



Choice & Innovation Subcommittee

**January 25, 2024, 8:00AM
Reed Hall (102 HOB)**

Meeting Packet

**Paul Renner
Speaker**

**Alex Rizo
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Choice & Innovation Subcommittee

Start Date and Time: Thursday, January 25, 2024 08:00 am
End Date and Time: Thursday, January 25, 2024 11:00 am
Location: Reed Hall (102 HOB)
Duration: 3.00 hrs

Consideration of the following bill(s):

HB 917 Career and Technical Education by Snyder
HB 1285 Education by Canady
HB 1317 Patriotic Organizations by Duggan

Consideration of the following proposed committee substitute(s):

PCS for HB 109 -- Charter Schools

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.

NOTICE FINALIZED on 01/23/2024 4:15PM by Vernon.Andrea

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 917 Career and Technical Education

SPONSOR(S): Snyder

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 460

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee		Dixon	Sleap
2) Appropriations Committee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

The bill authorizes a minor aged 16 or 17 years to work on any residential or commercial building construction or ladder at or below 6 feet if he or she has earned an Occupational Health and Safety Administration (OSHA) 10 certification, the minor's work does not violate any OSHA rule or federal law related to minors in the workplace, and the minor is supervised by an individual meeting specified criterion.

The bill increases access and opportunities for career and technical education (CTE) in middle and high school. Specifically, the bill:

- Requires school districts to offer at least two career-themed courses in every high school and middle school in the district.
- Requires the Career and Professional Education Act (CAPE) 3-year strategic plan to integrate strategies on providing information on employment demands and opportunities within specified industries in professional development for school counselors.
- Specifies that, for purposes of calculating grade point average, any course that is directly related to a CAPE Digital Tool Certificate or CAPE industry certification must be weighted the same as an honors course.
- Requires, beginning in the 2025-2026 school year, for every public high school to include employers from industries to meet with students.

The bill requires the Department of Education (DOE), in consultation with the Board of Governors (BOG), to establish list of postsecondary credits awarded for completion of specific career-themed courses and CAPE industry certifications. The DOE and BOG must publish the postsecondary credits on their respective websites and establish a mechanism for articulation and transfer of these credits.

The bill establishes a CTE Task Force to study the status of CTE education in each school district within the state. Among its duties, the Task Force is mandated to compile a detailed list of CTE courses, assess funding disparities, compare funding and reimbursement rates with traditional K-12 education, explore additional funding sources, evaluate advertising strategies for CTE courses, identify district needs for CTE expansion, and analyze employment outcomes for students earning industry certifications. The Task Force is required to submit a report of its findings by September 1, 2025, and submit recommendations by January 1, 2026, to the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education.

The bill does not appear to have a fiscal impact.

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

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

STORAGE NAME:

DATE:

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Hazardous Occupations Prohibited

Present Situation

Prohibitions regarding the employment of minors age 16 or 17 in hazardous occupations in Florida are consistent with regulations adopted by the United States (US) Secretary of Labor.¹ No minor under 18 years of age, whether such person's disabilities of nonage have been removed, may be employed or permitted or suffered to work on any scaffolding, roof, superstructure, residential or nonresidential building construction, or ladder above 6 feet.² This prohibition does not apply to a student learner who:³

- Is enrolled in a youth vocational training program under a recognized state or local educational authority.
- Is employed under a written agreement that provides:
 - That the work of the student learner in the occupation declared particularly hazardous is to be incidental to the training.
 - That such work will be intermittent and for short periods of time and under the direct and close supervision of a qualified and experienced person.
 - That safety instructions shall be given by the school and correlated by the employer with on-the-job training.
 - That a schedule of organized and progressive work processes to be performed on the job is to have been prepared.

Every employer in the construction industry is required to secure the payment of workers' compensation to his or her employees.⁴ Employers who fail to secure the payment of workers' compensation for their employees are required to stop working and are liable for administrative and criminal penalties.⁵ Employers must provide this benefit to all employees, including minors, whether lawfully or unlawfully employed.⁶

Employers in the construction industry are also required to provide certain training for their employees.⁷ Employers are required to instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to the work environment to control or eliminate any hazards or other exposure to illness or injury.⁸ Employers are encouraged to use the safety and health training programs provided by the US Secretary of Labor.⁹

The Occupational Health and Safety Administration (OSHA) within the US Department of Labor, provides an Outreach Training Program to promote workplace safety and health and to make workers more knowledgeable about workplace hazards and their rights.¹⁰ The OSHA Outreach Training

¹ Compare s. 450.061, F.S., with 29 CFR Part 570, Subpart E (Occupations Particularly Hazardous for the Employment of Minors Between 16 and 18 Years of Age or Detrimental to Their Health or Well-Being). However, the Secretary of Labor has not selected residential construction as a particularly hazardous activity. See 3 EMP. COORD. Compensation IV s. 24.20 (Jan. 2024).

² Section 450.061(2)(b), F.S.

³ Sections 450.061(2) and 450.161, F.S.

⁴ Sections 440.10(1)(a) and 440.38(1), F.S.

⁵ See ss. 440.105 and 440.107, F.S.

⁶ Section 440.02(18)(a), F.S.

⁷ 29 CFR s. 1926.21.

⁸ 29 CFR s. 1926.21(b)(2).

⁹ 29 CFR s. 1926.21(b)(1).

¹⁰ USDOL, OSHA, *Outreach Training Program: Program Overview*, <https://www.osha.gov/training/outreach/overview> (last visited Jan. 17, 2024).

Program provides training on the recognition, avoidance, abatement, and prevention of workplace hazards. Outreach classes also provide overview information regarding OSHA, including workers' rights, employer responsibilities, and how to file a complaint.¹¹

The 10-hour training program is primarily intended for entry level workers. The 30-hour training program is intended to provide workers with some safety responsibility a greater depth and variety of training. All outreach training is intended to cover an overview of the hazards a worker may encounter on a job site. Training emphasizes hazard identification, avoidance, control and prevention, not OSHA standards.¹²

In the Fiscal Year 2023, 1,341,168 individuals were trained through the Outreach Training Program.¹³ The construction 10-hour certification comprised 42 percent of the trainings.¹⁴

Effect of Proposed Changes

The bill authorizes minors aged 16 or 17 years to be employed on any residential or commercial building construction or ladder at or below 6 feet if he or she has earned his or her OSHA 10 certification, the minor's work does not violate any OSHA rule or federal law related to minors in the workplace, and the minor is under the direct supervision of a person who:

- Has earned his or her OSHA 10 certification.
- Is 21 years of age or older.
- Has at least 2 years of work experience related to the work he or she is supervising.

Apprentices and Journeyworkers

Present Situation

Apprentice

Florida law defines an apprentice as a person at least 16 years of age who has entered into a written apprentice agreement with a registered sponsor. The sponsor can be an employer, an association of employers, or a local joint apprenticeship committee. The purpose of this agreement is to enable the apprentice to learn a recognized skilled trade through actual work experience under the supervision of a journeywork craftsman. Training for an apprentice should be combined with properly coordinated studies of related technical and supplementary subjects.¹⁵

An apprenticeship program must be registered and approved by the Department of Education (DOE).¹⁶ A student who earns credit upon completion of a registered apprenticeship or preapprenticeship program may use such credit to satisfy high school graduation credit requirements for fine or performing arts, speech and debate, or career and technical education, or electives. The State Board of Education (SBE) is required to approve and identify in the Course Code Directory the apprenticeship and preapprenticeship programs from which earned credit may be used to satisfy high school graduation requirements.¹⁷

¹¹ *Id.*

¹² *Id.*

¹³ USDOL, OSHA, *Outreach Training Program Annual Number of Trainees*, <https://www.osha.gov/training/outreach/growth> (last visited Jan. 17, 2024).

¹⁴ USDOL, OSHA, *Number of Trainees by Class Type*, <https://www.osha.gov/training/outreach/growth#tab2> (last visited Jan. 17, 2024).

¹⁵ Section 446.021(2), F.S.; see also Florida Department of Education, *Apprentice Florida Report*, (2022-2023), at 3 and 9, available at <https://www.fldoe.org/core/fileparse.php/9904/urlt/2223ApprenticeshipReport.pdf>.

¹⁶ Section 446.021(6), F.S.

¹⁷ Section 1003.4282(7)(a)3., F.S.

The term of an apprenticeship may be completed through either a time-based approach, a competency-based approach, or a hybrid approach, as follows:¹⁸

- The time-based approach measures skill acquisition through the apprentice's completion of at least 2,000 hours of on-the-job training, exclusive of related technical instruction.
- The competency-based approach measures the apprentice's successful demonstration of acquired skills and knowledge, demonstrated through on-the-job training and related technical instruction.
- The hybrid approach measures the individual apprentice's skill acquisition through a combination of a range of specified number of hours of on-the-job training and the successful demonstration of competency.

Journeyworkers

Florida apprenticeship standards define a journeyworker as a person working in an apprenticeable occupation who has successfully completed a registered apprenticeship program or who has worked the number of years required by established industry practices for the particular trade or occupation.¹⁹

Counties and municipalities are authorized to issue journeyman licenses in various trades. These trades include plumbing, pipe fitting, mechanical, HVAC trades, electrical or alarm system trades.²⁰ An individual who holds a valid, active journeyman license in one of these trades issued by any county or municipality may work as a journeyman in the trade in which he or she is licensed in any other county or municipality without taking an additional examination or paying an additional license fee, if he or she:²¹

- Has scored at least 70 percent, or after October 1, 1997, at least 75 percent, on a proctored journeyman Block and Associates examination or other proctored examination approved by the board for the trade in which he or she is licensed;
- Has completed a registered apprenticeship program and demonstrates 4 years' verifiable practical experience in the trade for which he or she is licensed, or demonstrates 6 years' verifiable practical experience in the trade for which he or she is licensed;
- Has satisfactorily completed specialized and advanced module coursework approved by the Florida Building Commission, as part of the building code compliance and mitigation training program,²² specific to the discipline or, pursuant to authorization by the certifying authority, provides proof of completion of such curriculum or coursework within 6 months after such certification; and
- Has not had a license suspended or revoked within the last 5 years.

A local government may charge a registration fee for reciprocity, not to exceed \$25.²³ Subject to limited exceptions,²⁴ state law related to electrical and alarm system contracting does not limit the power of a municipality or county to require that one electrical journeyman, who is a graduate of the Institute of Applied Technology in Construction Excellence or licensed locally,²⁵ be present on an industrial or commercial new construction site with a facility of 50,000 gross square feet or more when electrical work in excess of 77 volts is being performed in order to supervise or perform such work.²⁶

¹⁸ Rule 6A-23.004(2), F.A.C.

¹⁹ Section 446.021(4), F.S.; *see also* Florida Department of Education, *Apprentice Florida Report*, (2022-2023), at 3 and 9, available at <https://www.fldoe.org/core/fileparse.php/9904/urlt/2223ApprenticeshipReport.pdf>.

²⁰ Ch. 2021-214, L.O.F.

²¹ Sections 489.5335(2) and 489.1455(2), F.S.

²² Section 553.841, F.S.

²³ Section 489.5335(3), F.S.

²⁴ *See s.* 489.503, F.S.

²⁵ Section 449.5335, F.S. Authorization for counties and municipalities to issue a journeyman license in the electrical and alarm system trades.

²⁶ Section 489.537(3)(f), F.S.

Effect of Proposed Changes

The bill modifies how apprenticeship and preapprenticeship programs may satisfy the high school graduation credit requirements for fine or performing arts, speech and debate, or career and technical education, or electives. The bill authorizes such credit for:

- a student who earned credit for completion of one year of regulated technical instruction²⁷ in a registered apprenticeship or preapprenticeship program, rather than completion of the program; or
- completion of a preapprenticeship program, but adds a requirement that the student earn the OSHA 10 certification.

The bill repeals s. 489.5335, F.S., removing the authority for counties and municipalities to issue journeyman licenses in the electrical and alarm system trades.

Florida Career and Professional Education Act

Present Situation

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.²⁸ The primary purpose of the CAPE Act is to:²⁹

- 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.

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.³⁰

The strategic plan must describe in detail provisions for the efficient transportation of students, the maximum use of shared resources, access to courses aligned to state curriculum standards through virtual education providers legislatively authorized to provide part-time instruction to middle school students. Additionally, the plan must include an objective review of proposed career and professional academy courses and other career-themed courses to determine if the courses will lead to the attainment of industry certifications included on the CAPE Industry Certification Funding List.³¹ Each strategic plan must be reviewed, updated, and jointly approved every 3 years by the local school

²⁷ The correct term is “related technical instruction.” Section 446.021(9), F.S.

²⁸ Section 1003.491, F.S.

²⁹ Section 1003.491(1), F.S.

³⁰ Section 1003.491(2), F.S.

³¹ *Id.*; see also Florida Department of Education, *Cape Industry Certification Funding List*, available at <https://www.fldoe.org/core/fileparse.php/5398/urlt/2324CAPECertFundList.pdf>. The CAPE Industry Certification Funding List is a list of certifications and certificates with secondary and postsecondary funding designations.

district, local workforce development boards, economic development agencies, and state-approved postsecondary institutions.³²

The strategic 3-year plan developed jointly by the local school district, local workforce development boards, economic development agencies, and state-approved postsecondary institutions must be constructed and based, in part, on 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.³³

Core Course Review

Under the CAPE Act, the SBE is required to establish a process for the continual and uninterrupted review of newly proposed core secondary courses and existing courses requested to be considered as core courses to ensure that sufficient rigor and relevance is provided for workforce skills and postsecondary education and aligned to state curriculum standards.³⁴ The review of newly proposed core secondary courses must be the responsibility of a curriculum review committee.³⁵

The curriculum review committee must review all newly proposed core courses electronically. Courses approved as core courses for purposes of middle school promotion and high school graduation must be immediately added to the Course Code Directory.³⁶ Approved core courses are also required to be reviewed and considered for approval for dual enrollment credit.³⁷

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:³⁸

- Alignment of offerings with the framework of quality established by the Credentials Review Committee.³⁹
- 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.

³² Section 1003.491(2), F.S.

³³ Section 1003.491(3)(p), F.S.

³⁴ Section 1003.491(4), F.S.

³⁵ Section 1003.491(4)(a), F.S.

³⁶ Florida Department of Education, *2023-2024 Course Directory*, <https://www.flrules.org/Gateway/reference.asp?No=Ref-15909>.

The Course Code Directory (CCD) lists all public pre-K-12 and postsecondary career and technical education courses available for use by school districts. Programs and courses funded through the Florida Education Finance Program and courses or programs for which students may earn credit toward high school graduation must be listed in the CCD. The CCD maintains course listings for administration and service assignments, K-12 education, exceptional student education, career and technical education, and adult education. Rule 6A-1.09441, F.A.C.

³⁷ Section 1003.491(4)(b), F.S.

³⁸ Section 1003.491(5)(a), F.S.

³⁹ 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>.

