 1002.45(1)(c)2.~~ to  
1623 students within the school district or to students in other  
1624 school districts throughout the state pursuant to s. 1002.31;  
1625 however the school district enrolling the full-time equivalent

1626 virtual student shall comply with the enrollment requirements  
1627 established under s. 1002.45(1)(d)4. ~~s. 1002.45(1)(e)4.~~

1628 Section 33. Paragraph (a) of subsection (3) and paragraph  
1629 (e) of subsection (7) of section 1008.22, Florida Statutes, are  
1630 amended to read:

1631 1008.22 Student assessment program for public schools.—

1632 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The  
1633 Commissioner of Education shall design and implement a  
1634 statewide, standardized assessment program aligned to the core  
1635 curricular content established in the state academic standards.  
1636 The commissioner also must develop or select and implement a  
1637 common battery of assessment tools that will be used in all  
1638 juvenile justice education programs in the state. These tools  
1639 must accurately measure the core curricular content established  
1640 in the state academic standards. Participation in the assessment  
1641 program is mandatory for all school districts and all students  
1642 attending public schools, including adult students seeking a  
1643 standard high school diploma under s. 1003.4282 and students in  
1644 Department of Juvenile Justice education programs, except as  
1645 otherwise provided by law. If a student does not participate in  
1646 the assessment program, the school district must notify the  
1647 student's parent and provide the parent with information  
1648 regarding the implications of such nonparticipation. The  
1649 statewide, standardized assessment program shall be designed and  
1650 implemented as follows:

1651 (a) Statewide, standardized comprehensive assessments.—

1652 1. The statewide, standardized English Language Arts (ELA)  
1653 assessments shall be administered to students in grades 3  
1654 through 10. Retake opportunities for the grade 10 ELA assessment  
1655 must be provided. Reading passages and writing prompts for ELA  
1656 assessments shall incorporate grade-level core curricula content  
1657 from social studies. The statewide, standardized Mathematics  
1658 assessments shall be administered annually in grades 3 through  
1659 8. The statewide, standardized Science assessment shall be  
1660 administered annually at least once at the elementary and middle  
1661 grades levels. In order to earn a standard high school diploma,  
1662 a student who has not earned a passing score on the grade 10 ELA  
1663 assessment must earn a passing score on the assessment retake or  
1664 earn a concordant score as authorized under subsection (9).

1665 2. Beginning with the 2022-2023 school year, the end-of-  
1666 year comprehensive progress monitoring assessment administered  
1667 pursuant to s. 1008.25(9)(b)3. ~~s. 1008.25(9)(b)2.~~ is the  
1668 statewide, standardized ELA assessment for students in grades 3  
1669 through 10 and the statewide, standardized Mathematics  
1670 assessment for students in grades 3 through 8.

1671 (7) ASSESSMENT SCHEDULES AND REPORTING OF RESULTS.—

1672 (e) A school district may not schedule more than 5 percent  
1673 of a student's total school hours in a school year to administer  
1674 statewide, standardized assessments; the coordinated screening  
1675 and progress monitoring system under s. 1008.25(9)(b)3. ~~s.~~

1676 ~~1008.25(9)(b)2.~~; and district-required local assessments. The  
 1677 district must secure written consent from a student's parent  
 1678 before administering district-required local assessments that,  
 1679 after applicable statewide, standardized assessments and  
 1680 coordinated screening and progress monitoring are scheduled,  
 1681 exceed the 5 percent test administration limit for that student  
 1682 under this paragraph. The 5 percent test administration limit  
 1683 for a student under this paragraph may be exceeded as needed to  
 1684 provide test accommodations that are required by an IEP or are  
 1685 appropriate for an English language learner who is currently  
 1686 receiving services in a program operated in accordance with an  
 1687 approved English language learner district plan pursuant to s.  
 1688 1003.56. Notwithstanding this paragraph, a student may choose  
 1689 within a school year to take an examination or assessment  
 1690 adopted by State Board of Education rule pursuant to this  
 1691 section and ss. 1007.27, 1008.30, and 1008.44.

1692 Section 34. Subsection (4) of section 1008.37, Florida  
 1693 Statutes, is amended to read:

1694 1008.37 Postsecondary feedback of information to high  
 1695 schools.—

1696 (4) As a part of the school improvement plan pursuant to  
 1697 s. 1008.345, the State Board of Education shall ensure that each  
 1698 school district and high school develops strategies to improve  
 1699 student readiness for the public postsecondary level ~~based on~~  
 1700 ~~annual analysis of the feedback report data.~~

1701           Section 35. Paragraph (a) of subsection (4) of section  
 1702 1013.841, Florida Statutes, is amended to read:

1703           1013.841 End of year balance of Florida College System  
 1704 institution funds.—

1705           (4) A Florida College System institution identified in  
 1706 paragraph (3)(b) must include in its carry forward spending plan  
 1707 the estimated cost per planned expenditure and a timeline for  
 1708 completion of the expenditure. Authorized expenditures in a  
 1709 carry forward spending plan may include:

1710           (a) Commitment of funds to a public education capital  
 1711 outlay project for which an appropriation was previously  
 1712 provided, which requires additional funds for completion, and  
 1713 which is included in the list required by s. 1001.03(18)(d) ~~s.~~  
 1714 ~~1001.03(19)(d)~~;

1715           Section 36. This act shall take effect July 1, 2024.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

---

1 Committee/Subcommittee hearing bill: Education & Employment  
 2 Committee

3 Representative Trabulsy offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 838 and 839, insert:

7 Section 20. Paragraph (a) of subsection (1) of section  
 8 1006.33, Florida Statutes, is amended to read:

9 1006.33 Bids or proposals; advertisement and its  
 10 contents.—

11 (1) (a) 1. Beginning with the 2026-2027 instructional  
 12 materials adoption cycle and thereafter, the department shall  
 13 publish an instructional materials adoption timeline which must  
 14 include, but is not limited to, publishing bid specifications,  
 15 advertising in the Florida Administrative Register, and  
 16 deadlines for the submission of bids. The adoption cycle must

PCS for HB 7025 a1

Published On: 1/29/2024 4:52:53 PM

Amendment No. 1

17 include at least 6 months between the release of the bid  
18 specifications and the deadline for the submission of bids and  
19 publication of an initial list of state-adopted instructional  
20 materials no later than July 31 in the year preceding the  
21 adoption.

22 2. For the 2025-2026 instructional materials adoption  
23 cycle, the department shall publish an instructional materials  
24 adoption timeline which must include, but is not limited to,  
25 publishing bid specifications, advertising in the Florida  
26 Administrative Register, and deadlines for the submission of  
27 bids. The adoption cycle must include at least 6 months between  
28 the release of the bid specifications and the deadline for the  
29 submission of bids. The adoption cycle must specify that the  
30 Commissioner of Education shall publish an initial list of  
31 state-adopted instructional materials no later than December 1,  
32 2025. This subparagraph shall expire July 1, 2026. ~~Beginning on~~  
33 ~~or before May 15 of any year in which an instructional materials~~  
34 ~~adoption is to be initiated, the department shall advertise in~~  
35 ~~the Florida Administrative Register 4 weeks preceding the date~~  
36 ~~on which the bids shall be received, that at a certain~~  
37 ~~designated time, not later than June 15, sealed bids or~~  
38 ~~proposals to be deposited with the department will be received~~  
39 ~~from publishers or manufacturers for the furnishing of~~  
40 ~~instructional materials proposed to be adopted as listed in the~~  
41 ~~advertisement beginning April 1 following the adoption.~~

PCS for HB 7025 a1

Published On: 1/29/2024 4:52:53 PM



Amendment No. 1

42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55

-----

**T I T L E   A M E N D M E N T**

Remove line 79 and insert:  
standards; amending s. 1006.33, F.S.; beginning with a  
specified adoption cycle, requiring the department to  
publish an instructional materials adoption timeline;  
providing requirements for such timelines; providing  
requirements for the 2025-2026 instructional materials  
adoption cycle; providing an expiration date for such  
requirements; deleting certain timelines relating to  
the adoption of instructional materials; amending s.  
1007.33, F.S.; deleting a



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCS for HB 7039 Education  
**SPONSOR(S):** Education & Employment Committee  
**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 7000 and SB 7002

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Education & Employment Committee		Wolff	Hassell

**SUMMARY ANALYSIS**

In 2023, the Florida Legislature passed House Bill 1 (Ch. 2023-16, L.O.F.), which included provisions regarding the deregulation of public schools. In an effort to provide more flexibility and efficiency and reduce unnecessary regulation, the bill required the State Board of Education (SBE) to develop and recommend to the Governor and Legislature for adoption during the 2024 legislative session repeals and revisions to the Florida Early Learning-20 Education Code, chapters 1000-1013, Florida Statutes.

The bill provides flexibility to district school boards in satisfying their statutory duties to provide public notices related to meetings, levying millage, and the adoption of budgets by authorizing the publication of such notices to their websites. The bill maintains the requirement for public notice to be provided at least 2 days prior to the noticed meeting.

The bill repeals several obsolete or overly-burdensome reporting requirements including the school district guidance report, school district report of the reduction of relocatable use, school district educational plant survey, and the Florida College System employment equity accountability report.

The bill supports school districts' efforts to recruit and retain teachers by requiring the SBE to develop strategies to address critical teacher shortages areas, requires the Commissioner of Education to make recommendations for the retention of ESE teachers, and authorizes school districts to develop and adopt their own policies relating to mentors and support for first-time teachers. The bill updates the Teacher Apprenticeship Program by expanding eligibility for applicants and mentor teachers and clarifying that the apprenticeship lasts at least two years but may continue, if required by the apprentice. The bill authorizes a newly-hired Voluntary Prekindergarten Education Program instructor, 45 days after hire to complete required emergent literacy training. The bill authorizes a school district to use advanced degrees when setting salary schedules for instructional personnel or school administrator if the advanced degree is in the individual's area of certification.

The bill provides additional clarity for school districts and teachers unions regarding topics that may not be precluded by collective bargaining, including but not limited to, the provision of incentives to effective and highly effective teachers, incentives to teachers assigned to low-performing schools, implementation of student intervention and support strategies, and the implementation of school safety plans and requirements.

The bill clarifies the authority of a district school board to adopt exceptions to the State Requirements for Educational Facilities and broadens the scope of properties a district can lease or lease-purchase to include educational plants, ancillary plants, and auxiliary facilities instead of only educational facilities. The bill extends the exemption from cost per student station limitations for new construction projects until July 1, 2028.

The bill authorizes, subject to SBE rule, certified educators to request that their certification be placed in inactive status and the use of a passing score on the SAT, ACT, or CLT to satisfy the mastery of general knowledge requirement for certification.

The bill expands the role of the Florida Institute for Charter School Innovation at Miami Dade College (Institute) by authorizing the Institute to develop a professional learning system and design an alternative teacher preparation program to enable certified teachers at charter schools to add on coverages and endorsements to their certificates.

The bill does not appear to have a fiscal impact.

The bill has an effective date of July 1, 2024.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Background**

In 2023, the Florida Legislature passed House Bill 1 (HB1), which included provisions regarding the deregulation of public schools. In an effort to provide more flexibility and efficiency and reduce unnecessary regulation, the bill required the State Board of Education (SBE) to develop and recommend to the Governor and Legislature for adoption during the 2024 legislative session repeals and revisions to the Florida Early Learning-20 Education Code, chapters 1000-1013, Florida Statutes.<sup>1</sup>

Pursuant to HB1, the Department of Education (DOE) reviewed the entirety of the Code and considered input from Florida teachers, superintendents, administrators, school boards, public and private postsecondary institutions, home educators, and other stakeholders. Following that review, the SBE developed recommendations for the deregulation of Florida public schools and provided them to the Governor and Legislature on November 1, 2023.<sup>2</sup>

#### **District School Board Communications**

##### Present Situation

##### *Meeting Notices*

Each district school board is required to publicly notice regular and special board meetings in a county newspaper of general circulation at least two days prior to the meeting, or on a radio station if no such newspaper exists.<sup>3</sup>

Local governmental agencies, including district school boards, have the option to publish legal notices on a publicly accessible website owned or designated by the county instead of in a print newspaper under specified conditions.<sup>4</sup> A governmental agency located in a county that has a population of fewer than 160,000 must first hold a public hearing and determine that its residents have sufficient access to the internet by broadband service before publishing legally required advertisements and public notices on the county website.<sup>5</sup>

Before a district school board levies any millage, it must advertise its intent to adopt a tentative budget in a newspaper of general circulation. Not less than 2 days or more than 5 days thereafter, the district must hold a public hearing on the tentative budget.<sup>6</sup> The purpose of the hearing is to hear requests and complaints from the public regarding the budgets and the proposed tax levies and for explaining the budget and any proposed or adopted amendments.<sup>7</sup> The final adopted budget must be posted on the school district's official website within 30 days after adoption, and the district school superintendent is required to submit two copies of the adopted budget to the DOE.<sup>8</sup>

The US Census Bureau and the Pew Research Center have reported that adults are more likely to receive information through digital media than through print media.<sup>9</sup>

---

<sup>1</sup> Section 11, ch. 2023-16, L.O.F.

<sup>2</sup> Florida Department of Education, *Recommendations to Reduce Regulation in Public Schools* (Nov. 1, 2023), at 2, available at [https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf).

<sup>3</sup> Section 1001.372, F.S.

<sup>4</sup> Section 50.0311, F.S.

<sup>5</sup> Section 50.0311(4), F.S.

<sup>6</sup> Section 200.065(2)(f)1., F.S.

<sup>7</sup> Section 1011.03(3), F.S.

<sup>8</sup> *Id.*

<sup>9</sup> Florida Department of Education, *Recommendations to Reduce Regulation in Public Schools* (Nov. 1, 2023), at 10, available at [https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf).

## *District School Board Notifications to Parents and Students*

Dropout prevention and academic intervention programs are programs that may differ from traditional educational programs and schools in scheduling, administrative structure, philosophy, curriculum, or setting and employ alternative teaching methodologies, curricula, learning activities, and diagnostic and assessment procedures in order to meet the needs, interests, abilities, and talents of eligible students.<sup>10</sup>

A student is eligible to receive services through the dropout prevention and academic intervention program if the student:<sup>11</sup>

- Is academically unsuccessful.
- Has a pattern of excessive absenteeism or has been identified as a habitual truant.
- Has a history of disruptive behavior in school or has committed an offense that warrants out-of-school suspension or expulsion from school.

Prior to placement in a dropout prevention and academic intervention program or the provision of an academic service, the school principal or designee is required to notify the student's parent by certified mail.<sup>12</sup> The parent of the student must then sign an acknowledgment of the notice of placement or service and return the signed acknowledgment to the principal within 3 days after receipt of the notice.<sup>13</sup> The parents of a student assigned to such a dropout prevention and academic intervention program are entitled to an administrative review by an informal hearing officer or an administrative law judge for a formal hearing regarding any action by school personnel relating to such placement.<sup>14</sup>

The principal or the principal's designee may suspend a student only in accordance with the rules of the district school board.<sup>15</sup> The principal or the principal's designee must make a good faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension.<sup>16</sup> Each suspension and the reasons for the suspension must be reported in writing within 24 hours to the student's parent by United States mail.<sup>17</sup>

Each middle school and high school student or the student's parent prior to registration is required to be provided a two-page summary of the Department of Economic Opportunity's (DEO's) economic security report of employment and earning outcomes and electronic access to the report.<sup>18</sup> The information provided in the DEO report is now available to all parents through the DOE's Xello web portal, Florida's official K-12 career planning and work-based learning coordination tool.<sup>19</sup>

### Effect of Proposed Changes

The bill authorizes district school boards to satisfy open meeting notification requirements through publication on the official district school board website or another publicly accessible website pursuant to statutory requirements.<sup>20</sup> The bill does not remove the option to publish such notices in a newspaper, radio station, or posting at a courthouse. The bill maintains the requirement that such public notice must occur at least 2 days prior to the noticed meeting.

---

<sup>10</sup> Section 1003.53(1)(a), F.S.

<sup>11</sup> Section 1003.53(1)(c), F.S.

<sup>12</sup> Section 1003.53(5), F.S.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> Section 1006.09(1)(b), F.S.

<sup>16</sup> Section 1006.09(1)(b), F.S.

<sup>17</sup> *Id.*

<sup>18</sup> Section 1002.20(24), F.S.; *see also* Florida Commerce, *Economic Security Reports*, <https://www.floridajobs.org/local-workforce-development-board-resources/program-monitoring-and-reports/economic-security-reports> (last visited Jan. 24, 2024).

<sup>19</sup> Florida Department of Education, *Recommendations to Reduce Regulation in Public Schools* (Nov. 1, 2023), at 13, *available at* [https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf); *see also*, The Future of Work Florida, *Xello*, <https://xello.world/en/florida-college-career-ready/> (last visited Jan. 24, 2024).

<sup>20</sup> *See* s. 50.0311, F.S.

Additionally, the bill authorizes a district school board to advertise its tentative budget and proposed millage levies, by advertising its intent to adopt a tentative budget on the district school board website, so long as the district school board complies with the requirements to ensure that the public has reasonable access to the website, and that the website would provide reasonable notice.

The bill specifies that district school boards may advertise their tentative budgets on the official district school board website instead of the newspaper. The bill also removes the requirement for the district school superintendent to transmit two copies of the adopted budget to the DOE.

The bill authorizes a district school board to adopt a policy that allows a parent to agree to an alternative method of notification regarding a student's placement in a dropout prevention program or a suspension. The bill authorizes the agreement to be made before the need for the notification arises or at the time the notification is required.

The bill removes the requirement that each middle and high school student be provided with a two-page summary of the DEO economic security report, as this information is available by other means.

## **Education Administration and Oversight**

### Present Situation

#### *General Powers of District School Superintendent*

Each school district must have a superintendent of schools who is elected at a general election for a term of four years; or, when provided by resolution of the district school board, or by special law, approved by vote of the electors, is employed by the district school board.<sup>21</sup> The district school superintendent has the authority, and when necessary for the more efficient and adequate operation of the district school system, the responsibility, to:<sup>22</sup>

- Oversee the district school system.
- Advise and counsel with the district school board on all educational matters.
- Recommend to the district school board for adoption such policies pertaining to the district school system as are necessary for its more efficient operation.
- Submit to the district school board for adoption rules to contribute to the efficient operation of any aspect of education in the district.
- Submit to the district school board for adoption minimum standards relating to the operation of any phase of the district school system.
- Perform duties and exercise responsibilities as are assigned to the district school superintendent by law and by rules of the SBE.

Included among the specific powers of the superintendent is the duty to recommend to the district school board for adoption such policies pertaining to the district school system as are necessary for its more efficient operation.<sup>23</sup>

#### *School Bus Infraction Detection Systems*

District school boards are authorized to install and operate a school bus infraction detection system on a school bus for the purpose of documenting a motor vehicle being used or operated in a manner that allegedly violates school bus traffic laws.<sup>24</sup> District school boards are required to post high-visibility reflective signage on the rear of each school bus in which a school bus infraction detection system is installed and operational.<sup>25</sup> The signage must be in the form of one or more signs or stickers and must contain, in the same form:

---

<sup>21</sup> FLA. CONST. art. 9, s. 5.

<sup>22</sup> Section 1001.49, F.S.

<sup>23</sup> Section 1001.49(3), F.S.

<sup>24</sup> Sections 326.003(78) and 316.173, F.S.

<sup>25</sup> Section 316.173(2)(a), F.S.

- The words “STOP WHEN RED LIGHTS FLASH” or “DO NOT PASS WHEN RED LIGHTS FLASH.”
- The words “CAMERA ENFORCED.”
- A graphic depiction of a camera.<sup>26</sup>

Motor vehicle operators must stop when approaching a school bus that displays a stop signal.<sup>27</sup> The civil penalties assessed and collected for violating this requirement as enforced by a school bus infraction detection system must be remitted to the school district in which the violation occurred.<sup>28</sup> Such civil penalties must be used for the installation or maintenance of school bus infraction detection systems on school buses, for any other technology that increases the safety of the transportation of students, or for the administration and costs associated with the enforcement of violations of school bus stop sign requirements.<sup>29</sup>

### *District Guidance Report*

Each district school board is required to annually submit a district guidance report to the Commissioner of Education (commissioner) by June 30.<sup>30</sup> The guidance report must include:<sup>31</sup>

- Examination of student access to certified school counselors.
- Degree to which a district has adopted or implemented a guidance model program.
- Evaluation of the information and training available to certified school counselors and career specialists to advise students on areas of critical need, labor market trends, and technical training requirements.
- Progress toward incorporation of best practices for advisement as identified by the department.
- Consideration of alternative guidance systems or ideas, including, but not limited to, a teacher-advisor model, mentoring, partnerships with the business community, web-based delivery, and parental involvement.
- A guidance plan for the district.

This report is no longer necessary as district school boards provide this information in their annual Mental Health Assistance Allocation Plan and the Mental Health Assistance Allocation Outcomes and Expenditures Report.<sup>32</sup>

### Effect of Proposed Changes

The bill authorizes the district school board to delegate to the superintendent the authority to establish a process for the review and approval of district-wide policies and procedures to improve efficiency. This may allow the school board and the superintendent to be more responsive to the needs of students.

The bill provides flexibility to district school boards to post signage on the rear of each school bus in which a school bus infraction detection system is installed and operational that is not high-visibility reflective signage. Without this revision, district school boards that install school bus infraction detection systems will incur costs to replace current signage with highly reflective material.<sup>33</sup>

The bill authorizes the civil penalties collected for violations of school bus stop sign requirements enforced by a school bus infraction detection system to be used to provide financial awards to recruit or retain school bus drivers in the school district in which the civil penalties are assessed and collected.