Using the findings from the CTE review,⁴⁰ 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.⁴¹

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:⁴²

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

CAPE Industry Certification Funding List

The SBE is required to adopt, at least annually, based on recommendations by the commissioner, the CAPE Industry Certification Funding List that assigns additional full-time equivalent membership to certifications identified in the Master Credentials List that meet a statewide, regional, or local demand.⁴³

To be included as a CAPE Industry Certification or a CAPE Acceleration Industry Certification on the Funding List, a certification must:⁴⁴

- Be on the Master Credentials List.
- Be requested by a school district for inclusion with K-12 funding eligibility.
- Be achievable by students in a secondary level program or a career dual enrollment program offered by a school district.
- Require a minimum of one hundred fifty (150) hours of instruction.

Career and Professional Academies

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 Department of Commerce (DOC).⁴⁵ Career and professional academies must be offered by public schools and school districts. Students completing career and professional academy programs must receive a standard high school diploma, the highest available industry certification, and opportunities to earn postsecondary credit if the academy partners with a postsecondary institution.⁴⁶

A “career-themed course” is a course, or a course in a series of courses, that leads to an industry certification identified in the CAPE Industry Certification Funding List.⁴⁷ Career-themed courses have

⁴⁰ Florida Department of Education, *Career and Technical Education Audit*, <https://www.fldoe.org/careerpathways/index.shtml#overview> (last visited Jan. 18, 2024).

⁴¹ Section 1003.491(5)(c), F.S.

⁴² Section 1003.492(3), F.S.

⁴³ Section 1008.44(1), F.S.

⁴⁴ Rule 6A-6.0576(6), F.A.C.

⁴⁵ Section 1003.493(1)(a), F.S. In 2023 the Department of Economic Opportunity was renamed the Department of Commerce. s. 10, ch. 2023-173, L.O.F.

⁴⁶ Section 1003.493(1)(a), F.S.

⁴⁷ Section 1003.493(1)(b), F.S.

industry-specific curriculum aligned directly to priority workforce needs established by the local workforce development board or the DOC. School districts must offer at least two career-themed courses, and each secondary school is encouraged to offer at least one career-themed course. Students completing a career-themed course must be provided opportunities to earn postsecondary credit if the credit for the career-themed course can be articulated to a postsecondary institution approved to operate in the state.⁴⁸

Each career and professional academy and secondary school providing a career-themed course is required to:⁴⁹

- Provide a rigorous standards-based academic curriculum integrated with a career curriculum;
- Consider multiple styles of student learning;
- Promote learning by doing through application and adaptation;
- Maximize relevance of the subject matter;
- Enhance each student's capacity to excel;
- Include an emphasis on work habits and work;
- Include one or more partnerships with postsecondary institutions, businesses, industry, employers, economic development organizations, or other appropriate partners from the local community. These partnerships with postsecondary institutions must be delineated in articulation agreements and include any career and professional academy courses or career-themed courses that earn postsecondary credit. The agreements may include articulation between the secondary school and public or private 2-year and 4-year postsecondary institutions and technical centers.

Each district school board, in collaboration with local workforce development boards, economic development agencies, and state-approved postsecondary institutions, is 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.⁵⁰

The DOE, in consultation with the Board of Governors, is required to establish a mechanism to ensure articulation and transfer of credits from career and professional academy courses or career-themed courses to postsecondary institutions.⁵¹

Effect of Proposed Changes

The bill requires the Career and Professional Education Act's 3-year strategic plan to integrate strategies on providing information on employment demands and opportunities within the industries listed on the CAPE Industry Certification Funding List in the professional development provided to school counselors.

The bill requires the curriculum review committee, under the CAPE Act, to review the Applied Construction Mathematics course for inclusion in the Course Code Directory.

The bill requires school districts to offer at least two career-themed courses in every high school and middle school in the district instead of at least two in each district, and amends the requirements of the district's 3-year plan to reflect this change.

The bill repeals the limitation that students completing a career-themed course may only be provided opportunities to earn postsecondary credit if the credit for the career-themed course can be articulated to a postsecondary institution. Hence, a student completing a career-themed course may be provided

⁴⁸ Section 1003.493(1)(b), F.S.

⁴⁹ Section 1003.493(4)(a)-(b), F.S.

⁵⁰ Section 1003.4935(1), F.S.

⁵¹ Section 1003.493(4)(b), F.S.

opportunities to earn postsecondary credit regardless of whether the credit for the career-themed course can be articulated to a postsecondary institution.

The bill adds to the elements in the commissioner's annual review of K-12 and postsecondary CTE offerings the efforts of each school district to fulfill the requirements included in the district's 3-year plan regarding providing professional development to school counselors as well as the number of students and parents each school district informs about CTE offerings and the number of representatives from various industries who speak with students about CTE.

The bill requires the DOE, in consultation with the Board of Governors (BOG), to:

- Establish a list of postsecondary credits that must be awarded based on the student's completion of certain career-themed courses in grades 9 through 12.
- Establish a list of postsecondary credits that must be awarded based on the student receiving a CAPE industry certification.
- Establish a mechanism to ensure articulation and transfer of such credits to postsecondary institutions in the state.

The bill also requires the DOE and the BOG to annually publish on their respective websites:

- The number of postsecondary credits available to a student who completes a career and professional program through a career and professional academy. Such information must be published as workforce education information.
- The number of postsecondary credits available to students who complete a career-themed course or series of courses that lead to an industry certification listed on the CAPE Industry Certification Funding List.

The bill creates the Career and Technical Education Task Force, adjunct to the DOE to study the status of CTE education in each school district. The bill requires the DOE to provide administrative and staff support relating to the functions of the task force.

The Governor, the President of the Senate, the Speaker of the House of Representatives, the commissioner, and the Secretary of the DOC are each required to appoint two members to the task force by September 1, 2024. The bill requires the commissioner to appoint a chair of the task force.

The bill requires the task force to:

- Compile a list of CTE education courses offered within each school district. Such data must be broken down by industry, location, the number of students enrolled in such courses, the number of students who complete such courses, and the total number of students per district enrolled in such courses.
- Identify the total funding provided for CTE courses offered by school districts and analyze whether such funding is uniform across the state or if such funding varies by course or industry.
- Compare funding and reimbursements rates and timelines for CTE courses to funding and reimbursement rates and timelines for traditional K-12 education courses.
- Identify any additional funding available for additional CTE courses, including federal funding, industry funding, or additional state funding.
- Identify how CTE courses are advertised to parents and students.
- Identify the needs of school districts to expand CTE, including what needs could be met by the Legislature.
- Identify the number of students who earn an industry certification through CTE courses who also find employment in relevant industries.
- Provide recommendations for changes and expansions to CTE course offerings beginning in the 2026-2027 school year.

The bill requires the Task Force to submit a report of its findings by September 1, 2025, and submit recommendations by January 1, 2026, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the commissioner

CTE Courses and Calculating Grade Point Average

Present Situation

For purposes of calculating a student's grade point average, a grade in a course that is level 3 or above and leads to an industry certification must be weighted the same as a grade in an honors course.⁵²

Course levels are designated in the following ways:⁵³

- Level 1 - Basic courses. Any student taking a Level 1 course in the 2013-14 school year or later may not earn credit towards a standard diploma.
- Level 2 – Regular, mainstreamed courses.
- Level 3 – Honors, IB, AP, AICE, advanced college-preparatory courses, and other higher-level courses containing rigorous academic curriculum and performance standards. In addition, numerous CTE courses are designated as Level 3, or higher-level.

CTE level 3 courses demand more challenging involvement than standard CTE courses.⁵⁴ They must be demonstrably more challenging than standard courses and provide multiple opportunities for students to take greater responsibility for their learning. CTE level 3 courses should be distinguished by a difference in the quality of the work expected rather than merely by the quantity of the work required.⁵⁵

CTE level 3 courses are designed for students who have demonstrated an advanced level of interest and achievement in a given subject area. The rationale for level 3 courses is not to provide a means to attract students to enroll in classes for additional credit, but rather to offer challenging, higher level courses for students who aspire to an advanced level of learning.⁵⁶

Effect of Proposed Changes

The bill modifies the requirements for calculating grade point average, requiring that any course that is directly related to a CAPE Digital Tool Certificate or CAPE industry certification must be weighted the same as an honors course, regardless of whether the course is a level 3 or above.

School District Career Fairs

Present Situation

Each district school board must require each high school within its jurisdiction to host an annual career fair during the school year and establish a process to provide students in grades 11 and 12 the opportunity to meet or interview with potential employers during the career fair.⁵⁷ The career fair must be held on the campus of the high school, except that a group of high schools in the district or a group of districts may hold a joint career fair at an alternative location. A joint career fair must be held at a location located within reasonable driving distance for students at all participating schools. The career

⁵² Section 1003.4203(5), F.S.

⁵³ Florida Department of Education, *2023-2024 Course Code Directory and Instructional Personnel Assignments*, at 11, available at <https://www.fldoe.org/core/fileparse.php/7746/urlt/CCDNarrative2324.pdf>.

⁵⁴ Florida Department of Education, *CTE Course Level 3 Rubric: Career and Technical Education Courses Level III Criteria*, available at <https://www.fldoe.org/core/fileparse.php/5655/urlt/0061142-ctecourselevel3rubric.pdf>.

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ Section 1001.43(14), F.S.

fair must be held during the school day and may use Florida's online career planning and work-based learning system⁵⁸ as part of the career fair activities.⁵⁹

Effect of Proposed Changes

The bill requires district school boards to require each high school within its district, beginning in the 2025-2026 school year, to allow employers from industries listed on the CAPE Industry Certification Funding List, including employers from the agricultural, construction, culinary, and nursing industries, to meet with other students during an industry recruitment day to explain how CTE can result in a high-wage career in a high-demand industry.

State Academic Standards

Present Situation

Florida's state academic standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire.⁶⁰ The standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills.⁶¹

The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.⁶²

The commissioner, as needed, is required to develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, must submit the proposed revisions to the SBE for adoption.⁶³

The Effect of Proposed Changes

The bill adds to the persons who the commissioner must include for review and comment on proposed revisions to state standards to include a representative from the Department of Commerce and specifies that business and industry leaders are limited to those for in-demand careers.

B. SECTION DIRECTORY:

Section 1: Amends s. 450.061, F.S.; authorizing minors to work in specified conditions; providing requirements for such conditions.

⁵⁸ Xello, *The Future of Work Florida*, <https://xello.world/en/florida-college-career-ready/> (last visited Jan. 18, 2024). Xello is Florida's official, K-12 career planning and work-based learning coordination provider.

⁵⁹ Section 1001.43(14), F.S.

⁶⁰ Section 1003.41(1), F.S.

⁶¹ *Id.*

⁶² *Id.*

⁶³ Section 1003.41(3), F.S.

- Section 2:** Repeals s. 489.5335, F.S.; relating to journeyman reciprocity.
- Section 3:** Amends s. 489.537, F.S.; conforming provisions to changes made by the act.
- Section 4:** Amends s. 1001.43, F.S.; revising the requirements for an annual career fair to include allowing certain employers to meet with students regarding career and technical education.
- Section 5:** Amends s. 1003.41, F.S.; revising a list of individuals who are required to review and comment on certain revisions to the state academic standards.
- Section 6:** Amends s. 1003.4203, F.S.; revising the requirements for certain courses to receive the same rate as honors courses for purposes of student grade point averages.
- Section 7:** Amends s. 1003.4282, F.S.; revising the requirements for certain credits and certifications to meet specified graduation requirements.
- Section 8:** Amends s. 1003.491, F.S.; revising the requirements for a specified 3-year strategic plan relating to career and professional education; requiring the curriculum review committee to review the Applied Construction Mathematics course for inclusion in the course code directory; revising the requirements for an annual review of K-12 and postsecondary career and technical education offerings.
- Section 9:** Amends s. 1003.493, F.S.; requiring the Department of Education and the Board of Governors to annually post specified information to their respective websites; revising the amount of career-themed courses school districts must offer for specified grades; revising duties of the Department of Education relating to the award of specified postsecondary credits.
- Section 10:** Amends s. 1003.4935, F.S.; conforming provisions to changes made by the act.
- Section 11:** Creates the Career and Technical Education Task Force; providing the membership and duties of the task force; requiring the task force to submit a report and recommendations to certain officials by specified dates; providing for expiration of the task force.
- Section 12:** Establishes 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

Not Applicable.

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1 A bill to be entitled
 2 An act relating to career and technical education;
 3 amending s. 450.061, F.S.; authorizing minors to work
 4 in specified conditions; providing requirements for
 5 such conditions; repealing s. 489.5335, F.S., relating
 6 to journeyman reciprocity; amending s. 489.537, F.S.;
 7 conforming provisions to changes made by the act;
 8 amending s. 1001.43, F.S.; revising the requirements
 9 for an annual career fair to include allowing certain
 10 employers to meet with students regarding career and
 11 technical education; amending s. 1003.41, F.S.;
 12 revising a list of individuals who are required to
 13 review and comment on certain revisions to the state
 14 academic standards; amending s. 1003.4203, F.S.;
 15 revising the requirements for certain courses to
 16 receive the same rate as honors courses for purposes
 17 of student grade point averages; amending s.
 18 1003.4282, F.S.; revising the requirements for certain
 19 credits and certifications to meet specified
 20 graduation requirements; amending s. 1003.491, F.S.;
 21 revising the requirements for a specified 3-year
 22 strategic plan relating to career and professional
 23 education; requiring the curriculum review committee
 24 to review the Applied Construction Mathematics course
 25 for inclusion in the course code directory; revising

26 | the requirements for an annual review of K-12 and
 27 | postsecondary career and technical education
 28 | offerings; amending s. 1003.493, F.S.; requiring the
 29 | Department of Education and the Board of Governors to
 30 | annually post specified information to their
 31 | respective websites; revising the amount of career-
 32 | themed courses school districts must offer for
 33 | specified grades; revising duties of the Department of
 34 | Education relating to the award of specified
 35 | postsecondary credits; amending s. 1003.4935, F.S.;
 36 | conforming provisions to changes made by the act;
 37 | creating the Career and Technical Education Task Force
 38 | adjunct to the Department of Education; providing the
 39 | purpose of the task force; providing the membership
 40 | and duties of the task force; requiring the task force
 41 | to submit a report and recommendations to certain
 42 | officials by specified dates; providing for expiration
 43 | of the task force; providing an effective date.

44 |
 45 | Be It Enacted by the Legislature of the State of Florida:

46 |
 47 | Section 1. Subsection (2) of section 450.061, Florida
 48 | Statutes, is amended to read:

49 | 450.061 Hazardous occupations prohibited; exemptions.—
 50 | (2) A ~~ne~~ minor under 18 years of age, whether such

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51 person's disabilities of nonage have been removed, ~~may not shall~~
52 be employed or permitted or suffered to work in any of the
53 following places of employment or in any of the following
54 occupations, provided that the provisions of paragraphs (b),
55 (e), (g), (h), (j), (m), (o), and (q) shall not apply to the
56 employment of student learners under the conditions prescribed
57 in s. 450.161:

58 (a) In or around explosive or radioactive materials.

59 (b) On any scaffolding, roof, superstructure, residential
60 or nonresidential building construction, or ladder above 6 feet.
61 A minor aged 16 years or 17 years may be employed on any
62 residential or commercial building construction or ladder at or
63 below 6 feet if:

64 1. Each minor aged 16 years or 17 years has earned his or
65 her Occupational Safety and Health Administration 10
66 certification and is under the direct supervision of a person
67 who:

68 a. Has earned his or her Occupational Safety and Health
69 Administration 10 certification.

70 b. Is 21 years of age or older.

71 c. Has at least 2 years of work experience related to the
72 work he or she is supervising.

73 2. No work being performed by the minor aged 16 years or
74 17 years is in violation of any Occupational Safety and Health
75 Administration rule or federal law related to minors in the

76 | workplace.

77 | (c) In or around toxic substances or corrosives, including
78 | pesticides or herbicides, unless proper field entry time
79 | allowances have been followed.

80 | (d) Any mining occupation.

81 | (e) In the operation of power-driven woodworking machines.

82 | (f) In the operation of power-driven hoisting apparatus.

83 | (g) In the operation of power-driven metal forming,
84 | punching, or shearing machines.

85 | (h) Slaughtering, meat packing, processing, or rendering,
86 | except as provided in 29 C.F.R. s. 570.61(c).

87 | (i) In the operation of power-driven bakery machinery.

88 | (j) In the operation of power-driven paper products and
89 | printing machines.

90 | (k) Manufacturing brick, tile, and like products.

91 | (l) Wrecking or demolition.

92 | (m) Excavation operations.

93 | (n) Logging or sawmilling.

94 | (o) Working on electric apparatus or wiring.

95 | (p) Firefighting.

96 | (q) Operating or assisting to operate, including starting,
97 | stopping, connecting or disconnecting, feeding, or any other
98 | activity involving physical contact associated with operating, a
99 | tractor over 20 PTO horsepower, any trencher or earthmoving
100 | equipment, fork lift, or any harvesting, planting, or plowing

101 machinery, or any moving machinery.

102 Section 2. Section 489.5335, Florida Statutes, is
 103 repealed.

104 Section 3. Paragraph (f) of subsection (3) of section
 105 489.537, Florida Statutes, is amended to read:

106 489.537 Application of this part.—

107 (3) Nothing in this act limits the power of a municipality
 108 or county:

109 (f) To require that one electrical journeyman~~r~~ who is a
 110 graduate of the Institute of Applied Technology in Construction
 111 Excellence ~~or licensed pursuant to s. 489.5335,~~ be present on an
 112 industrial or commercial new construction site with a facility
 113 of 50,000 gross square feet or more when electrical work in
 114 excess of 77 volts is being performed in order to supervise or
 115 perform such work, except as provided in s. 489.503.

116 Section 4. Paragraph (c) of subsection (14) of section
 117 1001.43, Florida Statutes, is amended to read:

118 1001.43 Supplemental powers and duties of district school
 119 board.—The district school board may exercise the following
 120 supplemental powers and duties as authorized by this code or
 121 State Board of Education rule.

122 (14) RECOGNITION OF ACADEMIC AND CAREER ACHIEVEMENT.—

123 (c) Beginning with the 2023-2024 school year, each
 124 district school board shall require each high school within its
 125 jurisdiction to host an annual career fair and industry

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126 recruitment day during the school year and establish a process
127 to provide students in grades 11 and 12 the opportunity to meet
128 or interview with potential employers during the career fair
129 and, beginning in the 2025-2026 school year, allow employers
130 from industries listed on the CAPE Industry Certification
131 Funding List, including employers from the agricultural,
132 construction, culinary, and nursing industries, to meet with
133 other students to explain how career and technical education can
134 result in a high-wage career in a high-demand industry. The
135 career fair must be held on the campus of the high school,
136 except that a group of high schools in the district or a group
137 of districts may hold a joint career fair at an alternative
138 location to satisfy the requirement in this paragraph. A joint
139 career fair must be held at a location located within reasonable
140 driving distance for students at all participating schools. The
141 career fair must be held during the school day and may use
142 Florida's online career planning and work-based learning system
143 as part of the career fair activities.

144
145 District school board policies and procedures may include
146 conducting assemblies or other appropriate public events in
147 which students sign actual or ceremonial documents accepting
148 scholarships or enrollment. The district school board may
149 encourage holding such events in an assembly or gathering of the
150 entire student body as a means of making academic and career

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151 success and recognition visible to all students.

152 Section 5. Subsection (3) of section 1003.41, Florida
153 Statutes, is amended to read:

154 1003.41 State academic standards.—

155 (3) The Commissioner of Education, as needed, shall
156 develop and submit proposed revisions to the standards for
157 review and comment by Florida educators, school administrators,
158 representatives of the Florida College System institutions and
159 state universities who have expertise in the content knowledge
160 and skills necessary to prepare a student for postsecondary
161 education and careers, a representative from the Department of
162 Commerce, business and industry leaders for in-demand careers,
163 and the public. The commissioner, after considering reviews and
164 comments, shall submit the proposed revisions to the State Board
165 of Education for adoption.

166 Section 6. Subsection (5) of section 1003.4203, Florida
167 Statutes, is amended to read:

168 1003.4203 Digital materials, CAPE Digital Tool
169 certificates, and technical assistance.—

170 (5) GRADE POINT AVERAGE CALCULATION.—For purposes of
171 calculating grade point average, a grade in a course that is
172 directly related to a CAPE Digital Tool Certificate or CAPE
173 ~~level 3 or above and leads to an~~ industry certification must be
174 weighted the same as a grade in an honors course.

175 Section 7. Paragraph (a) of subsection (7) of section

176 | 1003.4282, Florida Statutes, is amended to read:

177 | 1003.4282 Requirements for a standard high school
178 | diploma.—

179 | (7) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
180 | CREDIT REQUIREMENTS.—

181 | (a) Participation in career education courses engages
182 | students in their high school education, increases academic
183 | achievement, enhances employability, and increases postsecondary
184 | success. The department shall develop, for approval by the State
185 | Board of Education, multiple, additional career education
186 | courses or a series of courses that meet the requirements set
187 | forth in s. 1003.493(2), (4), and (5) and this subsection and
188 | allow students to earn credit in both the career education
189 | course and courses required for high school graduation under
190 | this section and s. 1003.4281.

191 | 1. The state board must determine at least biennially if
192 | sufficient academic standards are covered to warrant the award
193 | of academic credit, including satisfaction of graduation,
194 | assessment, and state university admissions requirements under
195 | this section.

196 | 2. Career education courses must:

197 | a. Include workforce and digital literacy skills.

198 | b. Integrate required course content with practical
199 | applications and designated rigorous coursework that results in
200 | one or more industry certifications or clearly articulated

201 credit or advanced standing in a 2-year or 4-year certificate or
202 degree program, which may include high school junior and senior
203 year work-related internships or apprenticeships. The department
204 shall negotiate state licenses for material and testing for
205 industry certifications.

206

207 The instructional methodology used in these courses must
208 comprise authentic projects, problems, and activities for
209 contextual academic learning and emphasize workplace skills
210 identified under s. 445.06.

211 3. A student who earns credit upon completion of 1 year of
212 regulated technical instruction for an apprenticeship program
213 registered with the Department of Education under chapter 446 or
214 preapprenticeship program registered with the Department of
215 Education under chapter 446 and the Occupational Safety and
216 Health Administration 10 certification may use such credit to
217 satisfy the high school graduation credit requirements in
218 paragraph (3) (e) or paragraph (3) (g). The state board shall
219 approve and identify in the Course Code Directory the
220 apprenticeship and preapprenticeship programs from which earned
221 credit may be used pursuant to this subparagraph.

222 4. The State Board of Education shall, by rule, establish
223 a process that enables a student to receive work-based learning
224 credit or credit in electives for completing a threshold level
225 of demonstrable participation in extracurricular activities

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226 associated with career and technical student organizations.
227 Work-based learning credit or credit in electives for
228 extracurricular activities or supervised agricultural
229 experiences may not be limited by grade level.

230 Section 8. Paragraph (p) of subsection (3), paragraph (b)
231 of subsection (4), and paragraph (a) of subsection (5) of
232 section 1003.491, Florida Statutes, are amended to read:

233 1003.491 Florida Career and Professional Education Act.—
234 The Florida Career and Professional Education Act is created to
235 provide a statewide planning partnership between the business
236 and education communities in order to attract, expand, and
237 retain targeted, high-value industry and to sustain a strong,
238 knowledge-based economy.

239 (3) The strategic 3-year plan developed jointly by the
240 local school district, local workforce development boards,
241 economic development agencies, and state-approved postsecondary
242 institutions must be constructed and based on:

243 (p) Strategies to provide professional development for
244 secondary certified school counselors on the benefits of career
245 and professional academies and career-themed courses that lead
246 to industry certification, including providing information on
247 the employment demands and opportunities within the industries
248 listed on the CAPE Industry Certification Funding List; and

249 (4) The State Board of Education shall establish a process
250 for the continual and uninterrupted review of newly proposed

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251 core secondary courses and existing courses requested to be
252 considered as core courses to ensure that sufficient rigor and
253 relevance is provided for workforce skills and postsecondary
254 education and aligned to state curriculum standards.

255 (b) The curriculum review committee shall review newly
256 proposed core courses electronically. Each proposed core course
257 shall be approved or denied within 30 days after submission by a
258 district school board or local workforce development board. All
259 courses approved as core courses for purposes of middle school
260 promotion and high school graduation shall be immediately added
261 to the Course Code Directory. Approved core courses shall also
262 be reviewed and considered for approval for dual enrollment
263 credit. The curriculum review committee must review the Applied
264 Construction Mathematics course for inclusion in the course code
265 directory. The Board of Governors and the Commissioner of
266 Education shall jointly recommend an annual deadline for
267 approval of new core courses to be included for purposes of
268 postsecondary admissions and dual enrollment credit the
269 following academic year. The State Board of Education shall
270 establish an appeals process in the event that a proposed course
271 is denied which shall require a consensus ruling by the
272 Department of Economic Opportunity and the Commissioner of
273 Education within 15 days.

274 (5) (a) The Commissioner of Education shall conduct an
275 annual review of K-12 and postsecondary career and technical

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276 education offerings that, at a minimum, must examine:

277 1. Alignment of offerings with the framework of quality
278 under s. 445.004(4).

279 2. Alignment of offerings at the K-12 and postsecondary
280 levels with credentials or degree programs identified on the
281 Master Credentials List under s. 445.004(4).

282 3. Program utilization and unwarranted duplication across
283 institutions serving the same students in a geographical or
284 service area.

285 4. Institutional performance measured by student outcomes
286 such as academic achievement, college readiness, postsecondary
287 enrollment, credential and certification attainment, job
288 placement, and wages.

289 5. The efforts of each school district to fulfill the
290 requirements of paragraph (3)(p) and the number of students and
291 parents each school district informs about career and technical
292 education offerings and the number of representatives from
293 various industries who speak with students about career and
294 technical education.

295 Section 9. Subsections (1) and (4) of section 1003.493,
296 Florida Statutes, are amended to read:

297 1003.493 Career and professional academies and career-
298 themed courses.—

299 (1)(a) A "career and professional academy" is a research-
300 based program that integrates a rigorous academic curriculum

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301 with an industry-specific curriculum aligned directly to
302 priority workforce needs established by the local workforce
303 development board or the Department of Economic Opportunity.
304 Career and professional academies shall be offered by public
305 schools and school districts. Career and professional academies
306 may be offered by charter schools. The Florida Virtual School is
307 encouraged to develop and offer rigorous career and professional
308 courses as appropriate. Students completing career and
309 professional academy programs must receive a standard high
310 school diploma, the highest available industry certification,
311 and opportunities to earn postsecondary credit if the academy
312 partners with a postsecondary institution approved to operate in
313 the state. The Department of Education and the Board of
314 Governors shall annually publish on their respective websites
315 the number of postsecondary credits available to a student who
316 completes a career and professional program through a career and
317 professional academy. Such information must be published as
318 workforce education information.

319 (b) A "career-themed course" is a course, or a course in a
320 series of courses, that leads to an industry certification
321 identified in the CAPE Industry Certification Funding List
322 pursuant to rules adopted by the State Board of Education.
323 Career-themed courses have industry-specific curriculum aligned
324 directly to priority workforce needs established by the local
325 workforce development board or the Department of Economic

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326 Opportunity. School districts shall offer at least two career-
327 themed courses in every high school and middle school in the
328 district, ~~and each secondary school is encouraged to offer at~~
329 ~~least one career-themed course.~~ The Florida Virtual School is
330 encouraged to develop and offer rigorous career-themed courses
331 as appropriate. The Department of Education and the Board of
332 Governors shall annually publish on their respective websites
333 the number of postsecondary credits available to students who
334 complete a career-themed course or series of courses that lead
335 to an industry certification listed on the CAPE Industry
336 Certification Funding List. Students completing a career-themed
337 course must be provided opportunities to earn postsecondary
338 credit ~~if the credit for the career-themed course can be~~
339 ~~articulated to a postsecondary institution approved to operate~~
340 ~~in the state.~~

341 (4) Each career and professional academy and ~~secondary~~
342 school providing a career-themed courses ~~course~~ must:

343 (a) Provide a rigorous standards-based academic curriculum
344 integrated with a career curriculum; consider multiple styles of
345 student learning; promote learning by doing through application
346 and adaptation; maximize relevance of the subject matter;
347 enhance each student's capacity to excel; and include an
348 emphasis on work habits and work ethics.

349 (b)1. Include one or more partnerships with postsecondary
350 institutions, businesses, industry, employers, economic

351 development organizations, or other appropriate partners from
 352 the local community. Such partnerships with postsecondary
 353 institutions shall be delineated in articulation agreements and
 354 include any career and professional academy courses or career-
 355 themed courses that earn postsecondary credit. Such agreements
 356 may include articulation between the secondary school and public
 357 or private 2-year and 4-year postsecondary institutions and
 358 technical centers. ~~The Department of Education, in consultation~~
 359 ~~with the Board of Governors, shall establish a mechanism to~~
 360 ~~ensure articulation and transfer of credits to postsecondary~~
 361 ~~institutions in this state.~~ Such partnerships must provide
 362 opportunities for:

363 ~~a.1.~~ Instruction from highly skilled professionals who
 364 possess industry-certification credentials for courses they are
 365 teaching.

366 ~~b.2.~~ Internships, externships, and on-the-job training.

367 ~~c.3.~~ A postsecondary degree, diploma, or certificate.

368 ~~d.4.~~ The highest available level of industry
 369 certification.

370 ~~e.5.~~ Maximum articulation of credits pursuant to s.
 371 1007.23 upon program completion.

372 2. The Department of Education, in consultation with the
 373 Board of Governors, shall:

374 a. Establish a list of postsecondary credits that must be
 375 awarded based on the student's completion of certain career-

376 | themed courses in grades 9 through 12.

377 | b. Establish a list of postsecondary credits that must be
378 | awarded based on the student receiving a CAPE industry
379 | certification under s. 1003.4203.