<sup>26</sup> *Id.*

<sup>27</sup> Section 316.172(1)(a)-(b), F.S.

<sup>28</sup> Section 316.173(7), F.S.

<sup>29</sup> *Id.*

<sup>30</sup> Section 1006.025(1), F.S.

<sup>31</sup> Section 1006.025(2), F.S.

<sup>32</sup> Florida Department of Education, *Recommendations to Reduce Regulation in Public Schools* (Nov. 1, 2023), at 17, available at [https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf); see also s. 1006.041, F.S.

<sup>33</sup> Florida Department of Education, *Recommendations to Reduce Regulation in Public Schools* (Nov. 1, 2023), at 10, available at [https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf).

The bill repeals the requirement for district school boards to annually submit the guidance report.

## **Voluntary Prekindergarten Program Instructor Training**

### Present Situation

Each public school and private provider which delivers the Voluntary Prekindergarten Education Program (VPK) must have, for each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor who meets each of the following requirements:<sup>34</sup>

- The prekindergarten instructor must hold, at a minimum, one of the following credentials:
  - A child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition; or
  - A credential approved by the Department of Children and Families as being equivalent to or greater than the credential described above.
- The prekindergarten instructor must successfully complete, prior to assignment to that classroom, three emergent literacy training courses that include developmentally appropriate and experiential learning practices for children and a student performance standards training course approved by the DOE as meeting or exceeding the minimum standards specified in law. The prekindergarten instructor must complete an emergent literacy training course at least once every five years after initially completing the three emergent literacy training courses. The courses must be made available online or in person.

### Effect of Proposed Changes

The bill provides that a newly-hired prekindergarten instructor must complete the three emergent literacy training courses within 45 calendar days after being hired if the instructor has not already completed the courses. This change allows VPK providers to complete the onboarding process, and get instructors into classrooms sooner, while the required coursework is being completed. The bill also removes an obsolete date for the completion of a standards training course by a prekindergarten instructor.

## **Teacher Preparation Programs and Professional Learning Systems**

### Present Situation

#### *Educator Preparation Institutes*

Postsecondary institutions that are accredited or approved by the DOE to award degrees and credits for educator certification may seek approval from the DOE to create educator preparation institutes (EPI) for the purpose of providing all or any of the following:<sup>35</sup>

- professional development instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements;
- instruction to assist potential and existing substitute teachers in performing their duties;
- instruction to assist paraprofessionals in meeting education and training requirements;
- competency-based program instruction for noneducation baccalaureate degree holders to become certified teachers in order to increase pathways to the classroom for mid-career professionals; and
- instruction and professional development for part-time and full-time non-degreed teachers of career programs.

A private provider that has a proven history of delivering high-quality educator preparation may also seek approval to offer a competency-based certification program. The DOE approval must be based

---

<sup>34</sup> Sections 1002.55(3)(c) and 1002.63(4), F.S. (private providers and public schools, respectively).

<sup>35</sup> Section 1004.85(2)(a), F.S.; *see also* r. 6A-5.066, F.A.C.



upon evidence provided from other state recipients of the provider's services and data showing the successful performance of completers based upon student achievement.<sup>36</sup>

Each EPI participant must:<sup>37</sup>

- meet teacher certification application and eligibility requirements established in law;
- participate in coursework and field experiences that are appropriate to the participant's educational plan, including completion of all competencies for a reading endorsement when seeking certification in a certificate area that includes reading instruction or interventions in kindergarten through grade 6;
- before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting; and
- achieve a passing score on the professional education competency examination,<sup>38</sup> the basic skills examination, and the subject area examination for the subject area certification which is required by SBE rule.

Each approved EPI must submit annual performance evaluations to the DOE that measure the effectiveness of the programs.<sup>39</sup>

### *Professional Learning Systems*

Current law requires school districts to develop a professional learning system in consultation with classroom teachers, state colleges and universities, business and community representatives, and local education foundations, consortia, and professional organizations.<sup>40</sup> The system must be initially reviewed and approved by the DOE, and subsequently reviewed and approved every 5 years thereafter.<sup>41</sup> Among other things, the professional learning system must:<sup>42</sup>

- support and increase the success of educators through collaboratively developed school improvement plans;
- assist the school community in providing stimulating, scientific research-based educational activities that encourage and motivate students to achieve at the highest levels, and that prepare students for success at subsequent educational levels and the workforce;
- provide continuous support for all education professionals as well as temporary intervention for education professionals who need improvement in knowledge, skills, and performance; and
- provide training to teacher mentors as part of professional development certification and education competency programs.

An organization of private schools or consortium of charter schools which has no fewer than 10 member schools in this state, which publishes and files with the DOE copies of its standards, and the member schools comply with compulsory school attendance, or a public or private college or university with a teacher preparation program, may also develop a professional learning system.<sup>43</sup> The system and inservice catalog must be submitted to the commissioner for approval.<sup>44</sup>

### *Preparation Programs*

---

<sup>36</sup> Section 1004.85(2)(b), F.S.

<sup>37</sup> Section 1004.85(3)(b), F.S.

<sup>38</sup> An individual that completes an educator preparation institute and is rated highly effective by his or her performance evaluation is not required to take or achieve a passing score on the professional education competency examination in order to be awarded a professional certificate. Section 1012.56(7)(a)3., F.S.

<sup>39</sup> Section 1004.85(5), F.S.

<sup>40</sup> Section 1012.98(5)(b), F.S.

<sup>41</sup> Section 1012.98(5)(b)1., F.S.

<sup>42</sup> See s. 1012.98(5)(b)1.-11., F.S.

<sup>43</sup> Section 1012.98(7), F.S.

<sup>44</sup> *Id.*

A district school board, or an organization of private schools or a consortium of charter schools, of at least 10 member schools,<sup>45</sup> with an approved professional learning system,<sup>46</sup> may design alternative teacher preparation programs to enable persons already certificated to add an additional coverage to their certificates.<sup>47</sup> Each alternative teacher preparation program is required to be reviewed and approved by the DOE to assure that persons who complete the program are competent in the necessary areas of subject matter specialization.<sup>48</sup>

### *Florida Institute for Charter School Innovation*

In 2022, the legislature created the Florida Institute for Charter School Innovation at Miami Dade College (Institute), subject to appropriation. The Miami Dade College Board of Trustees must establish policies for the supervision, administration, and governance of the institute.<sup>49</sup>

The Institute must fulfill the following duties:<sup>50</sup>

- Analyze charter school applications, identify best practices, and create a state resource for developing and reviewing charter school applications.
- Provide training, technical assistance, and support to charter school sponsors on the review of charter applications and renewals.
- Conduct applied research on policy and practices related to charter schools.
- Conduct or compile basic research on the status of educational choice, charter authorizing, and charter school performance in Florida and other topics related to charter schools.
- Collaborate with the DOE in developing the sponsor evaluation framework.
- Disseminate information regarding research-based charter school teaching practices to educators in Florida.
- Host research workshops and conferences which allow charter school sponsors, operators, students, and parents to engage in topics related to charter schools.

The Institute may apply for and receive federal, state, or local agency grants for the purpose of fulfilling its duties established in law.

### Effect of Proposed Changes

The bill clarifies that an EPI program participant must satisfy certification requirements prior to participating in field experiences not prior to enrolling in the program.

The bill authorizes the Institute to develop a professional learning system and design an alternative teacher preparation program to enable certified teachers at charter schools to add on additional coverages and endorsements to their certificates.

## **Professional Educator Certificate**

### Present Situation

A professional teaching certificate is valid for five school fiscal years and is renewable.<sup>51</sup> A professional certificate is awarded to an applicant who meets the basic eligibility requirements for certification and demonstrates mastery of:<sup>52</sup>

- General knowledge.

---

<sup>45</sup> Section 1012.98(7), F.S.

<sup>46</sup> Section 1012.98, F.S., defines professional learning as learning that is aligned to the state's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

<sup>47</sup> Section 1012.575, F.S.

<sup>48</sup> *Id.*

<sup>49</sup> Section 1004.88, F.S.

<sup>50</sup> Section 1004.88(2)(a)-(g), F.S.

<sup>51</sup> Section 1012.59(7)(a), F.S.

<sup>52</sup> Section 1012.56(2)(g)-(i), F.S.

- Subject area knowledge.
- Professional preparation and education competence.

Acceptable means of demonstrating mastery of general knowledge include:<sup>53</sup>

- Achievement of passing scores on the general knowledge examination;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards (NBPTS) or a national educator credentialing board approved by the SBE;
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System (FCS) institution, state university, or private college or university that meets certain criteria;
- Achievement of passing scores on national or international examinations with comparable verbal, writing, quantitative reasoning, and rigor as the general knowledge exam, including but not limited to Graduate Record Examination; or
- Documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. The requirement of mastery of general knowledge must be waived for an individual who has been provided 3 years of supports and instruction and who has been rated effective or highly effective for each of the last 3 years.<sup>54</sup>

The acceptable means of demonstrating mastery of subject area knowledge include passing a subject area or other alternative examination as approved by the SBE, having a valid teaching certificate from another state, having a valid certificate from the NBPTS, or a passing score or program completion of a specified defense language proficiency test or program.<sup>55</sup>

A candidate for a professional certificate may demonstrate professional preparation and education competence through the completion of a teacher preparation program and a passing score on the corresponding professional education competency exam required by the SBE.<sup>56</sup> Other means include a valid certification from another state, postsecondary teaching experience, or completion of a professional learning certification program.<sup>57</sup>

For the renewal of a professional certificate, applicants must earn a minimum of 6 college credits or 120 inservice points or a combination thereof, which must include at least 1 college credit or 20 inservice points in teaching students with disabilities. All renewal credits must be earned during the validity period and prior to the expiration date of the current professional certificate.<sup>58</sup> In lieu of college credit or inservice points, applicants may renew a subject area specialization by passing a state board approved Florida-developed subject area examination.<sup>59</sup>

Applicants who hold a professional certificate in any area of certification identified by SBE rule that includes reading instruction or intervention for any students in kindergarten through grade 6, with a

---

<sup>53</sup> Section 1012.56(3), F.S.

<sup>54</sup> Section 1012.56(3), F.S. (flush left provision at the end of the subsection)

<sup>55</sup> Section 1012.56(5), F.S., and r. 6A-4.002(4), F.A.C.

<sup>56</sup> Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida, incorporated by reference* in rule 6A-4.0021, F.A.C.

<sup>57</sup> Section 1012.56(6), F.S.

<sup>58</sup> Section 1012.585(3), F.S. and Florida Department of Education, *Florida Educator Certification Renewal Requirements*, <https://www.fldoe.org/teaching/certification/renewal-requirements/> (last visited Jan. 24, 2024).

<sup>59</sup> Section 1012.585(3)(b), F.S.

beginning validity date of July 1, 2020, or thereafter, must earn a minimum of 2 college credits or 40 inservice points in evidence-based instruction and interventions grounded in the science of reading.<sup>60</sup>

### Effect of Proposed Changes

The bill provides that a teacher may request that her or his certificate be placed in inactive status. A certificate that has been inactive may be reactivated upon application to the department. The bill requires the DOE to establish, by rule, professional learning requirements as a condition of reactivating a certificate that has been inactive for more than 1 year.

The bill authorizes the use of a passing score, as determined by the DOE in rule, on the SAT, ACT, or CLT to satisfy the mastery of general knowledge requirement for educator certification.

## **Certification of Adjunct Instructors**

### Present Situation

District school boards and charter school governing boards may adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the educator certificate general, subject matter, and background screening requirements and who has expertise in the subject area to be taught.<sup>61</sup> Adjunct certificate holders are required to be used primarily as a strategy to enhance the diversity of course offerings offered to all students.<sup>62</sup> An applicant is considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test or has achieved an industry certification in the subject area to be taught.<sup>63</sup>

Each adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district or charter school. An additional annual certification and an additional annual contract may be awarded by the district or charter school at the district's or charter school's discretion but only if the applicant is rated effective or highly effective during each year of teaching under adjunct teaching certification. A school district and charter school may issue an adjunct teaching certificate for a part-time or full-time teaching position; however, an adjunct teaching certificate issued for a full-time teaching position is valid for no more than 5 years and is nonrenewable.<sup>64</sup>

### Effect of Proposed Changes

The bill removes obsolete language that states that each adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district or charter school and references additional annual certification and annual contracts. The 5 year validity already in law makes that language obsolete.

## **Teacher Recruitment and Retention**

### Present Situation

#### *DOE Duties*

The DOE, in cooperation with teacher organizations, district personnel offices, and schools, colleges, and departments of all public and nonpublic postsecondary educational institutions, shall concentrate

---

<sup>60</sup> Section 1012.585(3)(f), F.S. The evidence-based instruction and interventions grounded in the science of reading must be specifically designed for students with characteristics of dyslexia, including the use of explicit, systematic, and sequential approaches to reading instruction, developing phonological and phonemic awareness, decoding, and implementing multisensory intervention strategies.

<sup>61</sup> Section 1012.57(1), F.S.

<sup>62</sup> Section 1012.57(3), F.S.

<sup>63</sup> Section 1012.57(1), F.S.

<sup>64</sup> Section 1012.57 (4), F.S.

on the recruitment and retention of qualified teachers.<sup>65</sup> To assist school districts in teacher recruitment the DOE must:<sup>66</sup>

- Develop and implement a system for posting teaching vacancies and establish a database of teacher applicants that is accessible within and outside the state.
- Advertise in major newspapers, national professional publications, and other professional publications and in public and nonpublic postsecondary educational institutions, if needed.
- Utilize state and nationwide toll-free numbers.
- Conduct periodic communications with district personnel directors regarding applicants.
- Provide district access to the applicant database by computer or telephone.
- Develop and distribute promotional materials related to teaching as a career, if needed.
- Publish and distribute information pertaining to employment opportunities, application procedures, and all routes toward teacher certification in Florida, and teacher salaries.
- Provide information related to certification procedures.
- Develop and sponsor the Florida Future Educator of America Program throughout the state.
- Identify best practices for retaining high-quality teachers.
- Create guidelines and identify best practices for the mentors of first-time teachers and for new teacher-support programs that focus on the professional assistance needed by first-time teachers throughout the first year of teaching. The department shall consult with the Florida Center for Reading Research and the Just Read, Florida! Office in developing the guidelines.
- Develop and implement an online Teacher Toolkit that contains a menu of resources, based on the state academic standards that all teachers can use to enhance classroom instruction and increase teacher effectiveness, thus resulting in improved student achievement.
- Establish a week designated as Educator Appreciation Week to recognize the significant contributions made by educators to their students and school communities.
- Notify each teacher, via e-mail, of each item in the General Appropriations Act and legislation that affects teachers, including, but not limited to, the Florida Teachers Classroom Supply Assistance Program, death benefits for teachers, substantive legislation, rules of the SBE, and issues concerning student achievement.

Once the DOE has adopted the guidelines and identified best practices for the mentors of first-time teachers and for new teacher-support programs that focus on the professional assistance needed by first-time teachers throughout the first year of teaching, each school district must adopt policies based on the DOE guidelines.<sup>67</sup> School districts are also required to electronically submit accurate public school e-mail addresses for all instructional and administrative personnel to the DOE by September 15 and February 15 each school year.<sup>68</sup>

### *Critical Teacher Shortage Areas*

On or before January 31 of each year, the commissioner must recommend to the SBE for approval<sup>69</sup> the specific teaching areas and high priority locations in which critical teacher shortages are projected for public schools in the following academic year.<sup>70</sup> The SBE must consider current and emerging educational requirements and workforce demands in determining critical teacher shortage areas.<sup>71</sup> In addition, data related to Florida public school instructional personnel must include, but not be limited to:<sup>72</sup>

- the number and percentage of positions in each discipline filled by teachers not certified in the appropriate field;

---

<sup>65</sup> Section 1012.05(1), F.S.

<sup>66</sup> Section 1012.05(2)(a)-(n), F.S.

<sup>67</sup> Section 1012.05(3)(a), F.S.

<sup>68</sup> Section 1012.05(3)(b), F.S.

<sup>69</sup> See Florida Department of Education, *Identification of Critical Teacher Shortage Areas for 2022-23*, available at <https://www.fldoe.org/core/fileparse.php/20042/urlt/7-2.pdf>.

<sup>70</sup> Section 1012.07, F.S.; see also r. 6A-20.0131, F.A.C.

<sup>71</sup> *Id.*

<sup>72</sup> Rule 6A-20.0131, F.A.C.

- the annual supply of graduates of state approved Florida teacher education programs for each discipline; and,
- critical teacher shortage areas which may be identified pursuant to rules adopted by district school boards which must be identified based on consideration of at least the information specified in the prior two bullets and submitted to the DOE no later than June 1 of each year.

Based on data submitted annually by each school district, the commissioner must rank all public schools and select from the ranked list those schools to be identified as high priority locations.<sup>73</sup> High priority locations are those which are in high-density, low-economic urban schools; low density, low-economic rural schools; and schools that earned a grade of “F” or three consecutive grades of “D”.<sup>74</sup>

### *Advanced Degree Salary Supplement*

Current law prohibits a district school board from considering advanced degrees in setting a salary schedule for instructional personnel or school administrators hired on or after July 1, 2011, unless the advanced degree is held in the individual’s area of certification and is only a salary supplement.<sup>75</sup> A salary supplement is an annual addition to the base salary for the term of the negotiated supplement as long as the employee continues his or her employment for the purpose of the supplement. A supplement does not become part of the employee’s continuing base salary but shall be considered compensation.<sup>76</sup>

### *Teacher Apprenticeship Program*

In 2023, the Legislature created the Teacher Apprenticeship Program (TAP).<sup>77</sup> The TAP was created as an alternative pathway for an individual to enter the teaching profession. The DOE is required to administer the program in accordance with legislative intent regarding apprenticeship training<sup>78</sup> provided for in law.

To meet the minimum eligibility requirements to participate in the TAP, a candidate must have:<sup>79</sup>

- Received an associate degree from an accredited postsecondary institution.
- Earned a cumulative grade point average (GPA) of 3.0 in that degree program.
- Successfully passed a background screening pursuant to law.
- Received a temporary apprenticeship certificate.

As a condition of participating in the TAP, an apprentice teacher must be appointed by the district school board as an education paraprofessional and must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law<sup>80</sup> and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.<sup>81</sup>

A teacher who serves as a mentor in the TAP must:<sup>82</sup>

- Have at least 7 years of teaching experience in this state.
- Be rated as highly effective in the three most recent value-added model (VAM) scores or on the three most recent available performance evaluations if the teacher does not generate a state VAM score.

---

<sup>73</sup> *Id.*

<sup>74</sup> Section 1012.07, F.S.

<sup>75</sup> Section 1012.22(1)(c)3., F.S.

<sup>76</sup> Section 1012.22(1)(c)1.g., F.S.

<sup>77</sup> Section 6, ch. 2023-38, L.O.F., codified at s. 1012.555, F.S.; *see also* r. 6A-5.067, F.A.C.

<sup>78</sup> Section 446.011, F.S. provides that it is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their abilities; to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills.

<sup>79</sup> Section 1012.555, (2)(a)1.-4., F.S.

<sup>80</sup> “Team teaching” or “co-teaching” means two or more teachers are assigned to a group of students and each teacher is responsible for all of the students during the entire class period. Section 1003.03(5) (c), F.S.

<sup>81</sup> Section 1012.555(2)(c) and (d), F.S.

<sup>82</sup> Section 1012.555(3), F.S.

- Satisfy any other requirements established by the DOE.

### *Dale Hickam Excellent Teaching Program*

The Dale Hickam Excellent Teaching Program was created to provide funding for bonuses for teaching excellence.<sup>83</sup> The bonuses were provided for initial certification for up to one 10-year period. The DOE was required to distribute to each school district an amount as prescribed annually by the Legislature for the Dale Hickam Excellent Teaching Program. Bonuses were provided to teachers who attained the National Board for Professional Teaching Standards (NBPTS) certification.<sup>84</sup> In 2008 and thereafter, teaching candidates could still pursue the NBPTS certification, but at their own expense or with district support.<sup>85</sup>

### Effect of Proposed Changes

The bill requires the SBE to develop strategies to address the critical teacher shortages areas identified by the commissioner. Additionally, the bill requires the DOE, no later than December 1, 2024, to make recommendations to the Governor and Legislature on policy and funding changes to enhance the development and retention of exceptional student education instructional personnel. In developing the recommendations, the commissioner must consider, but is not limited to, all of the following:

- Alternative certification in place of the Elementary Education K-6 certificate as an add-on for personnel certified in exceptional student education.
- Financial incentives, including stipends for teacher education students, loan forgiveness, and instructional personnel salary adjustments and supplements.
- Strategies to encourage high school students to consider exceptional student education, including through preapprenticeships and dual enrollment.
- Funding under the Florida Education Finance Program (FEFP) to support school district exceptional student education personnel and programs.
- Innovative staffing, including teacher mentoring and supports for certified personnel responsibilities for case management and for instruction.

The bill authorizes school districts to develop and adopt their own policies relating to mentors and support for first-time teachers. The bill also reduces, from twice a year to once a year, the number of times school districts must electronically submit all instructional and administrative personnel e-mail addresses to the DOE. School districts will now be required to electronically submit the e-mail addresses by September 15, annually.

The bill authorizes a school district to use advanced degrees when setting salary schedules for instructional personnel or school administrator if the advanced degree is in the individual's area of certification.

The bill expands eligibility for the TAP by aligning the GPA requirements for the TAP with the GPA requirements for the professional certificate.<sup>86</sup> The bill clarifies that the TAP is at least two years long but may be longer, if needed. The bill also reduces the teaching experience requirement for a mentor teacher in the TAP from 7 to 5 years.

The bill repeals the Dale Hickam Excellent Teaching Program.