380 | c. Establish a mechanism to ensure articulation and
381 | transfer of such credits to postsecondary institutions in the
382 | state.

383 | (c) Promote and provide opportunities for students
384 | enrolled in a career and professional academy or a career-themed
385 | course to attain, at minimum, the Florida Gold Seal Vocational
386 | Scholars award pursuant to s. 1009.536.

387 | (d) Provide instruction in careers designated as high-
388 | skill, high-wage, and high-demand by the local workforce
389 | development board, the chamber of commerce, economic development
390 | agencies, or the Department of Economic Opportunity.

391 | (e) Deliver academic content through instruction relevant
392 | to the career, including intensive reading and mathematics
393 | intervention required by s. 1003.4282, with an emphasis on
394 | strengthening reading for information skills.

395 | (f) Offer applied courses that combine academic content
396 | with technical skills.

397 | (g) Provide instruction resulting in competency,
398 | certification, or credentials in workplace skills, including,
399 | but not limited to, communication skills, interpersonal skills,
400 | decisionmaking skills, the importance of attendance and

401 | timeliness in the work environment, and work ethics.

402 | Section 10. Subsection (1) of section 1003.4935, Florida
 403 | Statutes, is amended to read:

404 | 1003.4935 Middle grades career and professional academy
 405 | courses and career-themed courses.—

406 | (1) ~~Beginning with the 2011-2012 school year,~~ Each
 407 | district school board, in collaboration with local workforce
 408 | development boards, economic development agencies, and state-
 409 | approved postsecondary institutions, shall include plans to
 410 | implement a career and professional academy or at least two a
 411 | career-themed courses ~~course~~, as defined in s. 1003.493(1)(b),
 412 | in each ~~at least one~~ middle school in the district as part of
 413 | the strategic 3-year plan pursuant to s. 1003.491(2). The
 414 | strategic plan must provide students the opportunity to transfer
 415 | from a middle school career and professional academy or a
 416 | career-themed course to a high school career and professional
 417 | academy or a career-themed course currently operating within the
 418 | school district. Students who complete a middle school career
 419 | and professional academy or a career-themed course must have the
 420 | opportunity to earn an industry certificate and high school
 421 | credit and participate in career planning, job shadowing, and
 422 | business leadership development activities.

423 | Section 11. (1) The Career and Technical Education Task
 424 | Force, a task force as defined in s. 20.03(5), Florida Statutes,
 425 | is created adjunct to the Department of Education to study the

426 status of career and technical education in each school district
427 within the state. Except as otherwise provided in this section,
428 the task force shall operate in a manner consistent with s.
429 20.052, Florida Statutes. The department shall provide
430 administrative and staff support relating to the functions of
431 the task force.

432 (2) The Governor, the President of the Senate, the Speaker
433 of the House of Representatives, the Commissioner of Education,
434 and the Secretary of the Department of Commerce shall each
435 appoint two members to the task force by September 1, 2024. The
436 commissioner shall appoint a chair of the task force.

437 (3) The task force shall:

438 (a) Compile a list of career and technical education
439 courses offered within each school district. Such data must be
440 broken down by industry, grade level, location, the number of
441 students enrolled in such courses, the number of students who
442 complete such courses, and the total number of students per
443 district enrolled in such courses.

444 (b) Identify the total funding provided for the career and
445 technical education courses offered by school districts and
446 analyze whether such funding is uniform across the state or if
447 such funding varies by course or industry.

448 (c) Compare funding and reimbursement rates and timelines
449 for career and technical education courses to funding and
450 reimbursement rates and timelines for traditional K-12 education

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451 courses.

452 (d) Identify any additional funding available for
453 additional career and technical education courses, including
454 federal funding, industry funding, or additional state funding.

455 (e) Identify how career and technical education courses
456 are advertised to parents and students.

457 (f) Identify the needs of school districts to expand
458 career and technical education, including what needs could be
459 met by the Legislature.

460 (g) Identify the number of students who earn an industry
461 certification through career and technical education courses who
462 also find employment in relevant industries.

463 (h) Provide recommendations for changes and expansions to
464 career and technical education course offerings beginning in the
465 2026-2027 school year.

466 (4) The task force shall submit to the Governor, the
467 President of the Senate, the Speaker of the House of
468 Representatives, and the Commissioner of Education a report of
469 its findings by September 1, 2025. The task force shall submit
470 to the Governor, the President of the Senate, the Speaker of the
471 House of Representatives, and the Commissioner of Education its
472 recommendations by January 1, 2026. This section shall expire
473 upon submission of the recommendations.

474 Section 12. 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: Choice & Innovation
 2 Subcommittee

3 Representative Snyder offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (4) of section 446.021, Florida
 8 Statutes, is amended to read:

9 446.021 Definitions of terms used in ss. 446.011-446.092.—

10 As used in ss. 446.011-446.092, the term:

11 (4) "Journeyworker" means a person working in an
 12 apprenticeable occupation who has successfully completed a
 13 registered and state-approved apprenticeship program or who has
 14 worked the number of years required by established industry
 15 practices for the particular trade or occupation and has passed
 16 the appropriate state-approved industry test.

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17 Section 2. Subsection (2) of section 450.061, Florida
18 Statutes, is amended to read:

19 450.061 Hazardous occupations prohibited; exemptions.—

20 (2) A ne minor under 18 years of age, regardless of
21 whether such person's disabilities of nonage have been removed,
22 may not shall be employed or permitted or suffered to work in
23 any of the following places of employment or in any of the
24 following occupations, provided that ~~the provisions of~~
25 paragraphs (b), (e), (g), (h), (j), (m), (o), and (q) do shall
26 not apply to the employment of student learners under the
27 conditions prescribed in s. 450.161:

28 (a) In or around explosive or radioactive materials.

29 (b) On any scaffolding, roof, superstructure, residential
30 or nonresidential building construction, or ladder above 6 feet.
31 A minor 16 or 17 years of age may be employed on any residential
32 building construction if:

33 1. The minor 16 or 17 years of age has earned his or her
34 Occupational Safety and Health Administration 10 certification
35 and is under the direct supervision of a person who:

36 a. Has earned his or her Occupational Safety and Health
37 Administration 10 certification.

38 b. Is 21 years of age or older.

39 c. Has at least 2 years of work experience related to the
40 work he or she is supervising.

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41 2. The minor 16 or 17 years of age is not working on any
42 scaffolding, roof, superstructure, or ladder above 6 feet.

43 3. The work being performed by the minor 16 or 17 years of
44 age is not in violation of any Occupational Safety and Health
45 Administration rule or federal law related to minors in the
46 workplace.

47 (c) In or around toxic substances or corrosives, including
48 pesticides or herbicides, unless proper field entry time
49 allowances have been followed.

50 (d) Any mining occupation.

51 (e) In the operation of power-driven woodworking machines.

52 (f) In the operation of power-driven hoisting apparatus.

53 (g) In the operation of power-driven metal forming,
54 punching, or shearing machines.

55 (h) Slaughtering, meat packing, processing, or rendering,
56 except as provided in 29 C.F.R. s. 570.61(c).

57 (i) In the operation of power-driven bakery machinery.

58 (j) In the operation of power-driven paper products and
59 printing machines.

60 (k) Manufacturing brick, tile, and like products.

61 (l) Wrecking or demolition.

62 (m) Excavation operations.

63 (n) Logging or sawmilling.

64 (o) Working on electric apparatus or wiring.

65 (p) Firefighting.

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66 (q) Operating or assisting to operate, including starting,
67 stopping, connecting or disconnecting, feeding, or any other
68 activity involving physical contact associated with operating, a
69 tractor over 20 PTO horsepower, any trencher or earthmoving
70 equipment, fork lift, or any harvesting, planting, or plowing
71 machinery, or any moving machinery.

72 Section 3. Paragraph (a) of subsection (4) of section
73 489.117, Florida Statutes, is amended to read:

74 489.117 Registration; specialty contractors.—

75 (4) (a) 1. A person whose job scope does not substantially
76 correspond to either the job scope of one of the contractor
77 categories defined in s. 489.105(3) (a)-(o), or the job scope of
78 one of the certified specialty contractor categories established
79 by board rule, is not required to register with the board. A
80 local government, as defined in s. 163.211, may not require a
81 person to obtain a license, issued by the local government or
82 the state, for a job scope which does not substantially
83 correspond to the job scope of one of the contractor categories
84 defined in s. 489.105(3) (a)-(o) and (q) or authorized in s.
85 489.1455 ~~s. 489.1455(1)~~, or the job scope of one of the
86 certified specialty contractor categories established pursuant
87 to s. 489.113(6). A local government may not require a state or
88 local license to obtain a permit for such job scopes. For
89 purposes of this section, job scopes for which a local
90 government may not require a license include, but are not

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91 limited to, painting; flooring; cabinetry; interior remodeling
92 when the scope of the project does not include a task for which
93 a state license is required; driveway or tennis court
94 installation; handyman services; decorative stone, tile, marble,
95 granite, or terrazzo installation; plastering; pressure washing;
96 stuccoing; caulking; and canvas awning and ornamental iron
97 installation.

98 2. A county that includes an area designated as an area of
99 critical state concern under s. 380.05 may offer a license for
100 any job scope which requires a contractor license under this
101 part if the county imposed such a licensing requirement before
102 January 1, 2021.

103 3. A local government may continue to offer a license for
104 veneer, including aluminum or vinyl gutters, siding, soffit, or
105 fascia; rooftop painting, coating, and cleaning above three
106 stories in height; or fence installation and erection if the
107 local government imposed such a licensing requirement before
108 January 1, 2021.

109 4. A local government may not require a license as a
110 prerequisite to submit a bid for public works projects if the
111 work to be performed does not require a license under general
112 law.

113 Section 4. Section 489.1455, Florida Statutes, is amended
114 to read:

115 489.1455 Journeyman; reciprocity; standards.—

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116 ~~(1) Counties and municipalities must recognize a person as~~
117 ~~a journeyman are authorized to issue journeyman licenses in the~~
118 ~~plumbing, pipe fitting, mechanical, or HVAC trades if he or she~~
119 ~~meets the following requirements:-~~

120 ~~(2) An individual who holds a valid, active journeyman~~
121 ~~license in the plumbing, pipe fitting, mechanical, or HVAC~~
122 ~~trades issued by any county or municipality in this state may~~
123 ~~work as a journeyman in the trade in which he or she is licensed~~
124 ~~in any county or municipality of this state without taking an~~
125 ~~additional examination or paying an additional license fee, if~~
126 ~~he or she:~~

127 ~~(1)(a) Has scored at least 70 percent, or after October 1,~~
128 ~~1997, at least 75 percent, on a proctored journeyman Block and~~
129 ~~Associates examination or other proctored examination approved~~
130 ~~by the board for the trade in which he or she is licensed and~~
131 ~~has at least 12,000 hours of on-the-job training in his or her~~
132 ~~specific trade;~~

133 ~~(2)(b) Has completed a registered and state-approved an~~
134 ~~apprenticeship program as defined in s. 446.021(6) ~~registered~~~~
135 ~~with a registration agency defined in 29 C.F.R. s. 29.2 and~~
136 ~~demonstrates 4 years' verifiable practical experience in the~~
137 ~~trade for which he or she is licensed, or demonstrates 6 years'~~
138 ~~verifiable practical experience in the trade for which he or she~~
139 ~~is licensed; and~~

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140 ~~(3)(e)~~ Has satisfactorily completed specialized and
141 advanced module coursework approved by the Florida Building
142 Commission, as part of the building code training program
143 established in s. 553.841, specific to the discipline or,
144 pursuant to authorization by the certifying authority, provides
145 proof of completion of such coursework within 6 months after
146 such certification. ~~;~~ and

147 ~~(d)~~ Has not had a license suspended or revoked within the
148 last 5 years.

149 ~~(3)~~ A local government may charge a registration fee for
150 reciprocity, not to exceed \$25.

151 Section 5. Section 489.5335, Florida Statutes, is amended
152 to read:

153 489.5335 Journeyman; reciprocity; standards.—

154 ~~(1)~~ Counties and municipalities must recognize a person as
155 a journeyman ~~are authorized to issue journeyman licenses~~ in the
156 electrical and alarm system trades if he or she meets the
157 following requirements:-

158 ~~(2)~~ An individual who holds a valid, active journeyman
159 license in the electrical or alarm system trade issued by any
160 county or municipality in this state may work as a journeyman in
161 the trade in which he or she is licensed in any other county or
162 municipality of this state without taking an additional
163 examination or paying an additional license fee, if he or she:

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164 ~~(1)(a)~~ Has scored at least 70 percent, or after October 1,
165 1997, at least 75 percent, on a proctored journeyman Block and
166 Associates examination or other proctored examination approved
167 by the board for the trade in which he or she is licensed and
168 has at least 12,000 hours of on-the-job training in his or her
169 specific trade;

170 ~~(2)(b)~~ Has completed a registered and state-approved an
171 apprenticeship program as defined in s. 446.021(6) registered
172 with a registration agency defined in 29 C.F.R. s. 29.2 and
173 demonstrates 4 years' verifiable practical experience in the
174 trade for which he or she is licensed, or demonstrates 6 years'
175 verifiable practical experience in the trade for which he or she
176 is licensed; and

177 ~~(3)(e)~~ Has satisfactorily completed specialized and
178 advanced module coursework approved by the Florida Building
179 Commission, as part of the building code training program
180 established in s. 553.841, specific to the discipline or,
181 pursuant to authorization by the certifying authority, provides
182 proof of completion of such curriculum or coursework within 6
183 months after such certification. ~~and~~

184 ~~(d)~~ ~~Has not had a license suspended or revoked within the~~
185 ~~last 5 years.~~

186 ~~(3)~~ ~~A local government may charge a registration fee for~~
187 ~~reciprocity, not to exceed \$25.~~

Amendment No. 1

188 Section 6. Paragraph (c) of subsection (14) of section
189 1001.43, Florida Statutes, is amended to read:

190 1001.43 Supplemental powers and duties of district school
191 board.—The district school board may exercise the following
192 supplemental powers and duties as authorized by this code or
193 State Board of Education rule.

194 (14) RECOGNITION OF ACADEMIC AND CAREER ACHIEVEMENT.—

195 (c) Beginning with the 2023-2024 school year, each
196 district school board shall require each high school within its
197 jurisdiction to host an annual career fair during the school
198 year and establish a process to provide students in grades 11
199 and 12 the opportunity to meet or interview with potential
200 employers during the career fair. The career fair must be held
201 on the campus of the high school, except that a group of high
202 schools in the district or a group of districts may hold a joint
203 career fair at an alternative location to satisfy the
204 requirement in this paragraph. A joint career fair must be held
205 at a location located within reasonable driving distance for
206 students at all participating schools. The career fair must be
207 held during the school day and may use Florida's online career
208 planning and work-based learning system as part of the career
209 fair activities. Alternatively, district school boards may
210 consult with local workforce development boards, advisory
211 committees, and business groups to determine free or cost-
212 effective methods to provide other career and industry

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213 networking opportunities, during the school day, for secondary
214 students and exposure for elementary and secondary students to a
215 representative variety of industries, businesses, and careers.