---

<sup>83</sup> Section 1012.72, F.S.

<sup>84</sup> Section 1012.72(1), F.S.

<sup>85</sup> Section 14, ch. 2008-142, L.O.F.; *see also* Florida Department of Education, *Recommendations to Reduce Regulation in Public Schools* (Nov. 1, 2023), at 22, available at [https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf).

<sup>86</sup> Section 1012.56(2)(c), F.S., requires that each applicant seeking initial certification must have attained at least a 2.5 overall grade point average on a 4.0 scale in the applicant's major field of study.

## Assignment of Teachers

### Present Situation

A school district is prohibited from assigning a higher percentage than the district average of temporarily certified teachers, teachers in need of improvement, or out-of-field to schools that are graded “D” or “F” if the individual:<sup>87</sup>

- Has received an effective rating or highly effective rating in the immediate prior year’s performance evaluation;
- Has successfully completed or is enrolled in a teacher preparation program pursuant to or a teacher preparation program specified in SBE rule, is provided with high quality mentoring during the first 2 years of employment, holds a certificate and holds a probationary contract pursuant; or
- Holds a probationary contract and has successful teaching experience, and if, in the judgment of the school principal, students would benefit from the placement of that individual.

Florida defines an “Ineffective Teacher,” “Inexperienced Teacher” and “Out-of-Field Teacher” as the following:<sup>88</sup>

- Ineffective Teacher: A teacher who has received a summative performance evaluation rating of unsatisfactory.
- Inexperienced Teacher: A teacher who has been teaching less than 3 years or teacher who holds a Temporary Certificate.<sup>89</sup>
- Out-of-Field Teacher: A teacher assigned as the primary instructor for a course in a subject for which the teacher is not appropriately qualified based on the requirements articulated in the Course Code Directory.

In recruiting high-quality teachers to low-performing schools, school district collective bargaining provisions may not preclude a school district from providing incentives and assigning teachers to their low-performing schools.<sup>90</sup>

### Effect of Proposed Changes

The bill defines an inexperienced teacher as a teacher with three or fewer years of experience.

Additionally, the bill shifts from temporarily certified teachers to inexperienced teachers the prohibition on school districts assigning a higher percentage to schools graded “D” or “F” than the school district average. This provides additional flexibility to school districts in the appointment of effective teachers on a temporary certificate. The bill specifies that school district collective bargaining provisions may not preclude a district from providing incentives, including from federal funding.

## School Teacher Collective Bargaining

### Present Situation

The State Constitution guarantees that “the right of employees, by and through a labor organization, to bargain collectively shall not be denied or abridged.”<sup>91</sup> To implement this constitutional provision, the Legislature enacted statutory provisions providing that the purpose of collective bargaining is to promote cooperative relationships between the government and its employees and to protect the public

---

<sup>87</sup> Section 1012.2315, F.S.

<sup>88</sup> Florida Department of Education, *Every Student Succeeds Act (ESSA) State Plan*, (September 24, 2018), available at <https://www.fldoe.org/core/fileparse.php/14196/urlt/FL-ESSA-StatePlan.pdf>, (last visited Jan. 24, 2024).

<sup>89</sup> Florida Department of Education, *Every Student Succeeds Act (ESSA) State Plan*, (September 24, 2018), available at <https://www.fldoe.org/core/fileparse.php/14196/urlt/FL-ESSA-StatePlan.pdf>, (last visited Jan. 24, 2024). In 2018, at the time of the ESSA state plan submission, Florida’s temporary certificate was valid for three school fiscal years. The 2023 Legislature passed HB 1 (Ch. 2023-16, L.O.F.) to increase the validity period of the temporary certificate to five school fiscal years.

<sup>90</sup> Section 1012.2315, (4) F.S.

<sup>91</sup> Art. 1, s. 6, Fla. Const.



by assuring the orderly and uninterrupted operations and functions of government.<sup>92</sup> Public employees have the right to form, join, participate in, and be represented by an employee organization of their own choosing, or to refrain from forming, joining, participating in, or being represented by an employee organization.<sup>93</sup> Regardless of union membership, each employee is subject to the negotiated collective bargaining agreement that is applicable to the employee's position. Through collective bargaining, public employees<sup>94</sup> collectively negotiate with their public employer<sup>95</sup> in the determination of the terms and conditions of their employment.<sup>96</sup> The Public Employees Relations Commission (PERC) is responsible for assisting in resolving disputes between public employees and public employers.<sup>97</sup>

The certified bargaining agent and the chief executive of the public employer must bargain collectively and in good faith in the determination of wages, hours, and terms and conditions of employment of the employees.<sup>98</sup> Any collective bargaining agreement reached between the parties must be put in writing and signed by the chief executive officer and the bargaining agent.<sup>99</sup> Such agreement is not binding on the employer until the agreement has been ratified by the employer and the employees in the bargaining unit.<sup>100</sup>

A district school board or charter school governing board that is unable to meet the annual reporting requirements of classroom teacher and other instructional personnel salary increase due to a collective bargaining impasse must provide written notification to the department or the district school board, as applicable, detailing the reasons for the impasse with a proposed timeline and details for a resolution.<sup>101</sup>

### *Certified Bargaining of Educational Personnel*

Through the process of collective bargaining, a number of teacher unions have negotiated provisions that go beyond the wages, hours, and terms and conditions of employment of the employees. For example, in Miami-Dade Public Schools and the United Teachers of Dade agreement, the United Teachers of Dade requested the creation of the following joint tasks:<sup>102</sup>

- School Calendar – where the parties agree to discuss the development of all aspects of the official school calendar for each year of the contract through a joint Calendar Committee.
- Francisco R. Walker Teacher of the Year Task Force –The task is to determine the Francisco R. Walker Miami-Dade County Teacher of the Year.
- Reports and Forms Control Task Force -- The committee reviews procedures for eliminating, revising, reducing, or consolidating paperwork and data collection requirements within the school district and will submit an annual report of its findings to the Superintendent and the UTD President or Designee by May 1.
- Education Facilities Planning Committee – where the committee consisting of union members is involved in the various design stages on new school facilities.

---

<sup>92</sup> Section 447.201, F.S.

<sup>93</sup> Section 447.301(1) and (2), F.S.

<sup>94</sup> Section 447.203(3), F.S., defines the term “public employee” to mean any person employed by a public employer except for specified exceptions, including Governor appointments, elected officials, employer negotiating representatives, specified managerial or confidential employees, employees of the Florida Legislature, inmates, specified vegetable inspectors, PERC employees, and part-time student workers at a state university.

<sup>95</sup> The term “public employer” means the state or any county, municipality, or special district or any subdivision or agency thereof that the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. Section 447.203(2), F.S.

<sup>96</sup> Section 447.301(2), F.S.

<sup>97</sup> Section 447.201(3), F.S.

<sup>98</sup> Section 447.309(1), F.S.

<sup>99</sup> *Id.*

<sup>100</sup> *Id.*

<sup>101</sup> Section 1011.62(14)(e), F.S.

<sup>102</sup> Miami Dade County Public Schools, *Miami-Dade County Public Schools and the United Teachers of Dade Contract*, at 171, <https://www.hrdadeschools.net/ourpages/auto/2018/6/12/49100089/UTD%20-%202022-2023%20%20Reopener%20Contract%20-%20Effective%20July%201%202022%20-%20June%2030%202023.pdf?rnd=1677258385309>, (last visited Jan. 24, 2024).

The contract between the School Board of Orange County and the Orange County Classroom Teachers Association created a Faculty Advisory Committees at each school, which provides feedback on:<sup>103</sup>

- A rotation plan composed of available staff to substitute in case of emergency.
- The purchase and distribution of instructional equipment, materials and supplies.
- Student discipline plans, which may include guidelines for referral of students into alternative education settings.
- The disposition of discipline referrals in a timely manner.
- Additional safeguards to deal with acts of violence, including those involving weapons, and procedures for notification of teachers when their students have been found to have carried a weapon on campus.
- Other concerns of the faculty which may result in a smoother operation of the school.
- Any school-wide drives or collection of money which involve teachers shall not be approved until such have been discussed with the Faculty Advisory Committee.

### Effect of Proposed Changes

The bill provides that collective bargaining between school districts and teachers unions may not preclude a district school board from carrying out its constitutional and statutory duties related to the following:

- Providing incentives to effective and highly effective teachers.
- Implementing intervention and support strategies under to address the causes of low student performance and improve student academic performance and attendance.
- Implementing student discipline provisions required by law, including a review of a student's abilities, past performance, behavior, and needs.
- Implementing school safety plans and requirements.
- Implementing staff and student recognition programs.
- Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.
- Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.
- The school district's calendar.

Additionally, the bill requires that if district school superintendent appears before the SBE to provide an update on an impasse, the state board must require that the president of the school district bargaining unit also appear.

## **Finance and Budget**

### Present Situation

The Florida Legislature established the FEFP in 1973 to equalize funding for educational programs and services for all students in the K-12 public school system, regardless of geographic or local economic factors.<sup>104</sup> The FEFP is the primary mechanism for funding the operating costs of Florida school districts.<sup>105</sup>

Charter schools also receive funding through the FEFP. Students enrolled in a charter school, regardless of the sponsorship, are funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in a school district.<sup>106</sup>

---

<sup>103</sup> Orange County Public Schools and the Orange County Classroom Teachers Association Contract, at 97, [https://cdnsm5-ss15.sharpschool.com/UserFiles/Servers/Server\\_54619/File/Departments/Human%20Resources/Labor%20Relations/CTA/CTA%20Contract%2022-23%20--%20FINAL.pdf](https://cdnsm5-ss15.sharpschool.com/UserFiles/Servers/Server_54619/File/Departments/Human%20Resources/Labor%20Relations/CTA/CTA%20Contract%2022-23%20--%20FINAL.pdf), (last visited Jan. 24, 2024).

<sup>104</sup> Section 1011.62, F.S.; Florida Department of Education, *2022-23 Funding for Florida School Districts*, (2022), available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/Fefpdist.pdf>, at 4.

<sup>105</sup> *Id.*

<sup>106</sup> Section 1002.33(17), F.S.

## *Financial Accounting and Expenditures*

All funds accruing to a school district must be received, accounted for, and expended in compliance with state laws and rules of the SBE.<sup>107</sup> For example, district school boards are prohibited from using funds to purchase transportation equipment and supplies at prices which exceed those determined by the DOE to be the lowest which can be obtained.<sup>108</sup> At least monthly, school district superintendents are required to submit a financial statement to the DOE in a format specified by the school board.<sup>109</sup>

Charter schools are exempt from this requirement.<sup>110</sup>

### *School Board Discretionary Millage Levy*

Each district school board is authorized to levy 1.5 mills against the taxable value for public school purposes to fund specific needs as identified in law, including, for example:<sup>111</sup>

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.
- Payments for educational facilities and sites due under a lease-purchase agreement.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites, or of renting or leasing buildings or space within existing buildings.

In addition, a district school board may expend up to \$175 per unweighted full-time equivalent (FTE) student from the revenue generated by the millage levy to fund expenses for:<sup>112</sup>

- The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.
- Payment of the cost of premiums property and casualty insurance necessary to insure school district educational and ancillary plants.

District school boards raised \$3,453,738,766.07 in revenues through 1.5-mill levies in the 2021-2022 fiscal year.<sup>113</sup>

To raise funds for capital outlay purposes, district school boards are also authorized to:

- Sell bonds for capital outlay projects to be repaid from local property taxes.<sup>114</sup>
- Levy a sales surtax of up to 0.5 percent for fixed capital outlay purposes if approval is obtained by referendum.<sup>115</sup>
- Levy up to 0.25 mills for fixed capital outlay in lieu of levying an equivalent amount of the 0.748 discretionary operating millage for operations.<sup>116</sup>

## Effect of Proposed Changes

### *Financial Accounting and Expenditures*

---

<sup>107</sup> Section 1010.02, F.S.

<sup>108</sup> Section 1011.68(4), F.S.

<sup>109</sup> Rule 6A-1.008, F.A.C.

<sup>110</sup> Section 1002.33(16), F.S.

<sup>111</sup> Section 1011.71(2), F.S.

<sup>112</sup> Section 1011.71(6), F.S.

<sup>113</sup> Florida Department of Education, *Finance Data Base: Fiscal Year 2022-2023*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/StateTotalBUD2223.pdf>, at 45.

<sup>114</sup> Florida Department of Education, *2022-2023 Funding for Florida School Districts*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf>, at 9. See Art. VII, s. 12, Fla. Const., s. 200.001(3)(e), F.S., and ss. 1010.40 through 1010.55, F.S.

<sup>115</sup> Florida Department of Education, *2022-2023 Funding for Florida School Districts*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf>, at 11. See s. 212.055(6), F.S.

<sup>116</sup> Florida Department of Education, *2022-2023 Funding for Florida School Districts*, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf>, at 9. See s. 1011.71(1), F.S.

The bill requires the SBE to adopt rules to establish criteria for determining the financial status of school districts for financial reporting. The bill specifies a school district may be subject to varying reporting frequencies based on its financial statutes, as determined by SBE rule. Such reporting variances should require a school district identified as having a financial concern would be required to submit monthly financial reports and a school district not identified as having a financial concern may be required to submit financial reports no more often than once every quarter.

The bill provides that a school district that is unable to purchase transportation equipment and supplies at the prices identified by the DOE must request from the assistance from the DOE with purchasing at such prices. The school district may exceed such prices if the DOE is unable to assist the school district with its purchase.

### *School Board Discretionary Millage Levy*

The bill raises the cap to \$200 per unweighted FTE student for the purchase, lease-purchase, or lease of certain district school board vehicles and property and casualty insurance on school district educational and ancillary plants, from \$175 per unweighted FTE student.

## **Facilities Planning**

### Present Situation

#### *State Requirements for Educational Facilities*

Florida school construction is guided by three major authorities. The Florida Building Code governs all construction in the state and is administered by the Florida Building Commission at the Department of Business and Professional Regulation.<sup>117</sup> The Florida Building Code includes specifications for enhanced hurricane protection areas and electrical and standby emergency power systems.<sup>118</sup> The Florida Fire Prevention Code is administered by the Division of State Fire Marshal, at the Department of Financial Services. The third major authority governing school construction in the state is the State Requirements for Educational Facilities (SREF), which is maintained by the DOE.<sup>119</sup> The requirements of the three authorities tend to increase the cost of construction in the state relative to national averages.<sup>120</sup> Charter schools are not required to comply with SREF.<sup>121</sup>

The SREF is the uniform statewide building code for the planning and construction of public educational facilities and ancillary plants.<sup>122</sup> District school boards must adhere to the SREF when planning and constructing new facilities. Generally, SREF standards are premised on providing enhanced safety for occupants and increasing the life span of the extensive, publicly funded infrastructure of Florida's public school districts.<sup>123</sup> Florida law provides school districts with the flexibility to adopt, through resolution, a number of exceptions to SREF requirements. Exceptions

---

<sup>117</sup> Section 553.73, F.S. The Florida Building Code, 7<sup>th</sup> Edition (2020) has been adopted by the Florida Building Commission. Rule 61G20-1.001, F.A.C.

<sup>118</sup> Sections 453.25.1.1 and 453.25.5, Florida Building Code, 7<sup>th</sup> Edition (2020).

<sup>119</sup> Rule 6A-2.0010, F.A.C.

<sup>120</sup> Florida Department of Education, *Review and Adjustment for Florida's Cost per Student Station* (January 1, 2020), at 14, available at <http://www.fldoe.org/core/fileparse.php/7738/urlt/2020AnnCSSR.pdf>.

<sup>121</sup> Section 1002.33(18), F.S.

<sup>122</sup> The State Requirements for Educational Facilities (SREF) is incorporated in Rule 6A-2.0010, F.A.C., and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04664>. The SREF is applicable to all public educational facilities and plants: pre-kindergarten (pre-K) through grade 12, including conversion charter schools; area vocational educational schools; area vocational/technical centers; adult education; Florida colleges and universities; the Florida School for the Deaf and the Blind (FSDB), where referenced; ancillary plants; relocatables; factory-built structures, reconstructable facilities, modular buildings and manufactured buildings; lease and lease-purchase; and new construction, remodeling, renovation, improvements and site-development projects. *Id.* The SREF does not apply to charter schools. Section 1002.33(18), F.S.

<sup>123</sup> See, e.g., s. 1013.12, F.S. (casualty, safety, sanitation, and fire safety standards and inspection of property) and s. 1013.451, F.S. (life-cycle cost comparison).

include, for example, specifications for site lighting or the use of wood studs in interior nonload-bearing walls.<sup>124</sup>

The DOE, in consultation with school boards and county and state emergency management offices, is required to develop public shelter design criteria that are incorporated as standards into the Florida Building Code. These criteria must be designed to ensure that appropriate new educational facilities can serve as public shelters for emergency management purposes.<sup>125</sup> In addition to the requirement to construct emergency shelters as needed, district school boards in an emergency area are required to provide facilities and necessary personnel to staff such facilities.<sup>126</sup>

If a regional planning council in which the county is located does not have a hurricane evacuation shelter deficit as determined by the Division of Emergency Management (DEM), educational facilities within the planning council region are not required to incorporate the public shelter criteria.<sup>127</sup> By January 31 of each even-numbered year, the DEM must prepare and submit a statewide emergency shelter plan to the Governor and Cabinet for approval.<sup>128</sup> After the approval of a plan, a district school board may not be required to build more emergency-shelter space than identified as needed in the plan.<sup>129</sup>

### *Educational Facilities Contracting*

District school boards may employ procedures to contract for construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities, which include, but are not limited to, day-labor contracts not exceeding \$280,000 for construction, renovation, remodeling, or maintenance of existing facilities. This amount is adjusted annually based upon changes in the Consumer Price Index.<sup>130</sup> A "day-labor contract" means a project constructed using persons employed directly by a board or by contracted labor.<sup>131</sup>

### *Educational Facilities*

For changes in construction requirements after the award of contract, a board may authorize the superintendent or president or other designated individual to approve change orders in the name of the board for preestablished amounts.<sup>132</sup> Approvals must be for the purpose of expediting the work in progress and be reported to the board and entered in its official minutes. The district school board is required to monitor and report the impact of change orders on its district educational facilities plan.<sup>133</sup>

District school boards are required to reduce the use of relocatables, and the Office of Educational Facilities within the DOE is required to monitor school board facilities work programs to measure the district commitment in reducing the use of relocatables.<sup>134</sup> The SBE is required to adopt rules which establish the standards for relocatables intended for long-term use<sup>135</sup> as classroom space at a public elementary school, middle school, or high school.<sup>136</sup> The standards must protect the health, safety, and welfare of occupants by requiring compliance with the Florida Building Code or the SREF for existing relocatables, as applicable, to ensure the safety and stability of construction and onsite installation; fire

---

<sup>124</sup> See s. 1013.385(2), F.S.

<sup>125</sup> Section 1013.372(1), F.S.

<sup>126</sup> Section 252.38(1)(d), F.S.

<sup>127</sup> Section 1013.372(1), F.S.

<sup>128</sup> Section 1013.372(2), F.S.

<sup>129</sup> *Id.*

<sup>130</sup> Section 1013.45(1)(e), F.S.

<sup>131</sup> Section 1013.45(2), F.S.

<sup>132</sup> Section 1013.48, F.S. Unless otherwise specified, for the purposes of ch. 1013, F.S., "board" means a district schoolboard, a Florida College System institution board of trustees, a university board of trustees, and the Board of Trustees for the Florida School for the Deaf and the Blind. Section 1013.01(3), F.S.

<sup>133</sup> Section 1013.48, F.S.

<sup>134</sup> Section 1013.21, F.S.

<sup>135</sup> Section 1013.20, F.S. "Long-term use" is defined as the use of relocatables at the same educational plant for a period of four years or more.

<sup>136</sup> Section 1013.20(1), F.S.

and moisture protection; air quality and ventilation; appropriate wind resistance; and compliance with the requirements of the Americans with Disabilities Act of 1990. If appropriate and where relocatables are not scheduled for replacement, the standards must also require relocatables to provide access to the same technologies available to similar classrooms within the main school facility and, if appropriate, and where relocatables are not scheduled for replacement, to be accessible by adequate covered walkways. District school boards are required to submit annual progress reports on a plan for the use of existing relocatables.<sup>137</sup> Relocatables that fail to meet standards for relocatables after completion of the approved plan may not be used as classrooms.

A district school board may rent or lease educational facilities for one year or less, which should be funded through the operations budget or millage proceeds.<sup>138</sup> Extensions or renewals of such leases become multiple-year leases and can also be funded through operational funds or millage proceeds.<sup>139</sup> Additionally, a school board is authorized to lease-purchase educational facilities and sites.<sup>140</sup> The term of any lease-purchase agreement, including the initial term and any subsequent renewals, may not exceed the useful life of educational facilities and sites for which the agreement is made, or 30 years, whichever is less.<sup>141</sup> Educational facilities and sites being acquired pursuant to a lease-purchase agreement are exempt from ad valorem taxation.<sup>142</sup>

A board may construct or place educational facilities and ancillary facilities on land that is owned by any person after the board has acquired from the owner of the land a long-term lease for the use of this land for a period of not less than 40 years or the life expectancy of the permanent facilities constructed thereon, whichever is longer.<sup>143</sup> Construction of educational facilities funded through an educational facilities benefit district or community development district is also subject to the minimum lease term requirement.<sup>144</sup>

### *Educational Plant Survey*

Florida law includes systemwide definitions related to educational facilities.<sup>145</sup> An “educational plant survey” is a systematic study of present educational and ancillary plants and the determination of future needs to provide an appropriate educational program and services for each student based on projected capital outlay FTE's approved by the DOE.<sup>146</sup> The “educational plant” comprises the educational facilities, site, and site improvements necessary to accommodate students, faculty, administrators, staff, and the activities of the educational program of each plant.<sup>147</sup>

“Educational facilities” are the buildings and equipment, structures, and special educational use areas that are built, installed, or established to serve primarily the educational purposes and secondarily the social and recreational purposes of the community.<sup>148</sup> “Auxiliary facilities” are the spaces located at educational plants which are not designed for student occupant stations.<sup>149</sup> The “ancillary plant” is comprised of the building, site, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program.<sup>150</sup>

---

<sup>137</sup> *Id.*

<sup>138</sup> Section 1013.15(2)(a), F.S.