216
217 District school board policies and procedures may include
218 conducting assemblies or other appropriate public events in
219 which students sign actual or ceremonial documents accepting
220 scholarships or enrollment. The district school board may
221 encourage holding such events in an assembly or gathering of the
222 entire student body as a means of making academic and career
223 success and recognition visible to all students.

224 Section 7. Subsection (3) of section 1003.41, Florida
225 Statutes, is amended to read:

226 1003.41 State academic standards.—

227 (3) The Commissioner of Education shall, as deemed
228 necessary ~~needed~~, ~~shall~~ develop and submit proposed revisions to
229 the standards for review and comment by Florida educators,
230 school administrators, representatives of the Florida College
231 System institutions and state universities who have expertise in
232 the content knowledge and skills necessary to prepare a student
233 for postsecondary education and careers, a representative from
234 the Department of Commerce, business and industry leaders for
235 in-demand careers, and the public. The commissioner, after
236 considering reviews and comments, shall submit the proposed
237 revisions to the State Board of Education for adoption.

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238 Section 8. Paragraph (a) of subsection (7) and subsection
239 (10) of section 1003.4282, Florida Statutes, are amended to
240 read:

241 1003.4282 Requirements for a standard high school
242 diploma.—

243 (7) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL
244 CREDIT REQUIREMENTS.—

245 (a) Participation in career education courses engages
246 students in their high school education, increases academic
247 achievement, enhances employability, and increases postsecondary
248 success. The department shall develop, for approval by the State
249 Board of Education, multiple, additional career education
250 courses or a series of courses that meet the requirements set
251 forth in s. 1003.493(2), (4), and (5) and this subsection and
252 allow students to earn credit in both the career education
253 course and courses required for high school graduation under
254 this section and s. 1003.4281.

255 1. The state board must determine at least biennially
256 whether ~~if~~ sufficient academic standards are covered to warrant
257 the award of academic credit, including satisfaction of
258 graduation, assessment, and state university admissions
259 requirements under this section.

260 2. Career education courses must:

261 a. Include workforce and digital literacy skills.

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262 b. Integrate required course content with practical
263 applications and designated rigorous coursework that results in
264 one or more industry certifications or clearly articulated
265 credit or advanced standing in a 2-year or 4-year certificate or
266 degree program, which may include high school junior and senior
267 year work-related internships or apprenticeships. The department
268 shall negotiate state licenses for material and testing for
269 industry certifications.

270
271 The instructional methodology used in these courses must
272 comprise authentic projects, problems, and activities for
273 contextual academic learning and emphasize workplace skills
274 identified under s. 445.06.

275 3. A student who earns credit upon completion of 1 year of
276 related technical instruction for an apprenticeship program
277 registered with the Department of Education under chapter 446 or
278 preapprenticeship program registered with the Department of
279 Education under chapter 446 may use such credit to satisfy the
280 high school graduation credit requirements in paragraph (3)(e)
281 or paragraph (3)(g). The state board shall approve and identify
282 in the Course Code Directory the apprenticeship and
283 preapprenticeship programs from which earned credit may be used
284 pursuant to this subparagraph.

285 4. The State Board of Education shall, by rule, establish
286 a process that enables a student to receive work-based learning

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287 credit or credit in electives for completing a threshold level
288 of demonstrable participation in extracurricular activities
289 associated with career and technical student organizations.
290 Work-based learning credit or credit in electives for
291 extracurricular activities or supervised agricultural
292 experiences may not be limited by grade level.

293 (10) CAREER AND TECHNICAL EDUCATION CREDIT.—The Department
294 of Education shall convene a workgroup, no later than December
295 1, 2024, to:

296 (a) Identify best practices in career and technical
297 education pathways from middle school to high school to aid
298 middle school students in career planning and facilitate their
299 transition to high school programs. The career pathway must be
300 linked to postsecondary programs.

301 (b) Establish three mathematics pathways for students
302 enrolled in secondary grades by aligning mathematics courses to
303 programs, postsecondary education, and careers. The workgroup
304 shall collaborate to identify the three mathematics pathways and
305 the mathematics course sequence within each pathway which align
306 to the mathematics skills needed for success in the
307 corresponding academic programs, postsecondary education, and
308 careers.

309 Section 9. Subsection (3) of section 1004.91, Florida
310 Statutes, is amended to read:

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311 1004.91 Requirements for career education program basic
312 skills.—

313 (3) (a) An adult student with a disability may be exempted
314 from this section.

315 (b) The following students are exempt from this section:

316 1. A student who possesses a college degree at the
317 associate in applied science level or higher.

318 2. A student who demonstrates readiness for public
319 postsecondary education pursuant to s. 1008.30 and applicable
320 rules adopted by the State Board of Education.

321 3. Beginning with students graduating in 2007 and
322 thereafter, a student who possesses a high school diploma from a
323 private school in compliance with s. 1002.42, or, for a student
324 in a home education program, a signed affidavit submitted by the
325 student's parent or legal guardian attesting that the student
326 has completed a home education program pursuant to the
327 requirements of s. 1002.41.

328 4. A student who passes a state or national industry
329 certification or licensure examination that is identified in
330 State Board of Education rules and aligned to the career
331 education program in which the student is enrolled.

332 5.4. An adult student who is enrolled in an apprenticeship
333 program that is registered with the Department of Education in
334 accordance with chapter 446.

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335 Section 10. (1) The Career and Technical Education Task
336 Force, a task force as defined in s. 20.03(5), Florida Statutes,
337 is created adjunct to the Department of Education to study the
338 status of career and technical education in each school district
339 within the state. Except as otherwise provided in this section,
340 the task force shall operate in a manner consistent with s.
341 20.052, Florida Statutes. The department shall provide
342 administrative and staff support relating to the functions of
343 the task force.

344 (2) The Governor, the President of the Senate, the Speaker
345 of the House of Representatives, the Commissioner of Education,
346 the Secretary of the Department of Commerce, the Secretary of
347 the Department of Corrections, and the Secretary of Juvenile
348 Justice shall each appoint two members to the task force by
349 September 1, 2024. The commissioner shall appoint a chair of the
350 task force.

351 (3) The task force shall do all of the following:

352 (a) Compile a list of career and technical education
353 courses offered within each school district. Such data must be
354 broken down by industry, grade level, location, the number of
355 students enrolled in such courses, the number of students who
356 complete such courses, and the total number of students per
357 district enrolled in such courses.

358 (b) Compile a list of career and technical education
359 courses offered through the Department of Corrections and the

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360 Department of Juvenile Justice. Such data must be broken down by
361 location, population, industry course offering, the number of
362 students enrolled in each course, and the number of students who
363 complete such courses.

364 (c) Identify the total funding provided for the career and
365 technical education courses offered by school districts and
366 analyze whether such funding is uniform across the state or if
367 such funding varies by geography, course, or industry.

368 (d) Identify the total funding provided for the career and
369 technical education courses offered by the Department of
370 Corrections and the Department of Juvenile Justice.

371 (e) Compare funding and reimbursement rates and timelines
372 for career and technical education courses to funding and
373 reimbursement rates and timelines for traditional K-12 education
374 courses.

375 (f) Identify any additional funding available for
376 additional career and technical education courses, including
377 federal funding, industry funding, or additional state funding.

378 (g) Identify how career and technical education courses
379 are advertised to parents and students.

380 (h) Identify the needs of school districts to expand
381 career and technical education, including what needs could be
382 met by the Legislature.

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383 (i) Identify the number of students who earn an industry
384 certification through career and technical education courses who
385 also find employment in relevant industries.

386 (j) Review existing postsecondary credits available for K-
387 12 career and technical education course offerings and how this
388 information is advertised to students and parents.

389 (k) Compare existing career and technical education course
390 offerings with data from the Department of Commerce and industry
391 leaders about in-demand careers and the state's economic needs.

392 (l) Provide recommendations for changes and expansions to
393 career and technical education course offerings beginning in the
394 2026-2027 school year.

395 (m) Provide recommendations for increasing funding,
396 eliminating barriers to expanding career and technical education
397 offerings, and streamlining regulations.

398 (n) Provide recommendations for improving the marketing of
399 career and technical education offerings to students and
400 parents.

401 (4) The task force shall submit to the Governor, the
402 President of the Senate, the Speaker of the House of
403 Representatives, and the Commissioner of Education a report of
404 its findings by September 1, 2025. The task force shall submit
405 to the Governor, the President of the Senate, the Speaker of the
406 House of Representatives, and the Commissioner of Education its

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407 recommendations by January 1, 2026. This section shall expire
408 upon submission of the recommendations.

409 Section 11. This act shall take effect July 1, 2024.

410

411 -----

412 **T I T L E A M E N D M E N T**

413 Remove everything before the enacting clause and insert:

414 A bill to be entitled

415 An act relating to career and technical education;
416 amending s. 446.021, F.S.; revising the definition of
417 the term "journeyworker"; amending s. 450.061, F.S.;
418 providing an exemption for minors to work in specified
419 conditions; amending s. 489.117, F.S.; conforming a
420 cross-reference; amending ss. 489.1455 and 489.5335,
421 F.S.; requiring counties and municipalities to
422 recognize certain persons as journeymen for specified
423 occupations if such persons meet specified criteria;
424 deleting provisions authorizing a local government to
425 charge a specified registration fee; amending s.
426 1001.43, F.S.; providing an alternative to career
427 fairs through other career and industry networking
428 opportunities; amending s. 1003.41, F.S.; revising a
429 list of individuals who are required to review and
430 comment on certain revisions to the state academic
431 standards; making technical changes; amending s.

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432 1003.4282, F.S.; revising the requirements for certain
433 credits and certifications to meet specified
434 graduation requirements; requiring the Department of
435 Education to convene a workgroup by a specified date
436 for specified purposes; making a technical change;
437 amending s. 1004.91, F.S.; providing an additional
438 exemption from completing an entry-level examination
439 for certain students; creating the Career and
440 Technical Education Task Force adjunct to the
441 Department of Education; providing the purpose of the
442 task force; providing the membership and duties of the
443 task force; requiring the task force to submit a
444 report and recommendations to certain officials by
445 specified dates; providing for expiration of the task
446 force; providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1285 Education
SPONSOR(S): Canady
TIED BILLS: None. **IDEN./SIM. BILLS:** None.

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee		Blalock	Sleap
2) Appropriations Committee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

The bill makes a number of changes to Florida's K-12 public schools, specifically the bill:

- requires virtual instruction providers and virtual charter schools to provide a list of students to be administered statewide assessments and progress monitoring to the school district, and specifies that unless an alternative testing site is mutually agreed upon, all assessments and progress monitoring must be taken at the school to which the student would be assigned according to district school board attendance policies;
- requires each school district and charter school to offer students in grades 11 and 12 the opportunity to take the Armed Services Vocational Aptitude Battery and consult with a military recruiter if the student chooses;
- expands Florida's support of military families by creating the Purple Star School District Program which recognizes school districts with at least 75 percent of schools designated as Purple Star Campuses;
- authorizes the Commissioner of Education to appoint and remove an executive director for the Education Practices Commission;
- revises district dropout prevention and academic intervention programs by requiring teachers assigned to such schools to be certified, revising the parental notification prior to student enrollment in the program, and requiring students in the program to have individualized student goals and progress monitoring;
- removes school district authorization to have second chance school programs; and
- revises the deadlines for submission of turnaround plans and requirements under a turnaround option available to low performing schools, specifying the responsibilities of a school district and charter school who are implementing a turnaround plan for a public school which is reopening as a charter school, prohibiting a district from charging rental or leasing fees for the existing facility or withholding an administrative fee, and requiring the State Board of Education to develop a standard charter school turnaround contract, facility lease, and mutual management agreement.

At the postsecondary level, the bill:

- requires that for each adoption cycle, publishers and manufacturers must make sample copies of all state-adopted instructional materials available electronically for use by Florida's Educator Preparation Institutes;
- authorizes an Associate in Arts (AA) specialized transfer degree for Florida College System (FCS) institution students who need supplemental lower-level coursework above the 60 credit hours of the traditional AA degree in preparation for transfer to a baccalaureate degree program; and
- repeals the FCS Institution Employment Equity Accountability Program.

The bill does not appear to have a fiscal impact.

The bill takes effect July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Virtual Instruction Programs

Present Situation

A virtual instruction program provides an interactive, technology-based learning environment in which students are separated from their teachers by time or space, or both.¹ Each school district must provide at least one option for part-time and full-time virtual instruction for students residing within the school district, and provide timely written notification to parents of at least one open enrollment period for full-time students.²

A school district virtual instruction program must consist of the following:

- Full-time and part-time virtual instruction for students enrolled in kindergarten through grade 12.
- Full-time or part-time virtual instruction for students enrolled in dropout prevention and academic intervention programs, Department of Juvenile Justice (DJJ) education programs, core-curricula courses to meet class size requirements, or Florida College System (FCS) institutions.³

Each school district must provide information to parents and students about students' right to participate in a virtual instruction program and in courses offered by the Florida Virtual School (FLVS).⁴

All students, including home education and private school students, are eligible to participate in district virtual instruction programs.⁵ In order to provide students residing within the school district with the opportunity to participate in virtual instruction programs, a school district may:

- contract with the FLVS⁶ or establish a franchise of the FLVS;
- contract with a provider approved by the Department of Education (DOE) for the provision of a full-time or part-time school district virtual instruction program;
- enter into an agreement with another school district to allow its students to participate in a virtual instruction program provided by the other school district;
- establish school district operated part-time or full-time kindergarten through grade 12 virtual instruction programs; and
- enter into an agreement with a virtual charter school authorized by the school district.⁷

Contracts with the FLVS or other providers may include multidistrict contractual arrangements that may be executed by a regional consortium service organization⁸ on behalf of its member school districts.⁹ Additionally, a virtual charter school may enter into an agreement with a school district to allow participation of the virtual charter school's students in the school district's virtual instruction program.¹⁰

¹ Section 1002.45(1)(a)3., F.S.

² Section 1002.45(1)(b), F.S.

³ Section 1002.45(1)(b)1., F.S.

⁴ Sections 1002.37(1) and (9)(a) and 1002.45(9), F.S.

⁵ Section 1002.455, F.S.

⁶ The Florida Virtual School is established for the development and delivery of online and distance learning education full-time and part-time to students enrolled in kindergarten through grade 12. The Commissioner of Education is required to monitor the school's performance and report the school's performance to the State Board of Education (SBE) and the Legislature. Section 1002.37(1)(a) and (9)(a), F.S., s. 1002.45(9), F.S.

⁷ Section 1002.45(1)(c)1.-5., F.S.

⁸ See s. 1001.451, F.S. School districts with 20,000 or fewer unweighted full-time equivalent students, lab schools, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization.

⁹ Section 1002.45(1)(c), F.S. (flush left provision at the end of the subsection).

¹⁰ Section 1002.45(1)(d)3., F.S.