<sup>139</sup> *Id.*

<sup>140</sup> Section 1013.15(2)(b), F.S.

<sup>141</sup> Section 1013.15(2)(c)1., F.S.

<sup>142</sup> *Id.*

<sup>143</sup> Section 1013.16, F.S.

<sup>144</sup> Section 1013.356, F.S.

<sup>145</sup> *See s.* 1013.01, F.S.

<sup>146</sup> Section 1013.01, F.S.

<sup>147</sup> Section 1013.01(7), F.S.

<sup>148</sup> Section 1013.01(6), F.S.

<sup>149</sup> Section 1013.01(2), F.S.

<sup>150</sup> Section 1013.01(1), F.S.

At least every 5 years, each board<sup>151</sup> is required to arrange for an educational plant survey to aid in formulating plans for housing the educational program and student population, faculty, administrators, staff, and auxiliary and ancillary services of the district or campus, including consideration of the local comprehensive plan.<sup>152</sup> The plant survey and the facilities work program are reviewed in the preparation of interlocal agreements between school boards and local governments.<sup>153</sup>

A survey recommendation is not required when a district uses local funds for educational, auxiliary, and ancillary plant capital outlay purposes.<sup>154</sup> Even though the recommendation may not be required, the school district's survey must be submitted as a part of the district educational facilities plan.<sup>155</sup>

The DOE is required to conduct an onsite review of 5 percent of the facilities reported for each school district completing a new survey that year.<sup>156</sup> If the DOE's review finds the data reported by a district is less than 95 percent accurate, within 1 year from the time of notification by the DOE the district must submit revised reports correcting its data. If a district fails to correct its reports, the commissioner may direct that future fixed capital outlay funds be withheld until such time as the district has corrected its reports so that they are not less than 95 percent accurate.<sup>157</sup>

The DOE is also annually required to perform an in-depth analysis of a representative sample of each survey of recommended needs for 5 districts selected by the commissioner from among districts with the largest need-to-revenue ratio. The need-to-revenue ratio is determined by dividing the total 5-year cost of projects listed on the district survey by the total 5-year fixed capital outlay revenue projections from state and local sources as determined by the DOE.<sup>158</sup> The commissioner is authorized to direct fixed capital outlay funds provided from general revenue or from state trust funds to be withheld from districts until such time as the survey accurately projects facilities needs.<sup>159</sup>

District school boards are required to periodically update their inventory of educational facilities as new capacity becomes available and as unsatisfactory space is eliminated.<sup>160</sup>

#### *Cost Per Student Station Limitation*

In Florida, construction costs for traditional K-12 public school facilities are reported based on the cost per student station.<sup>161</sup> In 2005, the DOE conducted a study on overall inflation of school construction costs, including the Consumer Price Index (CPI) and other factors. The cost per student station levels adopted in 2006 were based on the DOE's study recommendations and is adjusted to reflect increases and decreases in the CPI.<sup>162</sup> The DOE and the Office of Economic and Demographic Research (EDR)<sup>163</sup> are required to work together to calculate and disseminate new statutory caps.<sup>164</sup>

---

<sup>151</sup> "Board," unless otherwise specified, means a district schoolboard, a Florida College System institution board of trustees, a state university board of trustees, and the Board of Trustees for the Florida School for the Deaf and the Blind. Section 1013.01(3), F.S. It does not include charter school governing boards.

<sup>152</sup> Section 1013.31(1), F.S.

<sup>153</sup> Section 163.31777(2)(e)-(f) and (4), F.S.

<sup>154</sup> *Id.* at (a) and (d).

<sup>155</sup> Section 1013.31(1)(c)1., F.S.

<sup>156</sup> *Id.*

<sup>157</sup> *Id.*

<sup>158</sup> Section 1013.31(1)(d), F.S.

<sup>159</sup> *Id.*

<sup>160</sup> Section 1013.31(1)(e), F.S.

<sup>161</sup> Section 1013.64(6), F.S.

<sup>162</sup> Office of Economic and Demographic Research, *Review of Florida's Cost Per Student Station* (January 2017), available at <http://edr.state.fl.us/content/special-research-projects/education/CostPerStudentStation.pdf>, at 6.

<sup>163</sup> The Office of Economic and Demographic Research is a research arm of the Legislature principally concerned with forecasting economic and social trends that affect policy making, revenues, and appropriations. Office of Economic and Demographic Research, *Welcome*, <http://edr.state.fl.us/Content/> (last visited January 24, 2024).

<sup>164</sup> Section 1013.64(6)(b)1., F.S.

The forecast by EDR for the July 2023 cost per student station limits are:<sup>165</sup>

- \$27,455 for an elementary school.
- \$29,648 for a middle school.
- \$38,511 for a high school.

Except for certain educational facilities and sites subject to a lease-purchase agreement that may be paid for by a district school board levy,<sup>166</sup> or funded solely through local impact fees, a district school board may not use funds from any sources for new construction of educational plant space with a total cost per student station that exceeds these amounts.<sup>167</sup> The cost per student station includes, for example, contract costs, fees of architects and engineers, and the cost of furniture and equipment.<sup>168</sup> The cost per student station specifically does not include the cost of purchasing or leasing the site for the construction, legal and administrative costs, the cost of related site or offsite improvements, and costs for school safety and hardening items and other capital construction items approved by the school safety specialist to ensure building security for new educational, auxiliary, or ancillary facilities.<sup>169</sup>

An unfinished construction project for new construction of educational plant space that was started on or before July 1, 2026, is exempt from the total cost per student station requirements.<sup>170</sup>

### Effect of Proposed Changes

#### *State Requirements for Educational Facilities*

The bill clarifies the authority of district school boards to adopt exceptions to SREF, provided that any exceptions to requirements for public shelter design criteria, when applicable, remain subject to the concurrence of the applicable local emergency management agency or the DEM. The bill provides that a district school board may not be required to build more emergency-shelter space than identified as needed in the statewide emergency shelter plan.

The bill updates emergency response requirements to replace the requirement for district school boards to staff emergency facilities with the requirement to provide staff necessary to access such facilities, or to perform other duties related to the facilities subject to the county emergency management plan.

#### *Educational Facilities Contracting*

The bill raises the cap of day-labor contracts for construction, renovation, remodeling, or maintenance of existing facilities from \$280,000 to \$600,000.

#### *Educational Facilities*

The bill removes the requirement for the district school board to monitor and report the impact of change orders on its district educational facilities plan.

The bill repeals outdated requirements regarding the reduction in relocatables and the required annual progress report on relocatables a district school board must submit.

---

<sup>165</sup> Office of Economic and Demographic Research, *Student Station Cost Factors* (July 2022), available at <http://edr.state.fl.us/Content/conferences/peco/studentstation.pdf>.

<sup>166</sup> Section 1011.71(2)(e), F.S., sets forth the guidelines for authorized district school board lease-purchase agreements.

<sup>167</sup> Section 1013.64(6)(b)3., F.S.

<sup>168</sup> Section 1013.64(6)(d), F.S.

<sup>169</sup> *Id.*. Such safety improvements include the cost for securing entries, checkpoint construction, lighting specifically designed for entry point security, security cameras, automatic locks and locking devices, electronic security systems, fencing designed to prevent intruder entry into a building, or bullet-proof glass. *Id.*

<sup>170</sup> Section 1013.64(6)(e), F.S.



The bill also broadens the scope of properties a district school board can lease or lease-purchase to include educational plants, ancillary plants, and auxiliary facilities instead of only educational facilities. This allows district school boards to engage in lease or lease-purchase agreements for a wider range of properties related to educational services.

The bill removes the requirement that a board must acquire a lease of at least 40 years to construct or place a facility, but retains the requirement that the lease be as long as the expected lifespan of the facility.

### *Educational Plant Survey*

The bill removes the requirement for each district school board to complete an educational plant survey. Accordingly, the bill also removes the requirements for the DOE to review and analyze educational plant surveys submitted by district school boards.

To enable the distribution of state funds for fixed capital outlay purposes, the bill maintains the requirement for district school boards to periodically update their inventory of educational facilities as new capacity becomes available and as unsatisfactory space is eliminated. The bill authorizes the commissioner to condition state fixed capital outlay funds on a district school board's submission of an educational plant survey that accurately projects facilities needs as indicated by the Florida Inventory of School Houses, as compared with the district's capital outlay full-time equivalent enrollment.

### *Cost Per Student Station Limitation*

The bill extends the exemption from cost per student station limitation to all unfinished construction projects for new construction of educational plant space that was started on or before July 1, 2028.

## **Florida College System Institution Employment Equity Accountability Program**

### Present Situation

Each FCS institution must include in its annual equity update a plan for increasing the representation of women and minorities in senior-level administrative positions and in full-time faculty positions, and for increasing the representation of women and minorities who have attained continuing-contract status.<sup>171</sup> The plan must include specific measurable goals and objectives, specific strategies and timelines for accomplishing these goals and objectives, and comparable national standards as provided by the DOE.<sup>172</sup> FCS institution presidents and the heads of each major administrative division shall be evaluated annually on the progress made toward meeting the goals and objectives of the FCS institution's employment accountability plan.<sup>173</sup>

On or before May 1 of each year, each FCS institution president must submit an annual employment accountability plan to the commissioner and the SBE.<sup>174</sup> The SBE must submit an annual equity progress report to the President of the Senate and the Speaker of the House of Representatives on or before January 1 of each year.<sup>175</sup>

No law requires such a report of Florida's public K-12 institutions or state university system institutions.<sup>176</sup>

### Effect of Proposed Changes

---

<sup>171</sup> Section 1012.86(1), F.S.

<sup>172</sup> *Id.*

<sup>173</sup> Section 1012.86(3), F.S.

<sup>174</sup> Section 1012.86(2), F.S.

<sup>175</sup> Section 1012.86(4), F.S.

<sup>176</sup> Florida Department of Education, *Recommendations to Reduce Regulation in Public Schools* (Nov. 1, 2023), at 22, available at [https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483\\_MeetingPacket\\_5953\\_2.pdf](https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf).

The bill repeals the reporting requirement for FCS institutions to place them on equal footing with other educational institutions in Florida.

## **Electronic Transactions**

### Present Situation

Each district school board, FCS institution board of trustees, and university board of trustees is required to adopt written policies prescribing the accounting and control procedures under which any funds under their control are allowed to be moved by electronic transaction for any purpose including direct deposit, wire transfer, investment, or payment.<sup>177</sup> All public institution electronic transactions must comply with electronic commerce state laws.<sup>178</sup> The Department of Management Services (DMS), in consultation with governmental agencies (i.e. district school boards), is authorized to make certain specifications for the use of electronic records and electronic signatures by governmental agencies.<sup>179</sup>

### Effect of Proposed Changes

The bill excludes district school boards from the requirement to consult with the DMS when establishing acceptance and usage standards for electronic records and electronic signatures. This modification clarifies that district school boards are authorized to establish their own acceptance and usage standards for electronic records and electronic signatures without consultation with the DMS.

## **B. SECTION DIRECTORY:**

- Section 1:** Amends s. 200.065, F.S.; requiring a district school board to advertise its intent to adopt a tentative budget on a publicly available website if the district school board does not advertise such intent in a newspaper of general circulation; defining the term "publicly accessible website"; requiring certain information relating to a postponed hearing to be posted on a school district website under certain circumstances.
- Section 2:** Amends s. 252.38, F.S.; revising the requirements for certain district school boards during declared state or local emergencies and at the request of specified entities.
- Section 3:** Amends s. 316.173, F.S.; revising requirements for signage that must be posted on certain school buses; providing an additional use for specified civil penalties.
- Section 4:** Amends s. 1001.372, F.S.; revising the ways due public notice may be met for district school board meetings.
- Section 5:** Amends s. 1001.49, F.S.; revising the general powers of district school superintendents to include establishing a process for the review and approval of certain policies and procedures through the delegated authority of district school boards.
- Section 6:** Amends s. 1002.20, F.S.; revising a requirement relating to how a parent is informed of placement of a student in a specified program; revising a requirement relating to how a parent is informed of a student's suspension; deleting a requirement that an economic security report of employment and earning outcomes be provided to students.
- Section 7:** Amends s. 1002.55, F.S.; requiring newly hired prekindergarten instructors to complete specified training within a certain timeframe; deleting obsolete language.
- Section 8:** Amends s. 1003.53, F.S.; authorizing district school boards to adopt a policy relating to parental notification methods; providing requirements for such policy.

---

<sup>177</sup> Section 1010.11, F.S.

<sup>178</sup> Regulations for electronic commerce can be found in chapter. 668, Florida Statutes.

<sup>179</sup> Section 668.50(18)(b), F.S.

- Section 9:** Amends s. 1004.85, F.S.; revising the requirements for participants in certain educator preparation programs.
- Section 10:** Amends s. 1004.88, F.S.; authorizing the Florida Institute for Charter School Innovation to develop a professional learning system.
- Section 11:** Repeals s. 1006.025, F.S., relating to guidance services.
- Section 12:** Amends s. 1006.09, F.S.; authorizing district school boards to adopt a policy relating to parental notification methods; providing requirements for such policy.
- Section 13:** Amends s. 1010.02, F.S.; providing financial reporting requirements for certain school districts.
- Section 14:** Amends s. 1010.11, F.S.; providing that school districts are exempt from certain requirements relating to electronic transfer of funds.
- Section 15:** Amends s. 1011.03, F.S.; requiring a district school board to publish its tentative budget on a publicly accessible website; deleting a requirement for a district school board to publish its tentative budget in a newspaper or at a courthouse under certain circumstances.
- Section 16:** Amends s. 1011.68, F.S.; requiring certain school districts to request specified assistance from the Department of Education relating to the purchase of transportation equipment and supplies; authorizing such school districts to purchase such equipment and supplies at specified prices under certain circumstances.
- Section 17:** Amends s. 1011.71, F.S.; revising the amount of funds school districts may expend from specified revenue and for certain purposes.
- Section 18:** Amends s. 1012.05, F.S.; authorizing, rather than requiring, district school boards to base certain policies on guidelines from the department; revising the frequency with which school districts must submit certain information to the department.
- Section 19:** Amends s. 1012.07, F.S.; requiring the State Board of Education to develop strategies to address critical teacher shortages.
- Section 20:** Amends s. 1012.22, F.S.; authorizing district school boards to use advanced degrees in setting salary schedules for specified personnel; providing that collective bargaining may not preclude a district school board from carrying out specified duties; providing that if a superintendent appears before the State Board of Education for a specified purpose, the president of the school district bargaining unit also must appear.
- Section 21:** Amends s. 1012.56, F.S.; authorizing specified assessments to be used to demonstrate mastery of general knowledge for certain educator certification requirements; providing for the placement of an educator certificate in an inactive status; providing requirements for returning an educator certificate to active status.
- Section 22:** Amends s. 1012.2315, F.S.; revising legislative findings and intent; revising school district prohibitions relating to the assignment of certain teachers; defining the term "inexperienced teacher"; providing that certain prohibitions relating to the provision of school district incentives apply to incentives using federal funds.
- Section 23:** Amends s. 1012.555, F.S.; revising requirements for individuals to participate in the Teacher Apprenticeship Program.

- Section 24:** Amends s. 1012.57, F.S.; revising provisions relating to the validity period of adjunct teaching certificates.
- Section 25:** Amends s. 1012.575, F.S.; providing that certain provisions relating to alternative teacher preparation programs also apply to the Florida Institute for Charter School Innovation;
- Section 26:** Requires, by a specified date, the Commissioner of Education to make certain recommendations relating to the development and retention of exceptional student education instructional personnel to the Governor and Legislature.
- Section 27:** Repeals s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program.
- Section 28:** Repeals s. 1012.86, F.S., relating to the Florida College System institution employment equity accountability program.
- Section 29:** Amends s. 1012.98, F.S.; providing that provisions relating to the development of a professional learning system apply to the Florida Institute for Charter School Innovation.
- Section 30:** Amends s. 1013.15, F.S.; authorizing district school boards to rent or lease specified plants and facilities and sites; providing that the lease-purchase of certain plants and facilities and sites are exempt from certain requirements.
- Section 31:** Amends s. 1013.16, F.S.; revising minimum lease term requirements for land for certain construction projects.
- Section 32:** Amends s. 1013.20, F.S.; deleting a district school board requirement to plan for the use of relocatables; deleting a requirement for the commissioner to provide a progress report to the Legislature.
- Section 33:** Repeals s. 1013.21, F.S., relating to reduction of relocatable facilities in use.
- Section 34:** Amends s. s. 1013.31, F.S.; requiring each Florida College System institution board of trustees and state university board of trustees to arrange for educational plant surveys; deleting provisions relating to when an educational plant survey recommendation is not required; requiring Florida College System institution and state university boards, but not district school boards, to participate in specified surveys; deleting a requirement for school districts to submit certain data to the department; revising requirements for what a survey report must include; deleting a requirement that a school district's survey must be submitted as part of the district educational facilities plan; deleting a requirement for the department to perform an analysis of such surveys; revising requirements for a facilities needs survey submitted by a district school board; requiring that the release of funds for a PECO project be subject to certain authorizations.
- Section 35:** Amends s. 1013.385, F.S.; deleting requirements for a resolution relating to educational facilities construction which may be adopted by district school boards; providing that exceptions to requirements for public shelter design criteria remain subject to certain emergency management provisions; providing that a school board may not be required to build more emergency-shelter space than identified as needed.
- Section 36:** Amends s. 1013.45, F.S.; revising the limit for specified day-labor contracts that district school boards and boards of trustees of Florida College System institutions may use.
- Section 37:** Amends s. s. 1013.48, F.S.; deleting a requirement that school districts monitor and report the impact of certain change orders.

- Section 38:** Amends s. s. 1013.64, F.S.; revising the requirements for a construction project to be exempt from cost requirements.
- Section 39:** Amends s. 1001.64, F.S.; conforming cross-references to changes made by the act.
- Section 40:** Amends s. 1001.65, F.S.; conforming cross-references to changes made by the act.
- Section 41:** Amends s. 1003.621, F.S.; conforming cross-references to changes made by the act.
- Section 42:** Amends s. 1011.6202, F.S.; conforming cross-references to changes made by the act.
- Section 43:** Amends s. 1013.35, F.S.; conforming cross-references to changes made by the act.
- Section 44:** Provides an effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

There are no anticipated cost increases to the state or to school districts. However, school districts may realize cost savings for efficiencies created in the bill, reduced reporting requirements, and for additional authority over the construction and renovation of facilities.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

The bill requires the SBE to adopt rules to implement provisions of the bill. Additionally, existing rules may need to be amended or repealed based on the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

Not applicable.

1 A bill to be entitled

2 An act relating to education; amending s. 200.065,  
3 F.S.; requiring a district school board to advertise  
4 its intent to adopt a tentative budget on a publicly  
5 available website if the district school board does  
6 not advertise such intent in a newspaper of general  
7 circulation; defining the term "publicly accessible  
8 website"; requiring certain information relating to a  
9 postponed hearing to be posted on a school district  
10 website under certain circumstances; amending s.  
11 252.38, F.S.; revising the requirements for certain  
12 district school boards during declared state or local  
13 emergencies and at the request of specified entities;  
14 amending s. 316.173, F.S.; revising requirements for  
15 signage that must be posted on certain school buses;  
16 providing an additional use for specified civil  
17 penalties; amending s. 1001.372, F.S.; revising the  
18 ways due public notice may be met for district school  
19 board meetings; amending s. 1001.49, F.S.; revising  
20 the general powers of district school superintendents  
21 to include establishing a process for the review and  
22 approval of certain policies and procedures through  
23 the delegated authority of district school boards;  
24 amending s. 1002.20, F.S.; revising a requirement  
25 relating to how a parent is informed of placement of a

26 student in a specified program; revising a requirement  
27 relating to how a parent is informed of a student's  
28 suspension; deleting a requirement that an economic  
29 security report of employment and earning outcomes be  
30 provided to students; amending s. 1002.55, F.S.;  
31 requiring newly hired prekindergarten instructors to  
32 complete specified training within a certain  
33 timeframe; deleting obsolete language; amending s.  
34 1003.53, F.S.; authorizing district school boards to  
35 adopt a policy relating to parental notification  
36 methods; providing requirements for such policy;  
37 amending s. 1004.85, F.S.; revising the requirements  
38 for participants in certain educator preparation  
39 programs; amending s. 1004.88, F.S.; authorizing the  
40 Florida Institute for Charter School Innovation to  
41 develop a professional learning system; repealing s.  
42 1006.025, F.S., relating to guidance services;  
43 amending s. 1006.09, F.S.; authorizing district school  
44 boards to adopt a policy relating to parental  
45 notification methods; providing requirements for such  
46 policy; amending s. 1010.02, F.S.; providing financial  
47 reporting requirements for certain school districts;  
48 amending s. 1010.11, F.S.; providing that school  
49 districts are exempt from certain requirements  
50 relating to electronic transfer of funds; amending s.



51 1011.03, F.S.; requiring a district school board to  
52 publish its tentative budget on a publicly accessible  
53 website; deleting a requirement for a district school  
54 board to publish its tentative budget in a newspaper  
55 or at a courthouse under certain circumstances;  
56 amending s. 1011.68, F.S.; requiring certain school  
57 districts to request specified assistance from the  
58 Department of Education relating to the purchase of  
59 transportation equipment and supplies; authorizing  
60 such school districts to purchase such equipment and  
61 supplies at specified prices under certain  
62 circumstances; amending s. 1011.71, F.S.; revising the  
63 amount of funds school districts may expend from  
64 specified revenue and for certain purposes; amending  
65 s. 1012.05, F.S.; authorizing, rather than requiring,  
66 district school boards to base certain policies on  
67 guidelines from the department; revising the frequency  
68 with which school districts must submit certain  
69 information to the department; amending s. 1012.07,  
70 F.S.; requiring the State Board of Education to  
71 develop strategies to address critical teacher  
72 shortages; amending s. 1012.22, F.S.; authorizing  
73 district school boards to use advanced degrees in  
74 setting salary schedules for specified personnel;  
75 providing that collective bargaining may not preclude

76 | a district school board from carrying out specified  
 77 | duties; providing that if a superintendent appears  
 78 | before the State Board of Education for a specified  
 79 | purpose, the president of the school district  
 80 | bargaining unit also must appear; amending s. 1012.56,  
 81 | F.S.; authorizing specified assessments to be used to  
 82 | demonstrate mastery of general knowledge for certain  
 83 | educator certification requirements; providing for the  
 84 | placement of an educator certificate in an inactive  
 85 | status; providing requirements for returning an  
 86 | educator certificate to active status; amending s.  
 87 | 1012.2315, F.S.; revising legislative findings and  
 88 | intent; revising school district prohibitions relating  
 89 | to the assignment of certain teachers; defining the  
 90 | term "inexperienced teacher"; providing that certain  
 91 | prohibitions relating to the provision of school  
 92 | district incentives apply to incentives using federal  
 93 | funds; amending s. 1012.555, F.S.; revising  
 94 | requirements for individuals to participate in the  
 95 | Teacher Apprenticeship Program; amending s. 1012.57,  
 96 | F.S.; revising provisions relating to the validity  
 97 | period of adjunct teaching certificates; amending s.  
 98 | 1012.575, F.S.; providing that certain provisions  
 99 | relating to alternative teacher preparation programs  
 100 | also apply to the Florida Institute for Charter School

101 Innovation; by a specified date, requiring the  
 102 Commissioner of Education to make certain  
 103 recommendations relating to the development and  
 104 retention of exceptional student education  
 105 instructional personnel to the Governor and  
 106 Legislature; repealing s. 1012.72, F.S., relating to  
 107 the Dale Hickam Excellent Teaching Program; repealing  
 108 s. 1012.86, F.S., relating to the Florida College  
 109 System institution employment equity accountability  
 110 program; amending s. 1012.98, F.S.; providing that  
 111 provisions relating to the development of a  
 112 professional learning system apply to the Florida  
 113 Institute for Charter School Innovation; amending s.  
 114 1013.15, F.S.; authorizing district school boards to  
 115 rent or lease specified plants and facilities and  
 116 sites; providing that the lease-purchase of certain  
 117 plants and facilities and sites are exempt from  
 118 certain requirements; amending s. 1013.16, F.S.;  
 119 revising minimum lease term requirements for land for  
 120 certain construction projects; amending s. 1013.20,  
 121 F.S.; deleting a district school board requirement to  
 122 plan for the use of relocatables; deleting a  
 123 requirement for the commissioner to provide a progress  
 124 report to the Legislature; repealing s. 1013.21, F.S.,  
 125 relating to reduction of relocatable facilities in

126 use; amending s. 1013.31, F.S.; requiring each Florida  
127 College System institution board of trustees and state  
128 university board of trustees to arrange for  
129 educational plant surveys; deleting provisions  
130 relating to when an educational plant survey  
131 recommendation is not required; requiring Florida  
132 College System institution and state university  
133 boards, but not district school boards, to participate  
134 in specified surveys; deleting a requirement for  
135 school districts to submit certain data to the  
136 department; revising requirements for what a survey  
137 report must include; deleting a requirement that a  
138 school district's survey must be submitted as part of  
139 the district educational facilities plan; deleting a  
140 requirement for the department to perform an analysis  
141 of such surveys; revising requirements for a  
142 facilities needs survey submitted by a district school  
143 board; requiring that the release of funds for a PECO  
144 project be subject to certain authorizations; amending  
145 s. 1013.385, F.S.; deleting requirements for a  
146 resolution relating to educational facilities  
147 construction which may be adopted by district school  
148 boards; providing that exceptions to requirements for  
149 public shelter design criteria remain subject to  
150 certain emergency management provisions; providing

151 that a school board may not be required to build more  
 152 emergency-shelter space than identified as needed;  
 153 amending s. 1013.45, F.S.; revising the limit for  
 154 specified day-labor contracts that district school  
 155 boards and boards of trustees of Florida College  
 156 System institutions may use; amending s. 1013.48,  
 157 F.S.; deleting a requirement that school districts  
 158 monitor and report the impact of certain change  
 159 orders; amending s. 1013.64, F.S.; revising the  
 160 requirements for a construction project to be exempt  
 161 from cost requirements; amending ss. 1001.64, 1001.65,  
 162 1003.621, 1011.6202, and 1013.35, F.S.; conforming  
 163 cross-references to changes made by the act; providing  
 164 an effective date.

165

166 Be It Enacted by the Legislature of the State of Florida:

167

168 Section 1. Paragraph (f) of subsection (2) of section  
 169 200.065, Florida Statutes, is amended to read:

170 200.065 Method of fixing millage.—

171 (2) No millage shall be levied until a resolution or  
 172 ordinance has been approved by the governing board of the taxing  
 173 authority which resolution or ordinance must be approved by the  
 174 taxing authority according to the following procedure:

175 (f)1. Notwithstanding any provisions of paragraph (c) to

176 the contrary, each school district shall advertise its intent to  
177 adopt a tentative budget on a publicly accessible website  
178 pursuant to s. 50.0311 or in a newspaper of general circulation  
179 pursuant to subsection (3) within 29 days after ~~of~~ certification  
180 of value pursuant to subsection (1). For the purpose of this  
181 paragraph, the term "publicly accessible website" includes a  
182 district school board's official website if the school board  
183 website satisfies the remaining requirements of s. 50.0311. Not  
184 less than 2 days or more than 5 days thereafter, the district  
185 shall hold a public hearing on the tentative budget pursuant to  
186 the applicable provisions of paragraph (c). In the event of  
187 postponement or recess due to a declared state of emergency, the  
188 school district may postpone or recess the hearing for up to 7  
189 days and shall post a prominent notice at the place of the  
190 original hearing showing the date, time, and place where the  
191 hearing will be reconvened. The posted notice shall measure not  
192 less than 8.5 by 11 inches. The school district shall make every  
193 reasonable effort to provide reasonable notification of the  
194 continued hearing to the taxpayers. The information must also be  
195 posted on the school district's website if the district school  
196 board uses a different method of advertisement.

197 2. Notwithstanding any provisions of paragraph (b) to the  
198 contrary, each school district shall advise the property  
199 appraiser of its recomputed proposed millage rate within 35 days  
200 of certification of value pursuant to subsection (1). The

201 recomputed proposed millage rate of the school district shall be  
 202 considered its proposed millage rate for the purposes of  
 203 paragraph (b).

204 3. Notwithstanding any provisions of paragraph (d) to the  
 205 contrary, each school district shall hold a public hearing to  
 206 finalize the budget and adopt a millage rate within 80 days of  
 207 certification of value pursuant to subsection (1), but not  
 208 earlier than 65 days after certification. The hearing shall be  
 209 held in accordance with the applicable provisions of paragraph  
 210 (d), except that a newspaper advertisement need not precede the  
 211 hearing.

212 Section 2. Paragraph (d) of subsection (1) of section  
 213 252.38, Florida Statutes, is amended to read:

214 252.38 Emergency management powers of political  
 215 subdivisions.—Safeguarding the life and property of its citizens  
 216 is an innate responsibility of the governing body of each  
 217 political subdivision of the state.

218 (1) COUNTIES.—

219 (d) During a declared state or local emergency and upon  
 220 the request of the director of a local emergency management  
 221 agency, the district school board or school boards in the  
 222 affected area shall participate in emergency management by  
 223 providing facilities and necessary personnel to access ~~staff~~  
 224 such facilities or perform other duties related to the  
 225 facilities as may be required pursuant to the county emergency

226 management plan and program. Each school board providing  
 227 transportation assistance in an emergency evacuation shall  
 228 coordinate the use of its vehicles and personnel with the local  
 229 emergency management agency.

230 Section 3. Paragraph (a) of subsection (2) and subsection  
 231 (7) of section 316.173, Florida Statutes, are amended to read:

232 316.173 School bus infraction detection systems.—

233 (2)(a) The school district must post ~~high-visibility~~  
 234 ~~reflective~~ signage on the rear of each school bus in which a  
 235 school bus infraction detection system is installed and  
 236 operational which indicates the use of such system. The signage  
 237 must be in the form of one or more signs or stickers and must  
 238 contain the following elements in substantially the following  
 239 form:

- 240 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS
- 241 WHEN RED LIGHTS FLASH."
- 242 2. The words "CAMERA ENFORCED."
- 243 3. A graphic depiction of a camera.

244 (7) The civil penalties assessed and collected for a  
 245 violation of s. 316.172(1)(a) or (b) enforced by a school bus  
 246 infraction detection system must be remitted to the school  
 247 district in which the violation occurred. Such civil penalties  
 248 must be used for the installation or maintenance of school bus  
 249 infraction detection systems on school buses, for any other  
 250 technology that increases the safety of the transportation of



251 students, ~~or~~ for the administration and costs associated with  
 252 the enforcement of violations as described in this section, or  
 253 to provide financial awards to recruit or retain school bus  
 254 drivers in the school district in which the civil penalties are  
 255 assessed and collected.

256 Section 4. Paragraph (c) of subsection (2) of section  
 257 1001.372, Florida Statutes, is amended to read:

258 1001.372 District school board meetings.—

259 (2) PLACE OF MEETINGS.—

260 (c) For purpose of this section, due public notice shall  
 261 consist of, at least 2 days prior to the meeting: continuous  
 262 publication on a publicly accessible website as provided in s.  
 263 50.0311 or the official district school board website; by  
 264 publication in a newspaper of general circulation in the county  
 265 or in each county where there is no newspaper of general  
 266 circulation in the county an announcement over at least one  
 267 radio station whose signal is generally received in the county,  
 268 a reasonable number of times daily during the 48 hours  
 269 immediately preceding the date of such meeting; ~~or~~ or by posting a  
 270 notice at the courthouse door if no newspaper is published in  
 271 the county, ~~at least 2 days prior to the meeting.~~

272 Section 5. Subsection (3) of section 1001.49, Florida  
 273 Statutes, is amended to read:

274 1001.49 General powers of district school superintendent.—  
 275 The district school superintendent shall have the authority, and

276 when necessary for the more efficient and adequate operation of  
 277 the district school system, the district school superintendent  
 278 shall exercise the following powers:

279 (3) APPROVE OPERATIONAL POLICIES THROUGH THE DELEGATED  
 280 AUTHORITY OF THE DISTRICT SCHOOL BOARD.—Establish a process for  
 281 the review and approval of districtwide policies and procedures,  
 282 through the formal delegated authority of the district school  
 283 board, ~~RECOMMEND POLICIES.~~—~~Recommend to the district school~~  
 284 ~~board for adoption such policies~~ pertaining to the district  
 285 school system as the district school superintendent may consider  
 286 necessary for its more efficient operation.

287 Section 6. Subsection (25) of section 1002.20, Florida  
 288 Statutes, is renumbered as subsection (24), and paragraph (e) of  
 289 subsection (2), paragraph (a) of subsection (4), and subsection  
 290 (24) of that section are amended, to read:

291 1002.20 K-12 student and parent rights.—Parents of public  
 292 school students must receive accurate and timely information  
 293 regarding their child's academic progress and must be informed  
 294 of ways they can help their child to succeed in school. K-12  
 295 students and their parents are afforded numerous statutory  
 296 rights including, but not limited to, the following:

297 (2) ATTENDANCE.—

298 (e) Dropout prevention and academic intervention  
 299 programs.—The parent of a public school student has the right to  
 300 receive written notice by certified mail or other method agreed

301 to by the parent before ~~prior to~~ placement of the student in a  
 302 dropout prevention and academic intervention program and shall  
 303 be notified in writing and entitled to an administrative review  
 304 of any action by school personnel relating to the student's  
 305 placement, in accordance with ~~the provisions of~~ s. 1003.53(5).

306 (4) DISCIPLINE.—

307 (a) Suspension of public school student.—In accordance  
 308 with the provisions of s. 1006.09(1)-(4):

309 1. A student may be suspended only as provided by rule of  
 310 the district school board. A good faith effort must be made to  
 311 immediately inform the parent by telephone of the student's  
 312 suspension and the reason. Each suspension and the reason must  
 313 be reported in writing within 24 hours to the parent by United  
 314 States mail or other method agreed to by the parent. A good  
 315 faith effort must be made to use parental assistance before  
 316 suspension unless the situation requires immediate suspension.

317 2. A student with a disability may only be recommended for  
 318 suspension or expulsion in accordance with State Board of  
 319 Education rules.

320 ~~(24) ECONOMIC SECURITY REPORT.—Beginning in the 2014-2015~~  
 321 ~~school year and annually thereafter, each middle school and high~~  
 322 ~~school student or the student's parent prior to registration~~  
 323 ~~shall be provided a two-page summary of the Department of~~  
 324 ~~Economic Opportunity's economic security report of employment~~  
 325 ~~and earning outcomes prepared pursuant to s. 445.07 and~~

326 | ~~electronic access to the report.~~

327 | Section 7. Paragraph (c) of subsection (3) of section  
 328 | 1002.55, Florida Statutes, is amended to read:

329 | 1002.55 School-year prekindergarten program delivered by  
 330 | private prekindergarten providers.—

331 | (3) To be eligible to deliver the prekindergarten program,  
 332 | a private prekindergarten provider must meet each of the  
 333 | following requirements:

334 | (c) The private prekindergarten provider must have, for  
 335 | each prekindergarten class of 11 children or fewer, at least one  
 336 | prekindergarten instructor who meets each of the following  
 337 | requirements:

338 | 1. The prekindergarten instructor must hold, at a minimum,  
 339 | one of the following credentials:

340 | a. A child development associate credential issued by the  
 341 | National Credentialing Program of the Council for Professional  
 342 | Recognition; or

343 | b. A credential approved by the Department of Children and  
 344 | Families as being equivalent to or greater than the credential  
 345 | described in sub-subparagraph a.

346 |  
 347 | The Department of Children and Families may adopt rules under  
 348 | ss. 120.536(1) and 120.54 which provide criteria and procedures  
 349 | for approving equivalent credentials under sub-subparagraph b.

350 | 2. The prekindergarten instructor must successfully

351 complete three emergent literacy training courses that include  
 352 developmentally appropriate and experiential learning practices  
 353 for children and a student performance standards training course  
 354 approved by the department as meeting or exceeding the minimum  
 355 standards adopted under s. 1002.59. A newly hired  
 356 prekindergarten instructor must complete the three emergent  
 357 literacy training courses within 45 calendar days after being  
 358 hired if the instructor has not previously completed the  
 359 courses. The prekindergarten instructor must complete an  
 360 emergent literacy training course at least once every 5 years  
 361 after initially completing the three emergent literacy training  
 362 courses. The courses in this subparagraph must be recognized as  
 363 part of the informal early learning and career pathway  
 364 identified by the department under s. 1002.995(1)(b). ~~The~~  
 365 ~~requirement for completion of the standards training course~~  
 366 ~~shall take effect July 1, 2022.~~ The courses must be made  
 367 available online or in person.

368 Section 8. Subsection (5) of section 1003.53, Florida  
 369 Statutes, is amended to read:

370 1003.53 Dropout prevention and academic intervention.—

371 (5) Each district school board providing a dropout  
 372 prevention and academic intervention program pursuant to this  
 373 section shall maintain for each participating student records  
 374 documenting the student's eligibility, the length of  
 375 participation, the type of program to which the student was

376 assigned or the type of academic intervention services provided,  
377 and an evaluation of the student's academic and behavioral  
378 performance while in the program. The school principal or his or  
379 her designee shall, before ~~prior to~~ placement in a dropout  
380 prevention and academic intervention program or the provision of  
381 an academic service, provide written notice of placement or  
382 services by certified mail, return receipt requested, to the  
383 student's parent. The parent of the student shall sign an  
384 acknowledgment of the notice of placement or service and return  
385 the signed acknowledgment to the principal within 3 days after  
386 receipt of the notice. A district school board may adopt a  
387 policy that allows a parent to agree to an alternative method of  
388 notification. Such agreement may be made before the need for  
389 notification arises or at the time the notification becomes  
390 required. The parents of a student assigned to such a dropout  
391 prevention and academic intervention program shall be notified  
392 in writing and entitled to an administrative review of any  
393 action by school personnel relating to such placement pursuant  
394 to the provisions of chapter 120.

395 Section 9. Paragraph (b) of subsection (3) of section  
396 1004.85, Florida Statutes, is amended to read:

397 1004.85 Postsecondary educator preparation institutes.—

398 (3) Educator preparation institutes approved pursuant to  
399 this section may offer competency-based certification programs  
400 specifically designed for noneducation major baccalaureate

401 degree holders to enable program participants to meet the  
402 educator certification requirements of s. 1012.56. An educator  
403 preparation institute choosing to offer a competency-based  
404 certification program pursuant to the provisions of this section  
405 must implement a program developed by the institute and approved  
406 by the department for this purpose. Approved programs shall be  
407 available for use by other approved educator preparation  
408 institutes.

409 (b) Each program participant must:

410 1. Meet certification requirements pursuant to s.  
411 1012.56(1) by obtaining a statement of status of eligibility in  
412 the certification subject area of the educational plan and meet  
413 the requirements of s. 1012.56(2)(a)-(f) before participating in  
414 field experiences.

415 2. Demonstrate competency and participate in field  
416 experiences that are appropriate to his or her educational plan  
417 prepared under paragraph (a). Beginning with candidates entering  
418 an educator preparation institute in the 2022-2023 school year,  
419 a candidate for certification in a coverage area identified  
420 pursuant to s. 1012.585(3)(f) must successfully complete all  
421 competencies for a reading endorsement, including completion of  
422 the endorsement practicum through the candidate's field  
423 experience, in order to graduate from the program.

424 3. Before completion of the program, fully demonstrate his  
425 or her ability to teach the subject area for which he or she is

426 seeking certification by documenting a positive impact on  
427 student learning growth in a prekindergarten through grade 12  
428 setting and, except as provided in s. 1012.56(7)(a)3., achieving  
429 a passing score on the professional education competency  
430 examination, the basic skills examination, and the subject area  
431 examination for the subject area certification which is required  
432 by state board rule.

433 Section 10. Subsections (3) and (4) of section 1004.88,  
434 Florida Statutes, are renumbered as subsections (4) and (5),  
435 respectively, and a new subsection (3) is added to that section,  
436 to read:

437 1004.88 Florida Institute for Charter School Innovation.—

438 (3) The institute may develop a professional learning  
439 system pursuant to s. 1012.98(7).

440 Section 11. Section 1006.025, Florida Statutes, is  
441 repealed.

442 Section 12. Paragraph (b) of subsection (1) of section  
443 1006.09, Florida Statutes, is amended to read:

444 1006.09 Duties of school principal relating to student  
445 discipline and school safety.—

446 (1)

447 (b) The principal or the principal's designee may suspend  
448 a student only in accordance with the rules of the district  
449 school board. The principal or the principal's designee shall  
450 make a good faith effort to immediately inform a student's



451 parent by telephone of a student's suspension and the reasons  
452 for the suspension. Each suspension and the reasons for the  
453 suspension shall be reported in writing within 24 hours to the  
454 student's parent by United States mail. The district school  
455 board may adopt a policy that allows a parent to agree to an  
456 alternative method of notification. Such agreement may be made  
457 before the need for notification arises or at the time the  
458 notification becomes required. Each suspension and the reasons  
459 for the suspension shall also be reported in writing within 24  
460 hours to the district school superintendent. A good faith effort  
461 shall be made by the principal or the principal's designee to  
462 employ parental assistance or other alternative measures before  
463 ~~prior to~~ suspension, except in the case of emergency or  
464 disruptive conditions which require immediate suspension or in  
465 the case of a serious breach of conduct as defined by rules of  
466 the district school board. Such rules shall require oral and  
467 written notice to the student of the charges and an explanation  
468 of the evidence against him or her before ~~prior to~~ the  
469 suspension. Each student shall be given an opportunity to  
470 present his or her side of the story. No student shall be  
471 suspended for unexcused tardiness, lateness, absence, or  
472 truancy. The principal or the principal's designee may suspend  
473 any student transported to or from school at public expense from  
474 the privilege of riding on a school bus for violation of  
475 district school board transportation policies, which shall

476 include a policy regarding behavior at school bus stops, and the  
477 principal or the principal's designee shall give notice in  
478 writing to the student's parent and to the district school  
479 superintendent within 24 hours. School personnel shall not be  
480 held legally responsible for suspensions of students made in  
481 good faith.

482 Section 13. Subsection (1) of section 1010.02, Florida  
483 Statutes, is amended to read:

484 1010.02 Financial accounting and expenditures.—

485 (1) All funds accruing to a school district or a Florida  
486 College System institution must be received, accounted for, and  
487 expended in accordance with law and rules of the State Board of  
488 Education.