Participating students must comply with the compulsory school attendance requirements as verified by the district. Students must also participate in the state assessment program and the coordinated screening and progress monitoring system.¹¹

Statewide assessments and progress monitoring may be administered within the school district in which the student resides, or as specified in a contract between the school district and a qualified contractor, if applicable.¹² If requested by the approved virtual instruction program provider¹³ or virtual charter school,¹⁴ the district of residence must provide the student with access to the district's testing facilities.¹⁵

Effect of Proposed Changes

The bill requires virtual instruction providers and virtual charter schools to provide a list of students to be administered statewide assessments and progress monitoring to the school district, including the students' names, Florida Education Identifiers, grade levels, assessments and progress monitoring to be administered, and contact information.

The bill specifies that unless an alternative testing site is mutually agreed upon by the virtual provider and the school district, or specified in a contract between the school district and a qualified contractor, all assessments and progress monitoring must be taken at the school to which the student would be assigned according to district school board attendance policies. The school district must provide the student with access to the school's or district's testing facilities and provide the student with the date and time of the administration of each assessment and progress monitoring.

The Purple Star Campus Program

Present Situation

The Purple Star Campus program was established by the Florida legislature in 2021¹⁶ and further defined in State Board of Education (SBE) rule as the Purple Star School of Distinction Designation.¹⁷ The purpose of the Purple Star School of Distinction Designation is to recognize schools that support the unique needs of military families, help military-connected students navigate critical challenges, and provide resources for military-connected students when transitioning to a new school environment.¹⁸ As of November 2023, 197 Florida schools have earned the Purple Star School of Distinction Designation.¹⁹

For the purpose of this program, a "military student" means a student who is:

- enrolled in a school district, charter school, or any school or educational institution participating in an educational choice scholarship program;²⁰ and
- a dependent of a current member of the United States military serving on active duty in, or a former member of, the Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard; a reserve component of any branch of the United States military; or the Florida National Guard.²¹

¹¹ Section 1002.45(5), F.S.

¹² Sections 1002.45(5)(b) and 1008.24(3), F.S.

¹³ Section 1002.45(2), F.S.

¹⁴ Section 1002.45(1)(d), F.S.

¹⁵ Section 1002.45(5)(b), F.S.

¹⁶ Section 1, ch. 2021-65, L.O.F., codified at s. 1003.051, F.S.

¹⁷ Rule 6A-1.0999, F.A.C.

¹⁸ Florida Department of Education (DOE), *Purple Star School of Distinction Designation*, <https://www.fldoe.org/schools/family-community/activities-programs/parental-involvement/purple-star.stml> (last visited Jan. 21, 2024).

¹⁹ DOE, *Governor Ron DeSantis Announces 73 New Purple Star Schools to Provide Additional Resources for Military Families*, <https://www.fldoe.org/newsroom/latest-news/icymi-governor-ron-desantis-announces-73-new-purple-star-schools-to-provide-additional-resources-for-military-families.stml> (last visited Jan. 21, 2024).

²⁰ Chapter 1002, F.S.

²¹ Section 1003.051(1), F.S.

At a minimum, the program requires a participating school to:

- Designate a staff member as a military liaison.
- Maintain a web page on the school's website which includes resources for military students and their families.
- Maintain a student-led transition program that assists military students in transitioning into the school.
- Offer professional development training opportunities for staff members on issues relating to military students.
- Reserve at least 5 percent of controlled open enrollment seats for military students.²²

Once awarded, schools maintain their designation as a Purple Star School of Distinction for three school years.²³

Effect of Proposed Changes

The bill requires the DOE to create the Purple Star School District Program. At a minimum, the program must require a participating district to have at least 75% of schools in the district designated as Purple Star Campuses and maintain a web page on the district website with resources for military students and their families and links to each Purple Star Campus's web page with resources. The bill authorizes the DOE to establish additional program criteria to identify school districts that demonstrate a commitment to or provide critical coordination of services for military students and their families, including, but not limited to, establishing a council consisting of a representative from each Purple Star Campus in the district and one district-level representative to ensure the alignment of military student-focused policies and procedures within the district.

The bill authorizes the SBE to adopt rules to administer the program.

Armed Services Vocational Aptitude Battery & Military Recruiters

Present Situation

Armed Services Vocational Aptitude Battery

The Armed Services Vocational Aptitude Battery (ASVAB) is a multiple-choice test, administered by the United States Military Entrance Processing Command, used to determine qualification for enlistment in the United States Armed Forces.²⁴

The ASVAB is a timed multi-aptitude test, administered at over 14,000 schools and Military Entrance Processing Stations nationwide and developed and maintained by the Department of Defense. It measures a young adult's strengths and potential for success in military training.²⁵

The ASVAB consists of 10 subtests and scores are used to determine the best jobs for those entering a branch of the military. Scores from four of the math and verbal domain subtests are used to determine an Armed Forces Qualification Test (AFQT) score, which determines eligibility for enlistment.²⁶

Each branch of the military has different standards. The minimum scores each branch of the military requires depends on whether a potential recruit has a high school diploma or a high school equivalency diploma (GED). Those students with a GED need a higher AFQT score than students with a high school diploma. An AFQT score of 60 indicates that the examinee scored as well as or better than 60

²² Section 1003.051(2)(a), F.S.

²³ Rule 6A-1.0999, F.A.C.

²⁴ Official ASVAB, *ASVAB Fact Sheet* (2023), available at https://www.officialasvab.com/wp-content/uploads/2023/06/ASVAB-Fact_Sheet.pdf.

²⁵ Military.com, *The ASVAB Test*, <https://www.military.com/join-armed-forces/asvab> (last visited Jan. 21, 2024).

²⁶ US Military Careers, *How the ASVAB Score is Computed*, <https://www.liveabout.com/how-the-asvab-afqt-score-is-computed-3354094> (last visited Jan 21, 2024).

percent of the nationally representative sample. For high school graduates earning a diploma, the requirements by military branch are as follows:²⁷

- Air Force recruits are required to have a minimum AFQT score of 31.
- Army recruits are required to have a minimum AFQT score of 31.
- Coast Guard recruits are required to have a minimum AFQT score of 36.
- Marine recruits are required to have a minimum AFQT score of 31.
- National Guard recruits are required to have a minimum AFQT score of 31.
- Navy recruits are required to have a minimum AFQT score of 31.

AFQT scores are divided into five categories:²⁸

- Category I - 93-99.
- Category II - 65-92.
- Category IIIa - 50-64.
- Category IIIb - 31-49.
- Category IVa - 21-30.
- Category IVb - 16-20.
- Category IVc - 10-15.
- Category V - 1-9.

Beginning with the 2022-2023 school year, the school grading formula for high schools was modified to include the percentage of students who earned an AFQT score that falls within Category II or higher on the ASVAB and earned a minimum of two credits in Junior Reserve Officers' Training Corps courses from the same branch of the United States Armed Forces.²⁹

Military Recruiters and Access to Public School Campuses

Under current law, a school district must grant military recruiters of the United States Armed Forces and United States Department of Homeland Security the same access to secondary school students, and to school facilities and grounds, which the district grants to postsecondary educational institutions or prospective employers of students.³⁰

A school district must also grant military recruiters access to the names, addresses, and telephone listings of secondary school students as required by federal statute,³¹ except the district must comply with a student's or parent's request under federal³² or state³³ statute not to release the student's information without prior written parental consent.³⁴

Effect of Proposed Changes

The bill requires each school district and charter school to offer students in grades 11 and 12 the opportunity to take the ASVAB and consult with a military recruiter if the student chooses. The ASVAB must be scheduled during normal school hours.

Dropout Prevention and Academic Intervention

Present Situation

Overview

²⁷ Official ASVAB, *Enlistment Eligibility*, <https://www.officialasvab.com/applicants/enlistment-eligibility> (last visited Jan. 21, 2024).

²⁸ *Id.*

²⁹ Section 2, ch. 2020-75, L.O.F.; s. 1008.34(3)(b)2., F.S.

³⁰ Section 1003.451(3)(a), F.S.

³¹ 20 U.S.C. § 7908(a)(1).

³² 20 U.S.C. § 7908(a)(2).

³³ Section 1002.22, F.S.

³⁴ Section 1003.451(3)(b), F.S.

Each district school board may establish dropout prevention and academic intervention programs at the elementary, middle, or high school level.³⁵ These programs must use instructional teaching methods appropriate to the specific needs of each student participating in the program.³⁶ Any school that establishes a dropout prevention and academic intervention program must reflect the program in its school improvement plan.³⁷

Dropout prevention and academic intervention programs may differ from traditional programs and schools in scheduling, administrative structure, philosophy, curriculum, or setting and must 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.³⁸

Eligibility for participation in a dropout prevention and academic intervention program is limited to students in grades 1 through 12. School districts must report eligible students in the appropriate basic cost factor in the Florida Education Finance Program (FEFP). The strategies and supports provided to eligible students are funded through the General Appropriations Act and may include, but are not limited to, those services identified on the student's academic intervention plan.³⁹

Students are eligible for dropout prevention and academic programs if they are academically unsuccessful, exhibit a pattern of excessive absenteeism or have been identified as a habitual truant, have a history of disruptive behavior in school or have committed an offense that warrants out-of-school suspension or expulsion from school, or have been identified by a school's early warning system.⁴⁰ Student participation in a dropout prevention and academic intervention program is voluntary. District school boards may, however, assign students to a program for disruptive students. A student must not be identified as eligible for dropout prevention and academic intervention program services based solely on being from a single-parent family.⁴¹

District school boards that receive state funding for dropout prevention and academic intervention must submit an annual report to the DOE documenting the extent of the district's success in using dropout prevention and academic intervention programs to improve the district's graduation rate, dropout rate, attendance rate, and retention/promotion rate.⁴² In addition, school boards that provide a dropout prevention and academic intervention program must maintain records for each participating student documenting the student's eligibility, the length of the student's participation, the type of program to which the student was assigned or type of academic intervention services provided, and an evaluation of the student's academic and behavioral performance while in the program.⁴³

District school boards must establish course standards for dropout prevention and academic intervention programs⁴⁴ and procedures to ensure that teachers assigned to these programs possess the affective, pedagogical, and content-related skills necessary to meet the needs of students placed in the program.⁴⁵

Prior to a student's placement in a dropout prevention and academic intervention program, the school principal must provide written notice by certified mail, return receipt requested, to the student's parent.⁴⁶ The student's parent must return acknowledgement of the written notice within three days of receipt.

³⁵ Section 1003.53(2)(a), F.S.

³⁶ *Id.*

³⁷ Section 1003.53(2)(b), F.S.

³⁸ Section 1003.53(1)(a), F.S.

³⁹ Section 1003.53(1)(b), F.S.

⁴⁰ Section 1003.53(1)(c), F.S.

⁴¹ Section 1003.53(1)(a), F.S.

⁴² Section 1003.53(3), F.S.

⁴³ Section 1003.53(5), F.S.

⁴⁴ Rule 6A-6.0521, F.A.C.

⁴⁵ Section 1003.53(4), F.S.

⁴⁶ Section 1003.53(5), F.S.

The notice must inform the parent that he or she is entitled to an administrative review of any action by school personnel relating to the student's placement.⁴⁷

Second Chance Schools

Under certain circumstances, school districts may assign students in grades 6 through 10 to a second chance school. Second chance schools are district school board programs provided through cooperative agreements between the DJJ, private providers, state or local law enforcement agencies, or other state agencies for students who have been habitually truant or disruptive, violent, or who have committed serious offenses. As partnership programs, second chance schools are eligible for waivers by the Commissioner of Education (commissioner) from SBE rules that prevent the provision of appropriate educational services to violent, severely disruptive, or delinquent students in small nontraditional settings or in court-adjudicated settings.⁴⁸

District school boards seeking to enter into a partnership with a private or public entity to operate a second chance school may apply to the DOE for startup grants. These grants must be available for one year and must be used to offset the startup costs for implementing second chance programs off public school campuses. General operating funds must be generated through the appropriate programs of the FEFP. Grants approved under this program must be for the full operation of the school by a private nonprofit or for-profit provider or the public entity. This program must operate under rules adopted by the SBE and be implemented to the extent funded by the Legislature.⁴⁹

Prior to assigning students to second chance schools, district school boards are encouraged to use alternative programs such as in-school suspension, which provide instruction and counseling leading to improved student behavior, a reduction in the incidence of truancy, and the development of more effective interpersonal skills.⁵⁰

Students assigned to second chance schools must be evaluated by the district school board's child study team before placement in a second chance school. The study team must ensure that students are not eligible for placement in a program for emotionally disturbed children.⁵¹

Students who exhibit academic and social progress and who wish to return to a traditional school shall complete a character development and law education program and demonstrate preparedness to reenter the regular school setting prior to reentering a traditional school.⁵²

Effect of Proposed Changes

The bill authorizes district school boards to assign students to a disciplinary program for disruptive students or an alternative school setting or other program in accordance with the state's policy of zero tolerance for crime and victimization.⁵³ The bill requires that, notwithstanding any other provision of law to the contrary, no student can be identified as eligible to receive services through the dropout prevention and academic intervention program solely based on having a disability. The bill requires that before placement in a dropout prevention and academic intervention program or the provision of an academic service, the school principal, or his or her designee, must provide written notice of placement or services to the student's parent; must make a reasonable effort to notify the student's parent by telephone or e-mail, or both; and must document this effort.

The bill provides that dropout prevention and academic intervention programs established by each district school board must utilize student services that lead to improved student behavior as appropriate to the specific needs of the student. The bill requires that each student enrolled in a dropout prevention

⁴⁷ *Id.*

⁴⁸ Section 1003.53(1)(d)1., F.S.

⁴⁹ Section 1003.53(1)(d)2., F.S.

⁵⁰ Section 1003.53(1)(d)6., F.S.

⁵¹ Section 1003.53(1)(d)7., F.S.

⁵² Section 1003.53(1)(d)8., F.S.

⁵³ Section 1006.13, F.S.

and academic intervention program has an academic intervention plan developed to address eligibility for placement in the program and to provide individualized student goals and progress monitoring procedures. A student's academic intervention plan must be consistent with the student's individual education plan (IEP).

The bill requires that teachers assigned to dropout prevention and academic intervention programs are certified as required under the law and by rules of the SBE.⁵⁴

Finally, the bill repeals the authority of a school district to offer a second chance school program.

School Improvement- School Turnaround Plans

Present Situation

Florida's system of improving low-performing schools is referred to as "school improvement" (SI).⁵⁵ Under SI, the lowest-performing schools receive more comprehensive, state-provided intervention and support than schools that are closer to meeting student achievement goals.⁵⁶ Intervention and support is required for traditional public schools earning a letter grade of "D" or "F" or producing a graduation rate of sixty-seven (67) percent or less.⁵⁷

Intensive intervention and support strategies must be applied through turnaround plans⁵⁸ to schools earning two consecutive grades of "D" or a grade of "F".⁵⁹ In the first full school year after a school initially earns a grade of "D," the school district must immediately implement intervention and support strategies.⁶⁰ For a school that initially earns a grade of "F" or a second consecutive grade of "D," the school district must either continue implementing or immediately begin implementing intervention and support strategies⁶¹ and provide the department with the memorandum of understanding by September 1 and a district-managed turnaround plan by October 1 for approval by the SBE.⁶² The plan must be designed to improve a school's grade to a "C" or better within two school years.⁶³

The district-managed turnaround plan may include a proposal for the district to implement an extended school day, a summer program, a combination of an extended school day and a summer program, or any other authorized option for SBE approval. A school district is not required to wait until a school earns a second consecutive grade of "D" to submit a turnaround plan for approval by the state board.