489 (a) A school district may be subject to varying reporting  
490 frequencies based on its financial status, as determined in  
491 State Board of Education rule and as follows:

492 1. A school district identified as having a financial  
493 concern may be required to submit monthly financial reports.

494 2. A school district not identified as having a financial  
495 concern may not be required to submit financial reports more  
496 than once every quarter.

497 (b) The State Board of Education shall adopt rules to  
498 establish criteria for determining the financial status of  
499 school districts for the purpose of financial reporting.

500 Section 14. Section 1010.11, Florida Statutes, is amended

501 to read:

502 1010.11 Electronic transfer of funds.—Pursuant to the  
 503 provisions of s. 215.85, each district school board, Florida  
 504 College System institution board of trustees, and university  
 505 board of trustees shall adopt written policies prescribing the  
 506 accounting and control procedures under which any funds under  
 507 their control are allowed to be moved by electronic transaction  
 508 for any purpose including direct deposit, wire transfer,  
 509 withdrawal, investment, or payment. Electronic transactions  
 510 shall comply with the provisions of chapter 668. However, a  
 511 district school board is exempt from the requirements of s.  
 512 668.50(18)(b).

513 Section 15. Subsections (1) and (3) of section 1011.03,  
 514 Florida Statutes, are amended to read:

515 1011.03 Public hearings; budget to be submitted to  
 516 Department of Education.—

517 (1) Each district school board shall cause a summary of  
 518 its tentative budget, including the proposed millage levies as  
 519 provided for by law, to be posted on the district's official  
 520 website or on a publicly accessible website as provided in s.  
 521 50.0311 and advertised once in a newspaper of general  
 522 circulation published in the district or to be posted at the  
 523 courthouse if there be no such newspaper.

524 (3) The board shall hold public hearings to adopt  
 525 tentative and final budgets pursuant to s. 200.065. The hearings

526 shall be primarily for the purpose of hearing requests and  
 527 complaints from the public regarding the budgets and the  
 528 proposed tax levies and for explaining the budget and proposed  
 529 or adopted amendments thereto, if any. The tentative budget must  
 530 be posted on the district's official website at least 2 days  
 531 before the budget hearing held pursuant to s. 200.065 or other  
 532 law. The final adopted budget must be posted on the district's  
 533 official website within 30 days after adoption. The board shall  
 534 require the superintendent to transmit ~~two copies of~~ the adopted  
 535 budget to the Department of Education as prescribed by law and  
 536 rules of the State Board of Education.

537 Section 16. Subsection (4) of section 1011.68, Florida  
 538 Statutes, is amended to read:

539 1011.68 Funds for student transportation.—The annual  
 540 allocation to each district for transportation to public school  
 541 programs, including charter schools as provided in s.  
 542 1002.33(17)(b), of students in membership in kindergarten  
 543 through grade 12 and in migrant and exceptional student programs  
 544 below kindergarten shall be determined as follows:

545 (4) No district shall use funds to purchase transportation  
 546 equipment and supplies at prices which exceed those determined  
 547 by the department to be the lowest which can be obtained, as  
 548 prescribed in s. 1006.27(1). A school district that is unable to  
 549 purchase at such prices shall request from the department  
 550 assistance with purchasing at such prices. The school district

551 may exceed such prices if the department is unable to assist the  
 552 school district with its purchase.

553 Section 17. Subsection (5) of section 1011.71, Florida  
 554 Statutes, is amended to read:

555 1011.71 District school tax.—

556 (5) A school district may expend, subject to s. 200.065,  
 557 up to \$200 ~~\$175~~ per unweighted full-time equivalent student from  
 558 the revenue generated by the millage levy authorized by  
 559 subsection (2) to fund, in addition to expenditures authorized  
 560 in paragraphs (2) (a)-(j), expenses for the following:

561 (a) The purchase, lease-purchase, or lease of driver's  
 562 education vehicles; motor vehicles used for the maintenance or  
 563 operation of plants and equipment; security vehicles; or  
 564 vehicles used in storing or distributing materials and  
 565 equipment.

566 (b) Payment of the cost of premiums, as defined in s.  
 567 627.403, for property and casualty insurance necessary to insure  
 568 school district educational and ancillary plants. As used in  
 569 this paragraph, casualty insurance has the same meaning as in s.  
 570 624.605(1) (d), (f), (g), (h), and (m). Operating revenues that  
 571 are made available through the payment of property and casualty  
 572 insurance premiums from revenues generated under this subsection  
 573 may be expended only for nonrecurring operational expenditures  
 574 of the school district.

575 Section 18. Subsection (3) of section 1012.05, Florida

576 Statutes, is amended to read:

577 1012.05 Teacher recruitment and retention.—

578 (3)(a) Each school board shall adopt policies relating to  
 579 mentors and support for first-time teachers, which may include  
 580 the based upon guidelines issued by the Department of Education.

581 (b) By September 15 ~~and February 15~~ each school year, each  
 582 school district shall electronically submit accurate public  
 583 school e-mail addresses for all instructional and administrative  
 584 personnel, as identified in s. 1012.01(2) and (3), to the  
 585 Department of Education.

586 Section 19. Section 1012.07, Florida Statutes, is amended  
 587 to read:

588 1012.07 Identification of critical teacher shortage  
 589 areas.—The term "critical teacher shortage area" means high-need  
 590 content areas and high-priority location areas identified by the  
 591 State Board of Education. The State Board of Education shall  
 592 adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to  
 593 annually identify critical teacher shortage areas. The state  
 594 board must consider current and emerging educational  
 595 requirements and workforce demands in determining critical  
 596 teacher shortage areas. School grade levels may also be  
 597 designated critical teacher shortage areas. Individual district  
 598 school boards may identify and submit other critical teacher  
 599 shortage areas. Such submissions must be aligned to current and  
 600 emerging educational requirements and workforce demands in order

601 to be approved by the State Board of Education. High-priority  
 602 location areas must ~~shall~~ be in high-density, low-economic urban  
 603 schools; low-density, low-economic rural schools; and schools  
 604 that earned a grade of "F" or three consecutive grades of "D"  
 605 pursuant to s. 1008.34. The State Board of Education shall  
 606 develop strategies to address critical teacher shortage areas.

607 Section 20. Paragraph (c) of subsection (1) of section  
 608 1012.22, Florida Statutes, is amended, and subsection (3) is  
 609 added to that section, to read:

610 1012.22 Public school personnel; powers and duties of the  
 611 district school board.—The district school board shall:

612 (1) Designate positions to be filled, prescribe  
 613 qualifications for those positions, and provide for the  
 614 appointment, compensation, promotion, suspension, and dismissal  
 615 of employees as follows, subject to the requirements of this  
 616 chapter:

617 (c) Compensation and salary schedules.—

618 1. Definitions.—As used in this paragraph:

619 a. "Adjustment" means an addition to the base salary  
 620 schedule that is not a bonus and becomes part of the employee's  
 621 permanent base salary and shall be considered compensation under  
 622 s. 121.021(22).

623 b. "Grandfathered salary schedule" means the salary  
 624 schedule or schedules adopted by a district school board before  
 625 July 1, 2014, pursuant to subparagraph 4.

626 c. "Instructional personnel" means instructional personnel  
627 as defined in s. 1012.01(2)(a)-(d), excluding substitute  
628 teachers.

629 d. "Performance salary schedule" means the salary schedule  
630 or schedules adopted by a district school board pursuant to  
631 subparagraph 5.

632 e. "Salary schedule" means the schedule or schedules used  
633 to provide the base salary for district school board personnel.

634 f. "School administrator" means a school administrator as  
635 defined in s. 1012.01(3)(c).

636 g. "Supplement" means an annual addition to the base  
637 salary for the term of the negotiated supplement as long as the  
638 employee continues his or her employment for the purpose of the  
639 supplement. A supplement does not become part of the employee's  
640 continuing base salary but shall be considered compensation  
641 under s. 121.021(22).

642 2. Cost-of-living adjustment.—A district school board may  
643 provide a cost-of-living salary adjustment if the adjustment:

644 a. Does not discriminate among comparable classes of  
645 employees based upon the salary schedule under which they are  
646 compensated.

647 b. Does not exceed 50 percent of the annual adjustment  
648 provided to instructional personnel rated as effective.

649 3. Advanced degrees.—A district school board may ~~not~~ use  
650 advanced degrees in setting a salary schedule for instructional



651 personnel or school administrators if ~~hired on or after July 1,~~  
 652 ~~2011, unless~~ the advanced degree is held in the individual's  
 653 area of certification ~~and is only a salary supplement.~~

654 4. Grandfathered salary schedule.—

655 a. The district school board shall adopt a salary schedule  
 656 or salary schedules to be used as the basis for paying all  
 657 school employees hired before July 1, 2014. Instructional  
 658 personnel on annual contract as of July 1, 2014, shall be placed  
 659 on the performance salary schedule adopted under subparagraph 5.  
 660 Instructional personnel on continuing contract or professional  
 661 service contract may opt into the performance salary schedule if  
 662 the employee relinquishes such contract and agrees to be  
 663 employed on an annual contract under s. 1012.335. Such an  
 664 employee shall be placed on the performance salary schedule and  
 665 may not return to continuing contract or professional service  
 666 contract status. Any employee who opts into the performance  
 667 salary schedule may not return to the grandfathered salary  
 668 schedule.

669 b. In determining the grandfathered salary schedule for  
 670 instructional personnel, a district school board must base a  
 671 portion of each employee's compensation upon performance  
 672 demonstrated under s. 1012.34 and shall provide differentiated  
 673 pay for both instructional personnel and school administrators  
 674 based upon district-determined factors, including, but not  
 675 limited to, additional responsibilities, school demographics,

676 critical shortage areas, and level of job performance  
 677 difficulties.

678 5. Performance salary schedule.—By July 1, 2014, the  
 679 district school board shall adopt a performance salary schedule  
 680 that provides annual salary adjustments for instructional  
 681 personnel and school administrators based upon performance  
 682 determined under s. 1012.34. Employees hired on or after July 1,  
 683 2014, or employees who choose to move from the grandfathered  
 684 salary schedule to the performance salary schedule shall be  
 685 compensated pursuant to the performance salary schedule once  
 686 they have received the appropriate performance evaluation for  
 687 this purpose.

688 a. Base salary.—The base salary shall be established as  
 689 follows:

690 (I) The base salary for instructional personnel or school  
 691 administrators who opt into the performance salary schedule  
 692 shall be the salary paid in the prior year, including  
 693 adjustments only.

694 (II) Instructional personnel or school administrators new  
 695 to the district, returning to the district after a break in  
 696 service without an authorized leave of absence, or appointed for  
 697 the first time to a position in the district in the capacity of  
 698 instructional personnel or school administrator shall be placed  
 699 on the performance salary schedule.

700 b. Salary adjustments.—Salary adjustments for highly

701 effective or effective performance shall be established as  
702 follows:

703 (I) The annual salary adjustment under the performance  
704 salary schedule for an employee rated as highly effective must  
705 be at least 25 percent greater than the highest annual salary  
706 adjustment available to an employee of the same classification  
707 through any other salary schedule adopted by the district.

708 (II) The annual salary adjustment under the performance  
709 salary schedule for an employee rated as effective must be equal  
710 to at least 50 percent and no more than 75 percent of the annual  
711 adjustment provided for a highly effective employee of the same  
712 classification.

713 (III) A salary schedule shall not provide an annual salary  
714 adjustment for an employee who receives a rating other than  
715 highly effective or effective for the year.

716 c. Salary supplements.—In addition to the salary  
717 adjustments, each district school board shall provide for salary  
718 supplements for activities that must include, but are not  
719 limited to:

720 (I) Assignment to a Title I eligible school.

721 (II) Assignment to a school that earned a grade of "F" or  
722 three consecutive grades of "D" pursuant to s. 1008.34 such that  
723 the supplement remains in force for at least 1 year following  
724 improved performance in that school.

725 (III) Certification and teaching in critical teacher

726 shortage areas. Statewide critical teacher shortage areas shall  
 727 be identified by the State Board of Education under s. 1012.07.  
 728 However, the district school board may identify other areas of  
 729 critical shortage within the school district for purposes of  
 730 this sub-sub-subparagraph and may remove areas identified by the  
 731 state board which do not apply within the school district.

732 (IV) Assignment of additional academic responsibilities.  
 733

734 If budget constraints in any given year limit a district school  
 735 board's ability to fully fund all adopted salary schedules, the  
 736 performance salary schedule shall not be reduced on the basis of  
 737 total cost or the value of individual awards in a manner that is  
 738 proportionally greater than reductions to any other salary  
 739 schedules adopted by the district. Any compensation for  
 740 longevity of service awarded to instructional personnel who are  
 741 on any other salary schedule must be included in calculating the  
 742 salary adjustments required by sub-subparagraph b.

743 (3) (a) Collective bargaining.—Notwithstanding provisions  
 744 of chapter 447 related to district school board collective  
 745 bargaining, collective bargaining may not preclude a district  
 746 school board from carrying out its constitutional and statutory  
 747 duties related to the following:

748 1. Providing incentives to effective and highly effective  
 749 teachers.

750 2. Implementing intervention and support strategies under

751 s. 1008.33 to address the causes of low student performance and  
 752 improve student academic performance and attendance.

753 3. Implementing student discipline provisions required by  
 754 law, including a review of a student's abilities, past  
 755 performance, behavior, and needs.

756 4. Implementing school safety plans and requirements.

757 5. Implementing staff and student recognition programs.

758 6. Distributing correspondence to parents, teachers, and  
 759 community members related to the daily operation of schools and  
 760 the district.

761 7. Providing any required notice or copies of information  
 762 related to the district school board or district operations  
 763 which is readily available on the school district's website.

764 8. The school district's calendar.

765 (b) Appearances before the board.—If a district school  
 766 superintendent appears before the state board to provide an  
 767 update under s. 1011.62(14)(e), the state board must require  
 768 that the president of the collective bargaining unit that  
 769 represents the school district also must appear.

770 Section 21. Paragraph (e) of subsection (3) of section  
 771 1012.56, Florida Statutes, is amended, and paragraph (g) is  
 772 added to subsection (7) of that section, to read:

773 1012.56 Educator certification requirements.—

774 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of  
 775 demonstrating mastery of general knowledge are:

776 (e) Achievement of passing scores, identified in state  
 777 board rule, on national or international examinations that test  
 778 comparable content and relevant standards in verbal, analytical  
 779 writing, and quantitative reasoning skills, including, but not  
 780 limited to, the verbal, analytical writing, and quantitative  
 781 reasoning portions of the Graduate Record Examination and the  
 782 SAT, ACT, and Classic Learning Test. Passing scores identified  
 783 in state board rule must be at approximately the same level of  
 784 rigor as is required to pass the general knowledge examinations;  
 785 or

786  
 787 A school district that employs an individual who does not  
 788 achieve passing scores on any subtest of the general knowledge  
 789 examination must provide information regarding the availability  
 790 of state-level and district-level supports and instruction to  
 791 assist him or her in achieving a passing score. Such information  
 792 must include, but need not be limited to, state-level test  
 793 information guides, school district test preparation resources,  
 794 and preparation courses offered by state universities and  
 795 Florida College System institutions. The requirement of mastery  
 796 of general knowledge shall be waived for an individual who has  
 797 been provided 3 years of supports and instruction and who has  
 798 been rated effective or highly effective under s. 1012.34 for  
 799 each of the last 3 years.

800 (7) TYPES AND TERMS OF CERTIFICATION.—

801       (g) A certificateholder may request that her or his  
 802 certificate be placed in an inactive status. A certificate that  
 803 has been inactive may be reactivated upon application to the  
 804 department. The department shall prescribe, by rule,  
 805 professional learning requirements as a condition of  
 806 reactivating a certificate that has been inactive for more than  
 807 1 year.

808  
 809 At least 1 year before an individual's temporary certificate is  
 810 set to expire, the department shall electronically notify the  
 811 individual of the date on which his or her certificate will  
 812 expire and provide a list of each method by which the  
 813 qualifications for a professional certificate can be completed.

814       Section 22. Subsections (1) and (2) and paragraph (a) of  
 815 subsection (4) of section 1012.2315, Florida Statutes, are  
 816 amended to read:

817       1012.2315 Assignment of teachers.—

818       (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds  
 819 disparities between teachers assigned to teach in a majority of  
 820 schools that do not need improvement and schools that do need  
 821 improvement pursuant to s. 1008.33. The disparities may be found  
 822 in the assignment of inexperienced ~~temporarily certified~~  
 823 teachers, teachers in need of improvement, and out-of-field  
 824 teachers and in the performance of the students. It is the  
 825 intent of the Legislature that district school boards have

826 flexibility through the collective bargaining process to assign  
827 teachers more equitably across the schools in the district.

828 (2) ASSIGNMENT TO SCHOOLS GRADED "D" OR "F".—

829 (a) A school district may not assign a higher percentage  
830 than the school district average of inexperienced ~~temporarily~~  
831 ~~certified~~ teachers, teachers in need of improvement, or out-of-  
832 field teachers to schools graded "D" or "F" pursuant to s.  
833 1008.34. As used in this section, the term "inexperienced  
834 teacher" means a teacher who has been teaching for 3 years or  
835 less.

836 (b)1. A school district may assign an individual newly  
837 hired as instructional personnel to a school that has earned a  
838 grade of "F" in the previous year or any combination of three  
839 consecutive grades of "D" or "F" in the previous 3 years  
840 pursuant to s. 1008.34 if the individual:

841 a. Has received an effective rating or highly effective  
842 rating in the immediate prior year's performance evaluation  
843 pursuant to s. 1012.34;

844 b. Has successfully completed or is enrolled in a teacher  
845 preparation program pursuant to s. 1004.04, s. 1004.85, or s.  
846 1012.56, or a teacher preparation program specified in State  
847 Board of Education rule, is provided with high quality mentoring  
848 during the first 2 years of employment, holds a certificate  
849 issued pursuant to s. 1012.56, and holds a probationary contract  
850 pursuant to s. 1012.335(2)(a); or



851 c. Holds a probationary contract pursuant to s.  
 852 1012.335(2)(a), holds a certificate issued pursuant to s.  
 853 1012.56, and has successful teaching experience, and if, in the  
 854 judgment of the school principal, students would benefit from  
 855 the placement of that individual.

856 2. As used in this paragraph, the term "mentoring"  
 857 includes the use of student achievement data combined with at  
 858 least monthly observations to improve the educator's  
 859 effectiveness in improving student outcomes. Mentoring may be  
 860 provided by a school district, a teacher preparation program  
 861 approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a  
 862 teacher preparation program specified in State Board of  
 863 Education rule.

864  
 865 Each school district shall annually certify to the Commissioner  
 866 of Education that the requirements in this subsection have been  
 867 met. If the commissioner determines that a school district is  
 868 not in compliance with this subsection, the State Board of  
 869 Education must ~~shall~~ be notified and must ~~shall~~ take action  
 870 pursuant to s. 1008.32 in the next regularly scheduled meeting  
 871 to require compliance.

872 (4) COLLECTIVE BARGAINING.—

873 (a) Notwithstanding provisions of chapter 447 relating to  
 874 district school board collective bargaining, collective  
 875 bargaining provisions may not preclude a school district from

876 providing incentives, including from federal funds, to high-  
 877 quality teachers and assigning such teachers to low-performing  
 878 schools.

879 Section 23. Paragraphs (a), (b), and (c) of subsection (2)  
 880 and paragraph (a) of subsection (3) of section 1012.555, Florida  
 881 Statutes, are amended to read:

882 1012.555 Teacher Apprenticeship Program.—

883 (2)(a) An individual must meet the following minimum  
 884 eligibility requirements to participate in the apprenticeship  
 885 program:

886 1. Have received an associate degree from an accredited  
 887 postsecondary institution.

888 2. Have earned a cumulative grade point average of 2.5 ~~3.0~~  
 889 in that degree program.

890 3. Have successfully passed a background screening as  
 891 provided in s. 1012.32.

892 4. Have received a temporary apprenticeship certificate as  
 893 provided in s. 1012.56(7)(d).

894 (b) As a condition of participating in the program, an  
 895 apprentice teacher must commit to spending at least the first 2  
 896 years in the classroom of a mentor teacher using team teaching  
 897 strategies identified in s. 1003.03(5)(b) and fulfilling the on-  
 898 the-job training component of the registered apprenticeship and  
 899 its associated standards.

900 (c) An apprentice teacher must do both of the following:

901           1. Complete at least 2 years in an apprenticeship before  
 902 being eligible to apply for a professional certificate  
 903 established in s. 1012.56(7) (a). Completion of the Teacher  
 904 Apprenticeship Program does not exempt an apprentice teacher  
 905 from the requirements of s. 1012.56(2) (c).

906           2. Receive related instruction as provided in s. 446.051.

907           (3) A teacher who serves as a mentor in the apprenticeship  
 908 program shall mentor his or her apprentice teacher using team  
 909 teaching strategies and must, at a minimum, meet all of the  
 910 following requirements:

911           (a) Have at least 5 7 years of teaching experience in this  
 912 state.

913           Section 24. Subsection (4) of section 1012.57, Florida  
 914 Statutes, is amended to read:

915           1012.57 Certification of adjunct educators.—

916           (4) ~~Each adjunct teaching certificate is valid through the~~  
 917 ~~term of the annual contract between the educator and the school~~  
 918 ~~district or charter school. An additional annual certification~~  
 919 ~~and an additional annual contract may be awarded by the district~~  
 920 ~~or charter school at the district's or charter school's~~  
 921 ~~discretion but only if the applicant is rated effective or~~  
 922 ~~highly effective under s. 1012.34 during each year of teaching~~  
 923 ~~under adjunct teaching certification.~~ A school district and  
 924 charter school may issue an adjunct teaching certificate for a  
 925 part-time or full-time teaching position; however, an adjunct

926 teaching certificate issued for a full-time teaching position is  
927 valid for no more than 5 years and is nonrenewable.