Upon SBE approval, the school district must implement the plan for the remainder of the school year and continue the plan for one full school year. The SBE may allow a school an additional year of implementation before the school must implement a turnaround option⁶⁴ if it determines that the school is likely to improve to a grade of "C" or higher after the first full school year of implementation.⁶⁵

If the school's grade does not improve to a "C" or higher after the additional year (its fourth consecutive grade below a "C"), or after the first full year of implementation if an additional year is not granted, the school must select from the following turnaround options:⁶⁶

- Reassign students to another school and monitor the progress of each student.

⁵⁴ Section 1012.55(1), F.S.

⁵⁵ Section 1008.33(2) and (4), F.S.; rule 6A-1.099811, F.A.C.

⁵⁶ *See id.* School improvement requirements were originally established under the 2002 reauthorization of ESEA, otherwise known as the No Child Left Behind (NCLB) Act of 2001. Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

⁵⁷ Section 1008.33(3)(b), F.S.; *see also* rule 6A-1.099811(2)(aa), F.A.C.

⁵⁸ Rule 6A-1.099811(2)(bb), F.A.C.

⁵⁹ Section 1008.33(4)(a), F.S.

⁶⁰ Rule 6A-1.099811(3)(c), F.A.C.

⁶¹ *Id.*

⁶² Section 1008.33(4)(a), F.S.

⁶³ Rule 6A-1.099811(7)(a) and (13)(b), F.A.C. A Tier 2 SI school is any school that earns a single grade of "F" or consecutive grades of "D" in any school year in which the school received a grade and is in the first cycle of turnaround. Rule 6A-1.099811(3)(b), F.A.C.

⁶⁴ Section 1008.33(4)(b), F.S.

⁶⁵ Section 1008.33(4)(a), F.S.

⁶⁶ Section 1008.33(4)(b), F.S.; rule 6-A 1.099811(7)(b), F.A.C

- Close the school and reopen as one or more charter schools with a governing board that has a demonstrated record of effectiveness.
- Contract with an external operator that has a demonstrated record of effectiveness to operate the school.

Selection of an external operator may include one, or a combination of the following:⁶⁷

- A district-managed charter school or a high-performing charter school network in which all instructional personnel are not employees of the school district, but are employees of an independent governing board composed of members who did not participate in the review or approval of the charter.
- A contractual agreement that allows for a charter school network or any of its affiliated subsidiaries to provide individualized consultancy services tailored to address the identified needs of one or more schools under this section.

To exit the SI program, a school must meet one of the following requirements:⁶⁸

- If the school's SI status is determined by its school grade, the school must earn a grade of at least a "C"; or
- If the school's SI status is solely based on its graduation rate, it must achieve a graduation rate higher than 67 percent.

If a school earning two consecutive grades of "D" or a grade of "F" does not improve to a grade of "C" or higher after two school years of implementing the turnaround option selected by the school district, the district must implement another turnaround option. Implementation must begin the school year following the implementation period of the existing turnaround option, unless the SBE determines that the school is likely to improve to a grade of "C" or higher if additional time is provided to implement the existing turnaround option.⁶⁹

Effect of Proposed Changes

The bill makes several changes relating to the procedures and prescribed options for a school which is required to implement a district-managed turnaround option or which has completed a cycle of turnaround and has not improved to a grade of "C" or higher.

For a school which has earned a school grade of "F" or a second consecutive school grade of "D" and is required to implement a district-managed turnaround option, the bill moves the submission deadline for the memorandum of understanding and district-managed turnaround plan the school district must submit to the DOE from September 1 and October 1, respectively, to August 1. The bill requires that a district-managed turnaround plan must only include measurable academic benchmarks that put the school on a path to earning and maintaining a grade of "C" or higher.

For a school that has not improved to a grade of "C" or higher under a district-managed turnaround plan and has selected the turnaround option of closing and reopening as a charter school, the bill provides the following requirements for the school district and the charter school operator upon reopening as a charter school:

- The school district must continue to operate the school for the following school year and must execute a charter school turnaround contract by October 1 that will allow the charter school an opportunity to conduct an evaluation of the educational program and personnel currently assigned to the school during the year in preparation for assuming full operational control of the school and facility by July 1. The school district may not reduce or remove resources from the school during this time.
- The charter school operator must provide enrollment preference to students currently attending or who would have otherwise attended or been zoned for the school. The school district must consult and negotiate with the charter school every three years to determine whether

⁶⁷ Section 1008.33(4)(b)3., F.S.

⁶⁸ Rule 6A-1.099811(16), F.A.C

⁶⁹ Section 1008.33(4)(d), F.S.

realignment of the attendance zone is appropriate to ensure that students residing closest to the school are provided with an enrollment preference.

- The charter school operator must serve the existing grade levels served by the school at its current enrollment or higher, but may, at its discretion, serve additional grade levels.
- The school district may not charge rental or leasing fees for the existing facility or for the property normally inventoried to the school. The school and the school district must agree to reasonable maintenance provisions in order to maintain the facility in a manner similar to all other school facilities in the school district.
- The school district may not withhold an administrative fee for the provision of services identified in statute.⁷⁰

The bill provides that ceasing implementation of a turnaround option because a school improves to a grade of “C” or higher, does not apply to a school district that has already executed a charter school turnaround contract.

Finally, the bill requires the SBE to adopt rules to implement these provisions and to develop a standard charter school turnaround contract, a standard facility lease, and a mutual management agreement.

K-12 Instructional Materials

Present Situation

Duties of Publishers & Manufacturers Regarding K-12 Instructional Materials

Whether operating pursuant to the state’s instructional materials program or a district instructional materials program, publishers and manufacturers of instructional materials must, among other things:

- submit electronic sample copies of the instructional material;
- submit evidence that the provided materials address the required state standards and are accessible through the district’s digital classrooms plan and a variety of electronic, digital, and mobile devices;
- furnish instructional materials at a price not to exceed the lowest price offered in other states;
- automatically reduce the price of instructional materials or provide materials free of charge if provided to other states at a reduced rate or free of charge;
- keep the materials revised, free from all errors, and up-to-date; and
- disclose the authors of the instructional materials.⁷¹

In addition, publishers and manufacturers of instructional materials are prohibited from offering any emolument, money, or other valuable thing or any inducement, to any district school board official or state instructional materials reviewer to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional materials. Violating this prohibition is a second degree misdemeanor and will result in a ban from practicing business in the state for one calendar year.⁷²

Educator Preparation Institutes

An educator preparation institute may be created by a postsecondary institution or a qualified private provider and approved by the DOE.⁷³ Postsecondary institutions that are accredited or approved as

⁷⁰ Section 1002.33(20)(a), F.S.

⁷¹ Sections 1006.283(2)(b)7. and 1006.38, F.S. With regard to the state’s instructional materials program, publishers and manufacturers must maintain a depository in Florida for the in-state distribution of instructional materials to school districts from the depository or contract with a depository in the state. Section 1006.38(11)-(13), F.S.

⁷² Section 1006.32(1) and (4), F.S. A second degree misdemeanor is punishable by a term of imprisonment not exceeding 60 days and a fine not exceeding \$500. Sections 775.082(4)(b) and 775.083(1)(e), F.S.

⁷³ Section 1004.85(1), F.S.

described in SBE rule may seek approval from the DOE to create educator preparation institutes for any or all of the following purposes:

- Professional learning 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.
- Instruction for baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for professionals who hold a baccalaureate degree and college graduates who were not education majors.
- Instruction and professional learning for part-time and full-time nondegreed teachers of career programs.⁷⁴

A private provider with a proven history of delivering high-quality teacher preparation, based on evidence provided from other state recipients of its services and data showing the successful performance of its completers based on student achievement, may seek approval to offer a competency-based certification program specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements.⁷⁵

An educator preparation institute choosing to offer a competency-based certification program, whether a postsecondary institution or a qualified private provider, must implement a program developed by the institute and approved by the DOE for this purpose. Approved programs must be available for use by other approved educator preparation institutes.⁷⁶

Effect of Proposed Changes

The bill requires that for each adoption cycle, publishers and manufacturers of instructional materials, or their representatives, must make sample copies of all instructional materials on the commissioner's list of state-adopted instructional materials available electronically for use by educator preparation institutes to enable educators to practice teaching with currently adopted instructional materials aligned to the state's academic standards.

Education Practices Commission

Present Situation

The DOE's Office of Professional Practices Services (PPS) investigates misconduct by educators who hold a Florida Educator Certificate or a valid application for a Florida Educator Certificate. The PPS investigates when there are ultimate facts to support the educator has broken the law or violated the Principles of Professional Conduct.⁷⁷ These laws and rules outline the standards of conduct expected of certified educators in Florida.⁷⁸

Penalties against an educator's certificate are not issued by the commissioner or the DOE; penalties are issued by the Education Practices Commission (commission). The commission is a quasi-judicial body of peers, law enforcement, and lay persons set forth in statute⁷⁹ that determines what penalty is issued in each case.⁸⁰

Currently, the commission must employ an executive director by a vote of three-fourths of the membership who is exempt from career service and may be dismissed by a majority vote of the

⁷⁴ Sections 1004.85(2)(a) and 1012.39(1)(c), F.S.

⁷⁵ Sections 1004.85(2)(b) and 1012.56, F.S.

⁷⁶ Section 1004.85(3), F.S.

⁷⁷ Rule 6A-10.081, F.A.C. contains the Principles of Professional Conduct for the Education Profession in Florida.

⁷⁸ DOE, *Role of Professional Practices Services*, <https://www.fldoe.org/teaching/professional-practices/role-of-professional-practices-service.shtml> (lasted visited Jan. 21, 2024).

⁷⁹ Section 1012.79, F.S.

⁸⁰ DOE, *Role of Professional Practices Services*, <https://www.fldoe.org/teaching/professional-practices/role-of-professional-practices-service.shtml> (lasted visited Jan. 21, 2024).

membership. The commission is assigned to the DOE for administrative purposes and, in the performance of its powers and duties, must not be subject to control, supervision, or direction by the DOE.⁸¹

The commission has the authority to make expenditures necessary to carry out its duties and responsibilities, including for personal services, general counsel or access to counsel, and rent at the seat of government and elsewhere; for books of reference, periodicals, furniture, equipment, and supplies; and for printing and binding. The expenditures of the commission are subject to the powers and duties of the Department of Financial Services.⁸²

Effect of Proposed Changes

The bill authorizes the commissioner, at his or her discretion, to appoint and remove an executive director for the commission. The bill requires the commission to be assigned to the DOE for fiscal accountability purposes and provides that the commission may make expenditures on legal services when necessary.

Florida College System-Transfer Degrees

Present Situation

Overview

Florida's 28 state and community colleges offer a wide range of academic opportunities for students throughout the state. At FCS institutions, students are able to complete degree programs including Bachelor of Science and Bachelor of Applied Science, Associate in Arts (AA), Associate in Science (AS), Associate in Applied Science (AAS), and career and technical certificate programs.⁸³

Associate in Arts Degree

The AA degree is designed for students who plan to transfer from an FCS institution to a baccalaureate degree program, either at an FCS or a state university system (SUS) institution.⁸⁴ The AA degree requirements consist of 60 total credit hours and include 36 credit hours of general education and 24 credit hours of electives.⁸⁵ Students should choose elective courses required for admission to their intended program of study or major at the desired college or university. The Common Prerequisites Manual⁸⁶ is a catalog of lower-level courses that are prerequisites for entrance into baccalaureate programs offered by FCS and SUS institutions. Students are encouraged to discuss their intended program of study with an academic advisor at their college to ensure they are meeting all requirements to transfer upon completing their AA degree.⁸⁷

A baccalaureate degree must be no more than 120 semester hours of college credit, unless prior approval has been granted by the Board of Governors (BOG) or the SBE, as applicable, and include 36 semester hours of general education coursework.⁸⁸

General Education Core Courses

Students entering an FCS or SUS institution are required to complete at least one identified general education core course in each of the subject areas of communication, mathematics, social sciences,

⁸¹ Section 1012.79(5)-(6)(a), F.S.

⁸² Sections 17.03 and 1012.79(9), F.S.

⁸³ DOE, Florida College System (FCS), *Academics*, <https://www.fldoe.org/schools/higher-ed/fl-college-system/academics/> (last visited Jan. 21, 2024).

⁸⁴ *Id.*

⁸⁵ Section 1007.25(9), F.S.

⁸⁶ Florida Shines, *Common Prerequisites Manual*, <https://cpm.flvc.org/advance-search> (last visited Jan. 21, 2024).

⁸⁷ DOE, FCS, *Academics*, <https://www.fldoe.org/schools/higher-ed/fl-college-system/academics/> (last visited Jan. 21, 2024).

⁸⁸ Section 1007.25(10), F.S. and Board of Governors Regulation 6.017

humanities, and natural sciences. All public postsecondary educational institutions are required to accept these courses as meeting general education core course requirements.⁸⁹

General education core course options consist of a maximum of five courses in each identified subject area, but may exceed that limit with the approval of the SBE or the BOG. The general education core courses are established in SBE rule⁹⁰ and BOG regulation.⁹¹

Transfer of General Education Courses

Each public postsecondary institution must accept transfer general education core courses taken at another institution. After completing the general education core course requirements, the remaining courses and credits that fulfill the total 36-hour general education requirement for an AA or baccalaureate degree are at the discretion of the FCS or SUS institution.⁹²

General education programs in Florida, while consistent with the general education core requirements and the total of 36 hours for completion, vary in the selection of institutionally-required courses. Students who transfer with an AA or AS degree or who have completed their block of 36 general education hours do not have to meet the receiving institution's general education program requirements. If a student does not complete the total 36-hour general education curriculum prior to transfer, each course, outside of courses taken as general education courses, will be reviewed individually to determine if it meets the general education requirements of the new institution.⁹³

Articulation Coordinating Committee

The commissioner, in consultation with the Chancellor of the SUS, establishes the Articulation Coordinating Committee (ACC), whose primary role is to recommend statewide articulation policies.⁹⁴ Specifically, the ACC must monitor articulation between education systems, propose guidelines for articulation agreements, publish lists of general education and common prerequisite courses, establish dual enrollment course equivalencies to high school credit, and annually review the Statewide Articulation Agreement.⁹⁵ The Office of K-20 Articulation within the DOE provides administrative support to the ACC.⁹⁶

Statewide Articulation Agreements

Each state university board of trustees, FCS board of trustees, and district school board must plan and adopt policies and procedures to provide articulated programs so that students can proceed toward their educational objectives as rapidly as their circumstances permit.⁹⁷

Statewide articulation agreements help facilitate the seamless transition of students across and among Florida's educational entities. These agreements are intended to be a minimum guarantee of articulated credit and do not preclude institutions from granting additional credit based on local agreements.⁹⁸

Effect of Proposed Changes

⁸⁹ Section 1007.25, F.S. Beginning with the 2022-2023 academic year, the general education core course requirement is extended to students in an Associate in Applied Science (AAS) and Associate in Science (AS) degree program.