928 Section 25. Section 1012.575, Florida Statutes, is amended  
929 to read:

930 1012.575 Alternative preparation programs for certified  
931 teachers to add additional coverage.—A district school board, ~~or~~  
932 an organization of private schools, or a consortium of charter  
933 schools with an approved professional learning system as  
934 described in s. 1012.98(7), or the Florida Institute for Charter  
935 School Innovation may design alternative teacher preparation  
936 programs to enable persons already certificated to add an  
937 additional coverage to their certificates. Each alternative  
938 teacher preparation program shall be reviewed and approved by  
939 the Department of Education to ensure ~~assure~~ that persons who  
940 complete the program are competent in the necessary areas of  
941 subject matter specialization. Two or more school districts may  
942 jointly participate in an alternative preparation program for  
943 teachers.

944 Section 26. No later than December 1, 2024, the  
945 Commissioner of Education shall make recommendations to the  
946 Governor and the Legislature on policy and funding changes to  
947 enhance the development and retention of exceptional student  
948 education instructional personnel. In developing the  
949 recommendations, the commissioner shall consider, but is not  
950 limited to, all of the following:

951           (1) Alternative certification in place of the Elementary  
 952 Education K-6 certificate as an add-on for personnel certified  
 953 in exceptional student education.

954           (2) Financial incentives, including stipends for teacher  
 955 education students, loan forgiveness, and instructional  
 956 personnel salary adjustments and supplements.

957           (3) Strategies to encourage high school students to  
 958 consider exceptional student education, including through  
 959 preapprenticeships and dual enrollment.

960           (4) Funding under the Florida Education Finance Program to  
 961 support school district exceptional student education personnel  
 962 and programs.

963           (5) Innovative staffing, including teacher mentoring and  
 964 supports for certified personnel responsibilities for case  
 965 management and for instruction.

966           Section 27. Section 1012.72, Florida Statutes, is  
 967 repealed.

968           Section 28. Section 1012.86, Florida Statutes, is  
 969 repealed.

970           Section 29. Paragraph (b) of subsection (5) and subsection  
 971 (7) of section 1012.98, Florida Statutes, are amended to read:

972           1012.98 School Community Professional Learning Act.—

973           (5) The Department of Education, school districts,  
 974 schools, Florida College System institutions, and state  
 975 universities share the responsibilities described in this

976 section. These responsibilities include the following:

977 (b) Each school district shall develop a professional  
 978 learning system as specified in subsection (4). The system shall  
 979 be developed in consultation with teachers, teacher-educators of  
 980 Florida College System institutions and state universities,  
 981 business and community representatives, and local education  
 982 foundations, consortia, and professional organizations. The  
 983 professional learning system must:

984 1. Be reviewed and approved by the department for  
 985 compliance with s. 1003.42(3) and this section. Effective March  
 986 1, 2024, the department shall establish a calendar for the  
 987 review and approval of all professional learning systems. A  
 988 professional learning system must be reviewed and approved every  
 989 5 years. Any substantial revisions to the system must ~~shall~~ be  
 990 submitted to the department for review and approval. The  
 991 department shall establish a format for the review and approval  
 992 of a professional learning system.

993 2. Be based on analyses of student achievement data and  
 994 instructional strategies and methods that support rigorous,  
 995 relevant, and challenging curricula for all students. Schools  
 996 and districts, in developing and refining the professional  
 997 learning system, shall also review and monitor school discipline  
 998 data; school environment surveys; assessments of parental  
 999 satisfaction; performance appraisal data of teachers, managers,  
 1000 and administrative personnel; and other performance indicators

1001 to identify school and student needs that can be met by improved  
 1002 professional performance.

1003 3. Provide inservice activities coupled with followup  
 1004 support appropriate to accomplish district-level and school-  
 1005 level improvement goals and standards. The inservice activities  
 1006 for instructional and school administrative personnel shall  
 1007 focus on analysis of student achievement data, ongoing formal  
 1008 and informal assessments of student achievement, identification  
 1009 and use of enhanced and differentiated instructional strategies  
 1010 that emphasize rigor, relevance, and reading in the content  
 1011 areas, enhancement of subject content expertise, integrated use  
 1012 of classroom technology that enhances teaching and learning,  
 1013 classroom management, parent involvement, and school safety.

1014 4. Provide inservice activities and support targeted to  
 1015 the individual needs of new teachers participating in the  
 1016 professional learning certification and education competency  
 1017 program under s. 1012.56(8) (a) .

1018 5. Include a professional learning catalog for inservice  
 1019 activities, pursuant to rules of the State Board of Education,  
 1020 for all district employees from all fund sources. The catalog  
 1021 must ~~shall~~ be updated annually by September 1, must be based on  
 1022 input from teachers and district and school instructional  
 1023 leaders, and must use the latest available student achievement  
 1024 data and research to enhance rigor and relevance in the  
 1025 classroom. Each district inservice catalog must be aligned to

1026 and support the school-based inservice catalog and school  
1027 improvement plans pursuant to s. 1001.42(18). Each district  
1028 inservice catalog must provide a description of the training  
1029 that middle grades instructional personnel and school  
1030 administrators receive on the district's code of student conduct  
1031 adopted pursuant to s. 1006.07; integrated digital instruction  
1032 and competency-based instruction and CAPE Digital Tool  
1033 certificates and CAPE industry certifications; classroom  
1034 management; student behavior and interaction; extended learning  
1035 opportunities for students; and instructional leadership.  
1036 District plans must be approved by the district school board  
1037 annually in order to ensure compliance with subsection (1) and  
1038 to allow for dissemination of research-based best practices to  
1039 other districts. District school boards shall ~~must~~ submit  
1040 verification of their approval to the Commissioner of Education  
1041 no later than October 1, annually. Each school principal may  
1042 establish and maintain an individual professional learning plan  
1043 for each instructional employee assigned to the school as a  
1044 seamless component to the school improvement plans developed  
1045 pursuant to s. 1001.42(18). An individual professional learning  
1046 plan must be related to specific performance data for the  
1047 students to whom the teacher is assigned, define the inservice  
1048 objectives and specific measurable improvements expected in  
1049 student performance as a result of the inservice activity, and  
1050 include an evaluation component that determines the



1051 effectiveness of the professional learning plan.

1052         6. Include inservice activities for school administrative  
1053 personnel, aligned to the state's educational leadership  
1054 standards, which ~~that~~ address updated skills necessary for  
1055 instructional leadership and effective school management  
1056 pursuant to s. 1012.986.

1057         7. Provide for systematic consultation with regional and  
1058 state personnel designated to provide technical assistance and  
1059 evaluation of local professional learning programs.

1060         8. Provide for delivery of professional learning by  
1061 distance learning and other technology-based delivery systems to  
1062 reach more educators at lower costs.

1063         9. Provide for the continuous evaluation of the quality  
1064 and effectiveness of professional learning programs in order to  
1065 eliminate ineffective programs and strategies and to expand  
1066 effective ones. Evaluations must consider the impact of such  
1067 activities on the performance of participating educators and  
1068 their students' achievement and behavior.

1069         10. For all grades, emphasize:

1070             a. Interdisciplinary planning, collaboration, and  
1071 instruction.

1072             b. Alignment of curriculum and instructional materials to  
1073 the state academic standards adopted pursuant to s. 1003.41.

1074             c. Use of small learning communities; problem-solving,  
1075 inquiry-driven research and analytical approaches for students;

1076 strategies and tools based on student needs; competency-based  
 1077 instruction; integrated digital instruction; and project-based  
 1078 instruction.

1079  
 1080 Each school that includes any of grades 6, 7, or 8 shall ~~must~~  
 1081 include in its school improvement plan, required under s.  
 1082 1001.42(18), a description of the specific strategies used by  
 1083 the school to implement each item listed in this subparagraph.

1084 11. Provide training to reading coaches, classroom  
 1085 teachers, and school administrators in effective methods of  
 1086 identifying characteristics of conditions such as dyslexia and  
 1087 other causes of diminished phonological processing skills;  
 1088 incorporating instructional techniques into the general  
 1089 education setting which are proven to improve reading  
 1090 performance for all students; and using predictive and other  
 1091 data to make instructional decisions based on individual student  
 1092 needs. The training must help teachers integrate phonemic  
 1093 awareness; phonics, word study, and spelling; reading fluency;  
 1094 vocabulary, including academic vocabulary; and text  
 1095 comprehension strategies into an explicit, systematic, and  
 1096 sequential approach to reading instruction, including  
 1097 multisensory intervention strategies. Such training for teaching  
 1098 foundational skills must ~~shall~~ be based on the science of  
 1099 reading and include phonics instruction for decoding and  
 1100 encoding as the primary instructional strategy for word reading.

1101 | Instructional strategies included in the training may not employ  
 1102 | the three-cueing system model of reading or visual memory as a  
 1103 | basis for teaching word reading. Such instructional strategies  
 1104 | may include visual information and strategies which improve  
 1105 | background and experiential knowledge, add context, and increase  
 1106 | oral language and vocabulary to support comprehension, but may  
 1107 | not be used to teach word reading. Each district must provide  
 1108 | all elementary grades instructional personnel access to training  
 1109 | sufficient to meet the requirements of s. 1012.585(3)(f).

1110 |         (7) An organization of private schools or a consortium of  
 1111 | charter schools that has at least ~~which has no fewer than~~ 10  
 1112 | member schools in this state, that ~~which~~ publishes and files  
 1113 | with the Department of Education copies of its standards, and  
 1114 | the member schools of which comply with ~~the provisions of~~ part  
 1115 | II of chapter 1003~~7~~, relating to compulsory school attendance; i~~7~~  
 1116 | ~~or~~ a public or private college or university with a teacher  
 1117 | preparation program approved pursuant to s. 1004.04; or the  
 1118 | Florida Institute for Charter School Innovation~~7~~ may also  
 1119 | develop a professional learning system that includes a  
 1120 | professional learning catalog for inservice activities. The  
 1121 | system and inservice catalog must be submitted to the  
 1122 | commissioner for approval pursuant to state board rules.

1123 |         Section 30. Section 1013.15, Florida Statutes, is amended  
 1124 | to read:

1125 |             1013.15 Lease, rental, and lease-purchase of educational

1126 | plants, ancillary plants, and auxiliary facilities and sites.-

1127 |       (1) A board may lease any land, facilities, or educational  
 1128 | plants owned by it to any person or entity for such term, for  
 1129 | such rent, and upon such terms and conditions as the board  
 1130 | determines to be in its best interests; any such lease may  
 1131 | provide for the optional or binding purchase of the land,  
 1132 | facilities, or educational plants by the lessee upon such terms  
 1133 | and conditions as the board determines are in its best  
 1134 | interests. A determination that any such land, facility, or  
 1135 | educational plant so leased is unnecessary for educational  
 1136 | purposes is not a prerequisite to the leasing or lease-purchase  
 1137 | of such land, facility, or educational plant. Before ~~Prior to~~  
 1138 | entering into or executing any such lease, a board shall  
 1139 | consider approval of the lease or lease-purchase agreement at a  
 1140 | public meeting, at which a copy of the proposed agreement in its  
 1141 | final form shall be available for inspection and review by the  
 1142 | public, after due notice as required by law.

1143 |       (2) (a) A district school board may rent or lease  
 1144 | educational plants, ancillary plants, and auxiliary facilities  
 1145 | and sites as defined in s. 1013.01. Educational plants,  
 1146 | ancillary plants, and auxiliary facilities and sites rented or  
 1147 | leased for 1 year or less shall be funded through the operations  
 1148 | budget or funds derived from millage proceeds pursuant to s.  
 1149 | 1011.71(2). A lease contract for 1 year or less, when extended  
 1150 | or renewed beyond a year, becomes a multiple-year lease.

1151 Operational funds or funds derived from millage proceeds  
 1152 pursuant to s. 1011.71(2) may be authorized to be expended for  
 1153 multiple-year leases. All leased educational plants, ancillary  
 1154 plants, and auxiliary facilities and sites must be inspected  
 1155 before ~~prior to~~ occupancy by the authority having jurisdiction.

1156 1. All newly leased spaces must be inspected and brought  
 1157 into compliance with the Florida Building Code pursuant to  
 1158 chapter 553 and the life safety codes pursuant to chapter 633,  
 1159 before ~~prior to~~ occupancy, using the board's operations budget  
 1160 or funds derived from millage proceeds pursuant to s.  
 1161 1011.71(2).

1162 2. Plans for renovation or remodeling of leased space  
 1163 shall conform to the Florida Building Code and the Florida Fire  
 1164 Prevention Code for educational occupancies or other  
 1165 occupancies, as appropriate and as required in chapters 553 and  
 1166 633, before ~~prior to~~ occupancy.

1167 3. All leased facilities must be inspected annually for  
 1168 firesafety deficiencies in accordance with the applicable code  
 1169 and have corrections made in accordance with s. 1013.12.

1170 Operational funds or funds derived from millage proceeds  
 1171 pursuant to s. 1011.71(2) may be used to correct deficiencies in  
 1172 leased space.

1173 4. When the board declares that a public emergency exists,  
 1174 it may take up to 30 days to bring the leased facility into  
 1175 compliance with the requirements of State Board of Education

1176 rules.

1177 (b) A board is authorized to lease-purchase educational

1178 plants, ancillary plants, and auxiliary facilities and sites as

1179 defined in s. 1013.01, and a district school board is authorized

1180 to lease-purchase educational plants, ancillary plants, and

1181 auxiliary facilities and sites. The lease-purchase of

1182 educational plants, ancillary plants, and auxiliary facilities

1183 and sites must, where applicable, comply with ~~shall be as~~

1184 ~~required by~~ s. 1013.37, subject to the authorization in s.

1185 1013.385 to exempt certain facilities from the requirements of

1186 that section; must ~~shall~~ be advertised for and receive

1187 competitive proposals and be awarded to the best proposer; ~~and~~

1188 must ~~shall~~ be funded using current or other funds specifically

1189 authorized by law to be used for such purpose.

1190 1. A district school board, by itself, or through a

1191 direct-support organization formed pursuant to s. 1001.453 or

1192 nonprofit educational organization or a consortium of district

1193 school boards, may, in developing a lease-purchase of

1194 educational plants, ancillary plants, and auxiliary facilities

1195 and sites provide for separately advertising for and receiving

1196 competitive bids or proposals on the construction of facilities

1197 and the selection of financing to provide the lowest cost

1198 funding available, so long as the board determines that such

1199 process would best serve the public interest and the available

1200 ~~pledged~~ revenues are limited to those authorized in s.

1201 1011.71(2) ~~s. 1011.71(2)(e)~~.

1202         2. All activities and information, including lists of  
 1203 individual participants, associated with agreements made  
 1204 pursuant to this section shall be subject to the provisions of  
 1205 chapter 119 and s. 286.011.

1206         (c)1. The term of any lease-purchase agreement, including  
 1207 the initial term and any subsequent renewals, shall not exceed  
 1208 the useful life of the educational facilities and sites for  
 1209 which the agreement is made, or 30 years, whichever is less.

1210         2. The initial term or any renewal term of any lease-  
 1211 purchase agreement shall expire on June 30 of each fiscal year,  
 1212 but may be automatically renewed annually, subject to a board  
 1213 making sufficient annual appropriations therefor. Under no  
 1214 circumstances shall the failure of a board to renew a lease-  
 1215 purchase agreement constitute a default or require payment of  
 1216 any penalty or in any way limit the right of a board to purchase  
 1217 or utilize educational plants, ancillary plants, and auxiliary  
 1218 facilities and sites similar in function to the educational  
 1219 plants, ancillary plants, and auxiliary facilities and sites  
 1220 that are the subject of the said lease-purchase agreement.  
 1221 Educational plants, ancillary plants, and auxiliary facilities  
 1222 and sites being acquired pursuant to a lease-purchase agreement  
 1223 shall be exempt from ad valorem taxation.

1224         3. No lease-purchase agreement entered into pursuant to  
 1225 this subsection shall constitute a debt, liability, or

1226 obligation of the state or a board or shall be a pledge of the  
1227 faith and credit of the state or a board.

1228 4. Any lease-purchase agreement entered into pursuant to  
1229 this subsection shall stipulate an annual rate which may consist  
1230 of a principal component and an interest component, provided  
1231 that the maximum interest rate of any interest component payable  
1232 under any such lease-purchase agreement, or any participation or  
1233 certificated portion thereof, shall be calculated in accordance  
1234 with and be governed by the provisions of s. 215.84.

1235 (3) Lease or lease-purchase agreements entered into by  
1236 university boards of trustees shall comply with the provisions  
1237 of ss. 1013.171 and 1010.62.

1238 (4) (a) A board may rent or lease existing buildings, or  
1239 space within existing buildings, originally constructed or used  
1240 for purposes other than education, for conversion to use as  
1241 educational facilities. Such buildings rented or leased for 1  
1242 year or less shall be funded through the operations budget or  
1243 funds derived from millage pursuant to s. 1011.71(2). A rental  
1244 agreement or lease contract for 1 year or less, when extended or  
1245 renewed beyond a year, becomes a multiple-year rental or lease.  
1246 Operational funds or funds derived from millage proceeds  
1247 pursuant to s. 1011.71(2) may be authorized to be expended for  
1248 multiple-year rentals or leases. Notwithstanding any other  
1249 provisions of this section, if a building was constructed in  
1250 conformance with all applicable building and life safety codes,



1251 it shall be deemed to meet the requirements for use and  
 1252 occupancy as an educational facility subject only to the  
 1253 provisions of this subsection.

1254 (b) Before ~~Prior to~~ occupying a rented or a leased  
 1255 existing building, or space within an existing building,  
 1256 pursuant to this subsection, a school board shall, in a public  
 1257 meeting, adopt a resolution certifying that the following  
 1258 circumstances apply to the building proposed for occupancy:

1259 1. Growth among the school-age population in the school  
 1260 district has created a need for new educational facilities in a  
 1261 neighborhood where there is little or no vacant land.

1262 2. There exists a supply of vacant space in existing  
 1263 buildings that meet state minimum building and life safety  
 1264 codes.

1265 3. Acquisition and conversion to use as educational  
 1266 facilities of an existing building or buildings is a cost-saving  
 1267 means of providing the needed classroom space as determined by  
 1268 the difference between the cost of new construction, including  
 1269 land acquisition and preparation and, if applicable, demolition  
 1270 of existing structures, and the cost of acquisition through  
 1271 rental or lease and conversion of an existing building or  
 1272 buildings.

1273 4. The building has been examined for suitability, safety,  
 1274 and conformance with state minimum building and life safety  
 1275 codes. The building examination shall consist, at a minimum, of

1276 a review of existing documents, building site reconnaissance,  
 1277 and analysis of the building conducted by, or under the  
 1278 responsible charge of, a licensed structural engineer.

1279 5. A certificate of evaluation has been issued by an  
 1280 appropriately licensed design professional which states that,  
 1281 based on available documents, building site reconnaissance,  
 1282 current knowledge, and design judgment in the professional's  
 1283 opinion, the building meets the requirements of state minimum  
 1284 building and life safety codes, provides safe egress of  
 1285 occupants from the building, provides adequate firesafety, and  
 1286 does not pose a substantial threat to life to persons who would  
 1287 occupy the building for classroom use.

1288 6. The plans for conversion of the building were prepared  
 1289 by an appropriate design professional licensed in this state and  
 1290 the work of conversion was performed by contractors licensed in  
 1291 this state.

1292 7. The conversion of the building was observed by an  
 1293 appropriate design professional licensed in this state.

1294 8. The building has been reviewed, inspected, and granted  
 1295 a certificate of occupancy by the local building department.

1296 9. All ceilings, light fixtures, ducts, and registers  
 1297 within the area to be occupied for classroom purposes were  
 1298 constructed or have been reconstructed to meet state minimum  
 1299 requirements.

1300 Section 31. Subsection (1) of section 1013.16, Florida

1301 Statutes, is amended to read:

1302 1013.16 Construction of facilities on leased property;  
1303 conditions.—

1304 (1) A board may construct or place educational facilities  
1305 and ancillary facilities on land that is owned by any person  
1306 after the board has acquired from the owner of the land a long-  
1307 term lease for the use of this land for a period of not less  
1308 than ~~40 years or~~ the life expectancy of the permanent facilities  
1309 constructed thereon, ~~whichever is longer.~~

1310 Section 32. Subsection (1) of section 1013.20, Florida  
1311 Statutes, is amended to read:

1312 1013.20 Standards for relocatables used as classroom  
1313 space; inspections.—

1314 (1) The State Board of Education shall adopt rules  
1315 establishing standards for relocatables intended for long-term  
1316 use as classroom space at a public elementary school, middle  
1317 school, or high school. "Long-term use" means the use of  
1318 relocatables at the same educational plant for a period of 4  
1319 years or more. Each relocatable acquired by a district school  
1320 board after the effective date of the rules and intended for  
1321 long-term use must comply with the standards. ~~District school~~  
1322 ~~boards shall submit a plan for the use of existing relocatables~~  
1323 ~~within the 5-year work program to be reviewed and approved by~~  
1324 ~~the commissioner by January 1, 2003. A progress report shall be~~  
1325 ~~provided by the commissioner to the Speaker of the House of~~

1326 ~~Representatives and the President of the Senate each January~~  
1327 ~~thereafter.~~ Relocatables that fail to meet the standards ~~after~~  
1328 ~~completion of the approved plan~~ may not be used as classrooms.  
1329 The standards shall protect the health, safety, and welfare of  
1330 occupants by requiring compliance with the Florida Building Code  
1331 or the State Requirements for Educational Facilities for  
1332 existing relocatables, as applicable, to ensure the safety and  
1333 stability of construction and onsite installation; fire and  
1334 moisture protection; air quality and ventilation; appropriate  
1335 wind resistance; and compliance with the requirements of the  
1336 Americans with Disabilities Act of 1990. If appropriate and  
1337 where relocatables are not scheduled for replacement, the  
1338 standards must also require relocatables to provide access to  
1339 the same technologies available to similar classrooms within the  
1340 main school facility and, if appropriate, and where relocatables  
1341 are not scheduled for replacement, to be accessible by adequate  
1342 covered walkways. A relocatable that is subject to this section  
1343 and does not meet the standards shall not be reported as  
1344 providing satisfactory student stations in the Florida Inventory  
1345 of School Houses.

1346 Section 33. Section 1013.21, Florida Statutes, is  
1347 repealed.

1348 Section 34. Section 1013.31, Florida Statutes, is amended  
1349 to read:

1350 1013.31 Educational plant survey; localized need

1351 assessment; PECO project funding.—

1352 (1) At least every 5 years, each Florida College System  
 1353 institution and state university board shall arrange for an  
 1354 educational plant survey, to aid in formulating plans for  
 1355 housing the educational program and student population, faculty,  
 1356 administrators, staff, and auxiliary and ancillary services of  
 1357 the district or campus, including consideration of the local  
 1358 comprehensive plan. The Department of Education shall document  
 1359 the need for additional career and adult education programs and  
 1360 the continuation of existing programs before facility  
 1361 construction or renovation related to career or adult education  
 1362 may be included in the educational plant survey of a school  
 1363 district or Florida College System institution that delivers  
 1364 career or adult education programs. Information used by the  
 1365 Department of Education to establish facility needs must  
 1366 include, but need not be limited to, labor market data, needs  
 1367 analysis, and information submitted by the ~~school district or~~  
 1368 Florida College System institution.

1369 ~~(a) Educational plant survey and localized need assessment~~  
 1370 ~~for capital outlay purposes. A survey recommendation is not~~  
 1371 ~~required when a district uses funds from the following sources~~  
 1372 ~~for educational, auxiliary, and ancillary plant capital outlay~~  
 1373 ~~purposes:~~

1374 ~~1. The local capital outlay improvement fund, consisting~~  
 1375 ~~of funds that come from and are a part of the district's basic~~

1376 ~~operating budget;~~  
 1377       ~~2. A taxpayer-approved bond referendum, to fund~~  
 1378 ~~construction of an educational, auxiliary, or ancillary plant~~  
 1379 ~~facility;~~  
 1380       ~~3. One-half cent sales surtax revenue;~~  
 1381       ~~4. One cent local governmental surtax revenue;~~  
 1382       ~~5. Impact fees;~~  
 1383       ~~6. Private gifts or donations; and~~  
 1384       ~~7. The district school tax levied pursuant to s.~~  
 1385 ~~1011.71(2).~~  
 1386       (a) ~~(b)~~ Survey preparation and required data.—Each survey  
 1387 must ~~shall~~ be conducted by the Florida College System  
 1388 institution or state university board or an agency employed by  
 1389 the board. Surveys must ~~shall~~ be reviewed and approved by the  
 1390 board, and a file copy must ~~shall~~ be submitted to the Department  
 1391 of Education or the Chancellor of the State University System,  
 1392 as appropriate. The survey report must ~~shall~~ include at least an  
 1393 inventory of existing educational and ancillary plants,  
 1394 including safe access facilities; recommendations for existing  
 1395 educational and ancillary plants; recommendations for new  
 1396 educational or ancillary plants, including the general location  
 1397 of each in coordination with the land use plan and safe access  
 1398 facilities; campus master plan update and detail for Florida  
 1399 College System institutions; ~~the utilization of school plants~~  
 1400 ~~based on an extended school day or year-round operation; and~~

1401 such other information as may be required by the Department of  
1402 Education. This report may be amended, if conditions warrant, at  
1403 the request of the department or commissioner.

1404 (b)~~(e)~~ Required need assessment criteria for district,  
1405 Florida College System institution, state university, and  
1406 Florida School for the Deaf and the Blind plant surveys.—  
1407 Educational plant surveys must use uniform data sources and  
1408 criteria specified in this paragraph. Each revised educational  
1409 plant survey and each new educational plant survey supersedes  
1410 previous surveys.

1411 ~~1. The school district's survey must be submitted as a~~  
1412 ~~part of the district educational facilities plan defined in s.~~  
1413 ~~1013.35. To ensure that the data reported to the Department of~~  
1414 ~~Education as required by this section is correct, the department~~  
1415 ~~shall annually conduct an onsite review of 5 percent of the~~  
1416 ~~facilities reported for each school district completing a new~~  
1417 ~~survey that year. If the department's review finds the data~~  
1418 ~~reported by a district is less than 95 percent accurate, within~~  
1419 ~~1 year from the time of notification by the department the~~  
1420 ~~district must submit revised reports correcting its data. If a~~  
1421 ~~district fails to correct its reports, the commissioner may~~  
1422 ~~direct that future fixed capital outlay funds be withheld until~~  
1423 ~~such time as the district has corrected its reports so that they~~  
1424 ~~are not less than 95 percent accurate.~~

1425 1.2. Each survey of a special facility, joint-use

1426 facility, or cooperative career education facility must be based  
1427 on capital outlay full-time equivalent student enrollment data  
1428 prepared by the department for school districts and Florida  
1429 College System institutions and by the Chancellor of the State  
1430 University System for universities. A survey of space needs of a  
1431 joint-use facility shall be based upon the respective space  
1432 needs of the school districts, Florida College System  
1433 institutions, and universities, as appropriate. Projections of a  
1434 school district's facility space needs may not exceed the norm  
1435 space and occupant design criteria established by the State  
1436 Requirements for Educational Facilities.

1437 2.3. Each Florida College System institution's survey must  
1438 reflect the capacity of existing facilities as specified in the  
1439 inventory maintained by the Department of Education. Projections  
1440 of facility space needs must comply with standards for  
1441 determining space needs as specified by rule of the State Board  
1442 of Education. The 5-year projection of capital outlay student  
1443 enrollment must be consistent with the annual report of capital  
1444 outlay full-time student enrollment prepared by the Department  
1445 of Education.

1446 3.4. Each state university's survey must reflect the  
1447 capacity of existing facilities as specified in the inventory  
1448 maintained and validated by the Chancellor of the State  
1449 University System. Projections of facility space needs must be  
1450 consistent with standards for determining space needs as



1451 specified by regulation of the Board of Governors. The projected  
 1452 capital outlay full-time equivalent student enrollment must be  
 1453 consistent with the 5-year planned enrollment cycle for the  
 1454 State University System approved by the Board of Governors.

1455 4.5. The district educational facilities plan of a school  
 1456 district and the educational plant survey of a Florida College  
 1457 System institution, state university, or the Florida School for  
 1458 the Deaf and the Blind may include space needs that deviate from  
 1459 approved standards for determining space needs if the deviation  
 1460 is justified by the district or institution and approved by the  
 1461 department or the Board of Governors, as appropriate, as  
 1462 necessary for the delivery of an approved educational program.

1463 (c)-(d) Review and validation.—The Department of Education  
 1464 shall review and validate the surveys of school districts and  
 1465 Florida College System institutions, and the Chancellor of the  
 1466 State University System shall review and validate the surveys of  
 1467 universities, and any amendments thereto for compliance with the  
 1468 requirements of this chapter and shall recommend those in  
 1469 compliance for approval by the State Board of Education or the  
 1470 Board of Governors, as appropriate. ~~Annually, the department~~  
 1471 ~~shall perform an in-depth analysis of a representative sample of~~  
 1472 ~~each survey of recommended needs for five districts selected by~~  
 1473 ~~the commissioner from among districts with the largest need-to-~~  
 1474 ~~revenue ratio. For the purpose of this subsection, the need-to-~~  
 1475 ~~revenue ratio is determined by dividing the total 5-year cost of~~

1476 ~~projects listed on the district survey by the total 5-year fixed~~  
1477 ~~capital outlay revenue projections from state and local sources~~  
1478 ~~as determined by the department.~~ The commissioner may condition  
1479 the receipt of direct fixed capital outlay funds provided from  
1480 general revenue or from state trust funds by district school  
1481 boards to be withheld from districts until such time as the  
1482 district school board submits a survey that accurately projects  
1483 facilities needs as indicated by the Florida Inventory of School  
1484 Houses, as compared with the district's capital outlay full-time  
1485 equivalent enrollment, as determined by the department.

1486 (d)-(e) Periodic update of Florida Inventory of School  
1487 Houses.—School districts shall periodically update their  
1488 inventory of educational facilities as new capacity becomes  
1489 available and as unsatisfactory space is eliminated. The State  
1490 Board of Education shall adopt rules to determine the timeframe  
1491 in which districts must provide a periodic update.

1492 (2) Only the district school superintendent, Florida  
1493 College System institution president, or the university  
1494 president shall certify to the Department of Education a  
1495 project's compliance with the requirements for expenditure of  
1496 PECO funds prior to release of funds.

1497 (a) Upon request for release of PECO funds for planning  
1498 purposes, certification must be made to the Department of  
1499 Education that the need for and location of the facility are in  
1500 compliance with the board-approved survey recommendations, that

1501 the project meets the definition of a PECO project and the  
 1502 limiting criteria for expenditures of PECO funding, and that the  
 1503 plan is consistent with the local government comprehensive plan.

1504 (b) Upon request for release of construction funds,  
 1505 certification must be made to the Department of Education that  
 1506 the need and location of the facility are in compliance with the  
 1507 board-approved survey recommendations, that the project meets  
 1508 the definition of a PECO project and the limiting criteria for  
 1509 expenditures of PECO funding, and that the construction  
 1510 documents meet the requirements of the Florida Building Code for  
 1511 educational facilities construction, subject to the  
 1512 authorization in s. 1013.385 to exempt certain facilities from  
 1513 the requirements of s. 1013.37, or other applicable codes as  
 1514 authorized in this chapter.

1515 Section 35. Section 1013.385, Florida Statutes, is amended  
 1516 to read:

1517 1013.385 School district construction flexibility.—

1518 ~~(1)~~ A district school board may, with a majority vote at a  
 1519 public meeting that begins no earlier than 5 p.m., adopt a  
 1520 resolution to implement one or more ~~of the~~ exceptions to the  
 1521 educational facilities construction requirements to provide a  
 1522 school with ~~provided in this section.~~

1523 ~~(2) A resolution adopted under this section may propose~~  
 1524 ~~implementation of exceptions to requirements of the uniform~~  
 1525 ~~statewide building code for the planning and construction of~~

1526 ~~public educational and ancillary plants adopted pursuant to ss.~~  
1527 ~~553.73 and 1013.37 relating to:~~

1528 ~~(a) Interior non-load-bearing walls, by approving the use~~  
1529 ~~of fire-rated wood stud walls in new construction or remodeling~~  
1530 ~~for interior non-load-bearing wall assemblies that will not be~~  
1531 ~~exposed to water or located in wet areas.~~

1532 ~~(b) Walkways, roadways, driveways, and parking areas, by~~  
1533 ~~approving the use of designated, stabilized, and well-drained~~  
1534 ~~gravel or grassed student parking areas.~~

1535 ~~(c) Standards for relocatables used as classroom space, as~~  
1536 ~~specified in s. 1013.20, by approving construction~~  
1537 ~~specifications for installation of relocatable buildings that do~~  
1538 ~~not have covered walkways leading to the permanent buildings~~  
1539 ~~onsite.~~

1540 ~~(d) Site lighting, by approving construction~~  
1541 ~~specifications regarding site lighting that:~~

1542 ~~1. Do not provide for lighting of gravel or grassed~~  
1543 ~~auxiliary or student parking areas.~~

1544 ~~2. Provide lighting for walkways, roadways, driveways,~~  
1545 ~~paved parking lots, exterior stairs, ramps, and walkways from~~  
1546 ~~the exterior of the building to a public walkway through~~  
1547 ~~installation of a timer that is set to provide lighting only~~  
1548 ~~during periods when the site is occupied.~~

1549 ~~3. Allow lighting for building entrances and exits to be~~  
1550 ~~installed with a timer that is set to provide lighting only~~

1551 ~~during periods in which the building is occupied. The minimum~~  
1552 ~~illumination level at single-door exits may be reduced to no~~  
1553 ~~less than 1 foot-candle.~~

1554 ~~(c) Any other provisions that limit the ability of a~~  
1555 ~~school to operate in a facility on the same basis as a charter~~  
1556 ~~school pursuant to s. 1002.33(18). When a hurricane evacuation~~  
1557 ~~shelter deficit, as determined by the Division of Emergency~~  
1558 ~~Management, in the regional planning council region in which the~~  
1559 ~~county is located makes public shelter design criteria~~  
1560 ~~applicable, any exceptions to the public shelter design criteria~~  
1561 ~~remain subject to the concurrence of the applicable local~~  
1562 ~~emergency management agency or the Division of Emergency~~  
1563 ~~Management. A district school board may not be required to build~~  
1564 ~~more emergency-shelter space than identified as needed in the~~  
1565 ~~statewide emergency shelter plan so long as the regional~~  
1566 ~~planning council determines that there is sufficient shelter~~  
1567 ~~capacity within the school district as documented in the~~  
1568 ~~Statewide Emergency Shelter Plan.~~

1569 Section 36. Paragraph (e) of subsection (1) of section  
1570 1013.45, Florida Statutes, is amended to read:

1571 1013.45 Educational facilities contracting and  
1572 construction techniques for school districts and Florida College  
1573 System institutions.—

1574 (1) District school boards and boards of trustees of  
1575 Florida College System institutions may employ procedures to

1576 contract for construction of new facilities, or for additions,  
 1577 remodeling, renovation, maintenance, or repairs to existing  
 1578 facilities, which include, but are not limited to:

1579 (e) Day-labor contracts not exceeding \$600,000 ~~\$280,000~~  
 1580 for construction, renovation, remodeling, or maintenance of  
 1581 existing facilities. This amount shall be adjusted annually  
 1582 based upon changes in the Consumer Price Index.

1583 Section 37. Section 1013.48, Florida Statutes, is amended  
 1584 to read:

1585 1013.48 Changes in construction requirements after award  
 1586 of contract.—The board may, at its option and by written policy  
 1587 duly adopted and entered in its official minutes, authorize the  
 1588 superintendent or president or other designated individual to  
 1589 approve change orders in the name of the board for  
 1590 preestablished amounts. Approvals must ~~shall~~ be for the purpose  
 1591 of expediting the work in progress and must ~~shall~~ be reported to  
 1592 the board and entered in its official minutes. ~~For~~  
 1593 ~~accountability, the school district shall monitor and report the~~  
 1594 ~~impact of change orders on its district educational facilities~~  
 1595 ~~plan pursuant to s. 1013.35.~~

1596 Section 38. Paragraph (e) of subsection (6) of section  
 1597 1013.64, Florida Statutes, is amended to read:

1598 1013.64 Funds for comprehensive educational plant needs;  
 1599 construction cost maximums for school district capital  
 1600 projects.—Allocations from the Public Education Capital Outlay

1601 and Debt Service Trust Fund to the various boards for capital  
 1602 outlay projects shall be determined as follows:

1603 (6)

1604 (e) Notwithstanding the requirements of this subsection,  
 1605 an unfinished construction project for new construction of  
 1606 educational plant space that was started on or before July 1,  
 1607 2028 ~~2026~~, is exempt from the total cost per student station  
 1608 requirements established in paragraph (b).

1609 Section 39. Subsection (19) of section 1001.64, Florida  
 1610 Statutes, is amended to read:

1611 1001.64 Florida College System institution boards of  
 1612 trustees; powers and duties.—

1613 (19) Each board of trustees shall appoint, suspend, or  
 1614 remove the president of the Florida College System institution.  
 1615 The board of trustees may appoint a search committee. The board  
 1616 of trustees shall conduct annual evaluations of the president in  
 1617 accordance with rules of the State Board of Education and submit  
 1618 such evaluations to the State Board of Education for review. The  
 1619 evaluation must address the achievement of the performance goals  
 1620 established by the accountability process implemented pursuant  
 1621 to s. 1008.45 ~~and the performance of the president in achieving~~  
 1622 ~~the annual and long-term goals and objectives established in the~~  
 1623 ~~Florida College System institution's employment accountability~~  
 1624 ~~program implemented pursuant to s. 1012.86.~~

1625 Section 40. Subsection (22) of section 1001.65, Florida

1626 Statutes, is amended to read:

1627       1001.65 Florida College System institution presidents;  
 1628 powers and duties.—The president is the chief executive officer  
 1629 of the Florida College System institution, shall be corporate  
 1630 secretary of the Florida College System institution board of  
 1631 trustees, and is responsible for the operation and  
 1632 administration of the Florida College System institution. Each  
 1633 Florida College System institution president shall:

1634       (22) Submit an annual employment accountability plan to  
 1635 the Department of Education ~~pursuant to the provisions of s.~~  
 1636 ~~1012.86.~~

1637       Section 41. Paragraph (i) of subsection (2) of section  
 1638 1003.621, Florida Statutes, is amended to read:

1639       1003.621 Academically high-performing school districts.—It  
 1640 is the intent of the Legislature to recognize and reward school  
 1641 districts that demonstrate the ability to consistently maintain  
 1642 or improve their high-performing status. The purpose of this  
 1643 section is to provide high-performing school districts with  
 1644 flexibility in meeting the specific requirements in statute and  
 1645 rules of the State Board of Education.

1646       (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically  
 1647 high-performing school district shall comply with all of the  
 1648 provisions in chapters 1000-1013, and rules of the State Board  
 1649 of Education which implement these provisions, pertaining to the  
 1650 following:



1651 (i) Those statutes pertaining to educational facilities,  
1652 including chapter 1013, except that s. 1013.20, relating to  
1653 covered walkways for portables, and ~~s. 1013.21, relating to the~~  
1654 ~~use of relocatable facilities that exceed 20 years of age,~~ are  
1655 eligible for exemption.

1656 Section 42. Paragraph (b) of subsection (3) of section  
1657 1011.6202, Florida Statutes, is amended to read:

1658 1011.6202 Principal Autonomy Program Initiative.—The  
1659 Principal Autonomy Program Initiative is created within the  
1660 Department of Education. The purpose of the program is to  
1661 provide a highly effective principal of a participating school  
1662 with increased autonomy and authority to operate his or her  
1663 school, as well as other schools, in a way that produces  
1664 significant improvements in student achievement and school  
1665 management while complying with constitutional requirements. The  
1666 State Board of Education may, upon approval of a principal  
1667 autonomy proposal, enter into a performance contract with the  
1668 district school board for participation in the program.

1669 (3) EXEMPTION FROM LAWS.—

1670 (b) A participating school or a school operated by a  
1671 principal pursuant to subsection (5) shall comply with the  
1672 provisions of chapters 1000-1013, and rules of the state board  
1673 that implement those provisions, pertaining to the following:

1674 1. Those laws relating to the election and compensation of  
1675 district school board members, the election or appointment and

1676 compensation of district school superintendents, public meetings  
1677 and public records requirements, financial disclosure, and  
1678 conflicts of interest.

1679 2. Those laws relating to the student assessment program  
1680 and school grading system, including chapter 1008.

1681 3. Those laws relating to the provision of services to  
1682 students with disabilities.

1683 4. Those laws relating to civil rights, including s.  
1684 1000.05, relating to discrimination.

1685 5. Those laws relating to student health, safety, and  
1686 welfare.

1687 6. Section 1001.42(4)(f), relating to the uniform opening  
1688 date for public schools.

1689 7. Section 1003.03, governing maximum class size, except  
1690 that the calculation for compliance pursuant to s. 1003.03 is  
1691 the average at the school level for a participating school.

1692 8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
1693 compensation and salary schedules.

1694 9. Section 1012.33(5), relating to workforce reductions  
1695 for annual contracts for instructional personnel. This  
1696 subparagraph does not apply to at-will employees.

1697 10. Section 1012.335, relating to annual contracts for  
1698 instructional personnel hired on or after July 1, 2011. This  
1699 subparagraph does not apply to at-will employees.

1700 11. Section 1012.34, relating to personnel evaluation

1701 | procedures and criteria.

1702 |       12. Those laws pertaining to educational facilities,  
 1703 | including chapter 1013, except that s. 1013.20, relating to  
 1704 | covered walkways for relocatables, is and ~~s. 1013.21, relating~~  
 1705 | ~~to the use of relocatable facilities exceeding 20 years of age,~~  
 1706 | ~~are~~ eligible for exemption.

1707 |       13. Those laws pertaining to participating school  
 1708 | districts, including this section and ss. 1011.69(2) and  
 1709 | 1012.28(8).

1710 |       Section 43. Paragraph (b) of subsection (1) of section  
 1711 | 1013.35, Florida Statutes, is amended to read:

1712 |       1013.35 School district educational facilities plan;  
 1713 | definitions; preparation, adoption, and amendment; long-term  
 1714 | work programs.—

1715 |       (1) DEFINITIONS.—As used in this section, the term:

1716 |       (b) "District facilities work program" means the 5-year  
 1717 | listing of capital outlay projects adopted by the district  
 1718 | school board as provided in subparagraph (2)(a)2. and paragraph  
 1719 | (2)(b) as part of the district educational facilities plan,  
 1720 | which is required in order to:

1721 |       1. Properly maintain the educational plant and ancillary  
 1722 | facilities of the district.

1723 |       2. Provide an adequate number of satisfactory student  
 1724 | stations for the projected student enrollment of the district in  
 1725 | K-12 programs ~~in accordance with the goal in s. 1013.21.~~

1726

Section 44. This act shall take effect July 1, 2024.