⁹⁰ Rule 6A-14.0303, F.A.C.

⁹¹ Board of Governors Regulation 8.005.

⁹² *Id.* and r. 6A-14.0303(5), F.A.C.

⁹³ DOE, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 15, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>. See also r. 6A-10.024(2)(c), F.A.C.

⁹⁴ Section 1007.01(3), F.S.

⁹⁵ Section 1007.01(3)(a) and (b), F.S.

⁹⁶ Section 1007.01(3), F.S.; s. 20.15(3)(h), F.S.

⁹⁷ Rule 6A-10.024(1), F.A.C.

⁹⁸ DOE, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 20-21, available at <https://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>. See also r. 6A-10.024(2)(c), F.A.C.

The bill creates a new AA specialized transfer degree. The specialized transfer degrees are designed for FCS institution students who need supplemental lower-level coursework above the 60 credit hours of the traditional AA degree in preparation for transfer to a baccalaureate degree program. An AA specialized transfer degree must include 36 semester hours of general education coursework and require 60 semester hours or more of college credit.

The bill requires the SBE to establish criteria for the review and approval of new specialized transfer degrees. The approval process must require:

1. An FCS institution to submit a notice of its intent to propose a new AA specialized degree program to the Division of Florida Colleges. The notice must include the recommended credit hours, the rationale for the specialization, the demand for students entering the field, and the coursework being proposed to be included beyond the 60 semester hours required for the general transfer degree, if applicable. Notices of intent may be submitted by an FCS institution at any time.
2. The Division of Florida Colleges to forward the notice of intent within 10 business days after receipt to all FCS institutions and the Chancellor of the SUS, who must forward the notice to all state universities. State universities and FCS institutions have 60 days after receipt of the notice to submit comments to the proposed AA specialized transfer degree.
3. After the submission of comments, the requesting FCS institution to submit a proposal that, at a minimum, includes:
 - a. Evidence that the coursework for the AA specialized transfer degree includes demonstration of competency in a foreign language⁹⁹ and demonstration of civic literacy competency.¹⁰⁰
 - b. Demonstration that all required coursework will count toward the AA degree or the baccalaureate degree.
 - c. An analysis of demand and unmet need for students entering the specialized field of study at the baccalaureate level.
 - d. Justification for the program length if it exceeds 60 credit hours, including references to the Common Prerequisite Manual or other requirements for the baccalaureate degree. This includes documentation of alignment between the exit requirements of an FCS institution and the admissions requirements of a baccalaureate program at a state university to which students would typically transfer.
 - e. Articulation agreements for graduates of the AA specialized transfer degree.
 - f. Responses to the comments received.

The Division of Florida Colleges must review the proposal and, within 30 days after receipt, provide written notification to the FCS institution of any deficiencies and provide the institution with an opportunity to correct the deficiencies. Within 45 days after receipt of a completed proposal by the Division of Florida Colleges, the commissioner must recommend approval or disapproval of the new specialized transfer degree to the SBE. The SBE must consider the recommendation at its next meeting.

Upon approval of an AA specialized transfer degree by the SBE, an FCS institution may offer the degree and must report data on student and program performance in a manner prescribed by the DOE.

The bill requires the SBE to adopt rules to prescribe format and content requirements and submission procedures for notices of intent, proposals, and compliance reviews for the AA specialized transfer degree.

Florida College System Institution Employment Equity Accountability Program

Present Situation

⁹⁹ Section 1007.262, F.S.

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.¹⁰¹ 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.¹⁰² FCS institution presidents and the heads of each major administrative division must be evaluated annually on the progress made toward meeting the goals and objectives of the FCS institution's employment accountability plan.¹⁰³

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.¹⁰⁴ 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.¹⁰⁵

No law requires such a report of Florida's public K-12 institutions or SUS institutions and it conflicts with the current requirements of the Florida Educational Equity Act.¹⁰⁶

Effect of Proposed Changes

The bill repeals the FCS Institution Employment Equity Accountability Program.

B. SECTION DIRECTORY:

Section 1: Amends s. 1002.45, F.S.; providing approved virtual instruction program provider, virtual charter school, and school district responsibilities relating to statewide assessments and progress monitoring for certain students.

Section 2: Creates s. 1003.052, F.S.; establishing the Purple Star School District Program; providing requirements for such program; authorizing the Department of Education to establish additional program criteria; authorizing the State Board of Education to adopt rules.

Section 3: Amends s. 1003.451, F.S.; requiring school districts and charter schools to provide certain students with an opportunity to take the Armed Services Vocational Aptitude Battery Test and consult with a military recruiter; providing requirements for the scheduling of such test.

Section 4: Amends s. 1003.53, F.S.; revising requirements for the assignment of students to disciplinary programs and alternative school settings or other programs; deleting provisions relating to second chance schools; revising requirements for dropout prevention and academic intervention programs; requiring such programs to include academic intervention plans for students; providing requirements for such plans; providing that specified provisions apply to all dropout prevention and academic intervention programs; requiring school principals or their designees to make a reasonable effort to notify parents by specified means and to document such effort.

Section 5: Amends s. 1006.38, F.S.; requiring instructional materials publishers and manufacturers or their representatives to make sample copies of specified instructional materials available electronically for use by certain institutes for specified purpose.

¹⁰¹ Section 1012.86(1), F.S.

¹⁰² *Id.*

¹⁰³ Section 1012.86(3), F.S.

¹⁰⁴ Section 1012.86(2), F.S.

¹⁰⁵ Section 1012.86(4), F.S.

¹⁰⁶ DOE, *Recommendations to Reduce Regulation in Public Schools* (2023), at 22, available at

https://www.flsenate.gov/Committees/Show/ED/MeetingPacket/5953/10483_MeetingPacket_5953_2.pdf. see also s. 1000.05, F.S.

- Section 6:** Amends s. 1007.25, F.S.; creating associate in arts specialized transfer degrees; providing requirements for such degrees; providing a process for the approval of such degree programs; providing for rulemaking.
- Section 7:** Amends s. 1008.33, F.S.; revising the date by which a memorandum of understanding relating to schools in turnaround status must be provided to the department; revising requirements for district-managed turnaround plans; providing requirements for turnaround schools that close and reopen as charter schools and school districts in which such schools reside; providing that specified provisions do not apply to certain turnaround schools; requiring the State Board of Education to adopt rules for a charter school turnaround contract and specified leases and agreements.
- Section 8:** Amends s. 1012.79, F.S.; authorizing the Commissioner of Education to appoint an executive director of the Education Practices Commission; revising the purpose of the commission; authorizing the commission to expend funds for legal services.
- Section 9:** Repeals s. 1012.86, F.S., relating to the Florida College System institution employment equity accountability program.
- Section 10:** Amends s. 948.037, F.S.; conforming provisions to changes made by the act.
- Section 11:** Amends s. 1001.64, F.S.; conforming provisions to changes made by the act.
- Section 12:** Amends s. 1001.65, F.S.; conforming provisions to changes made by the act.
- Section 13:** Amends s. 1006.07, F.S.; conforming provisions to changes made by the act.
- Section 14:** Amends s. 1006.09, F.S.; conforming provisions to changes made by the act.
- Section 15:** Amends s. 1006.13, F.S.; conforming provisions to changes made by the act.
- Section 16:** 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 authorizes the State Board of Education (SBE) to adopt rules to administer the Purple Star School District Program. The bill requires the SBE to adopt rules for the Associate in Arts specialized transfer degree and to adopt standardized forms and agreements relating to public school improvement. Existing SBE rules may also need to be repealed or amended to implement 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. 1002.45,
3 F.S.; providing approved virtual instruction program
4 provider, virtual charter school, and school district
5 responsibilities relating to statewide assessments and
6 progress monitoring for certain students; creating s.
7 1003.052, F.S.; establishing the Purple Star School
8 District Program; providing requirements for such
9 program; authorizing the Department of Education to
10 establish additional program criteria; authorizing the
11 State Board of Education to adopt rules; amending s.
12 1003.451, F.S.; requiring school districts and charter
13 schools to provide certain students with an
14 opportunity to take the Armed Services Vocational
15 Aptitude Battery Test and consult with a military
16 recruiter; providing requirements for the scheduling
17 of such test; amending s. 1003.53, F.S.; revising
18 requirements for the assignment of students to
19 disciplinary programs and alternative school settings
20 or other programs; deleting provisions relating to
21 second chance schools; revising requirements for
22 dropout prevention and academic intervention programs;
23 requiring such programs to include academic
24 intervention plans for students; providing
25 requirements for such plans; providing that specified

26 provisions apply to all dropout prevention and
27 academic intervention programs; requiring school
28 principals or their designees to make a reasonable
29 effort to notify parents by specified means and to
30 document such effort; amending s. 1006.38, F.S.;
31 requiring instructional materials publishers and
32 manufacturers or their representatives to make sample
33 copies of specified instructional materials available
34 electronically for use by certain institutes for
35 specified purpose; amending s. 1007.25, F.S.; creating
36 associate in arts specialized transfer degrees;
37 providing requirements for such degrees; providing a
38 process for the approval of such degree programs;
39 providing for rulemaking; amending s. 1008.33, F.S.;
40 revising the date by which a memorandum of
41 understanding relating to schools in turnaround status
42 must be provided to the department; revising
43 requirements for district-managed turnaround plans;
44 providing requirements for turnaround schools that
45 close and reopen as charter schools and school
46 districts in which such schools reside; providing that
47 specified provisions do not apply to certain
48 turnaround schools; requiring the State Board of
49 Education to adopt rules for a charter school
50 turnaround contract and specified leases and

51 | agreements; amending s. 1012.79, F.S.; authorizing the
 52 | Commissioner of Education to appoint an executive
 53 | director of the Education Practices Commission;
 54 | revising the purpose of the commission; authorizing
 55 | the commission to expend funds for legal services;
 56 | repealing s. 1012.86, F.S., relating to the Florida
 57 | College System institution employment equity
 58 | accountability program; amending ss. 948.037, 1001.64,
 59 | 1001.65, 1006.07, 1006.09, and 1006.13, F.S.;
 60 | conforming provisions to changes made by the act;
 61 | providing an effective date.

62 |

63 | Be It Enacted by the Legislature of the State of Florida:

64 |

65 | Section 1. Paragraph (b) of subsection (5) of section
 66 | 1002.45, Florida Statutes, is amended to read:

67 | 1002.45 Virtual instruction programs.—

68 | (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student
 69 | enrolled in the school district's virtual instruction program
 70 | authorized pursuant to paragraph (1)(c) must:

71 | (b) Take statewide assessments pursuant to s. 1008.22 and
 72 | participate in the coordinated screening and progress monitoring
 73 | system under s. 1008.25(9). Statewide assessments and progress
 74 | monitoring may be administered within the school district in
 75 | which such student resides, ~~7~~ or as specified in the contract

76 under ~~in accordance with~~ s. 1008.24(3). If requested by the
77 approved virtual instruction program provider or virtual charter
78 school, the district of residence must provide the student with
79 access to the district's testing facilities. It is the
80 responsibility of the approved virtual instruction program
81 provider or virtual charter school to provide a list of students
82 to be administered statewide assessments and progress monitoring
83 to the school district, including the students' names, Florida
84 Education Identifiers, grade levels, assessments and progress
85 monitoring to be administered, and contact information. Unless
86 an alternative testing site is mutually agreed to by the
87 approved virtual instruction program provider or virtual charter
88 school and the school district, or as specified in the contract
89 under s. 1008.24, all assessments and progress monitoring must
90 be taken at the school to which the student would be assigned
91 according to district school board attendance policies. A school
92 district must provide the student with access to the school's or
93 district's testing facilities and provide the student with the
94 date and time of the administration of each assessment and
95 progress monitoring.

96 Section 2. Section 1003.052, Florida Statutes, is created
97 to read:

98 1003.052 The Purple Star School District Program.—

99 (1)(a) The Department of Education shall establish the
100 Purple Star School District Program. At a minimum, the program

101 must require a participating school district to:

102 1. Have at least 75 percent of the schools within the
 103 district be designated as Purple Star Campuses under s.
 104 1003.051.

105 2. Maintain a web page on the district's website which
 106 includes resources for military students and their families and
 107 a link to each Purple Star Campus's web page that meets the
 108 requirements of s. 1003.051(2)(a)2.

109 (b) The department may establish additional program
 110 criteria to identify school districts that demonstrate a
 111 commitment to or provide critical coordination of services for
 112 military students and their families, including, but not limited
 113 to, establishing a council consisting of a representative from
 114 each Purple Star Campus in the district and one district-level
 115 representative to ensure the alignment of military student-
 116 focused policies and procedures within the district.

117 (2) The State Board of Education may adopt rules to
 118 administer this section.

119 Section 3. Subsection (4) of section 1003.451, Florida
 120 Statutes, is renumbered as subsection (5), and a new subsection
 121 (4) is added to that section to read:

122 1003.451 Junior Reserve Officers' Training Corps; military
 123 recruiters; access to public school campuses; Armed Services
 124 Vocational Aptitude Battery Test (ASVAB).-

125 (4) Each school district and charter school shall provide

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126 students in grades 11 and 12 an opportunity to take the Armed
127 Services Vocational Aptitude Battery Test (ASVAB) and consult
128 with a military recruiter if the student selects. To optimize
129 student participation, the ASVAB must be scheduled during normal
130 school hours.

131 Section 4. Section 1003.53, Florida Statutes, is amended
132 to read:

133 1003.53 Dropout prevention and academic intervention.—

134 (1)(a) Dropout prevention and academic intervention
135 programs may differ from traditional educational programs and
136 schools in scheduling, administrative structure, philosophy,
137 curriculum, or setting and shall employ alternative teaching
138 methodologies, curricula, learning activities, and diagnostic
139 and assessment procedures in order to meet the needs, interests,
140 abilities, and talents of eligible students. The educational
141 program shall provide curricula, character development and law
142 education, and related services that support the program goals
143 and lead to improved performance in the areas of academic
144 achievement, attendance, and discipline. Student participation
145 in such programs shall be voluntary. District school boards may,
146 however, assign students to a disciplinary program for
147 disruptive students or an alternative school setting or other
148 program pursuant to s. 1006.13. Notwithstanding any other
149 provision of law to the contrary, no student shall be identified
150 as being eligible to receive services ~~funded~~ through the dropout

151 prevention and academic intervention program based solely on the
152 student being from a single-parent family or having a
153 disability.

154 (b) Students in grades 1-12 shall be eligible for dropout
155 prevention and academic intervention programs. Eligible students
156 shall be reported in the appropriate basic cost factor in the
157 Florida Education Finance Program. The strategies and supports
158 provided to eligible students shall be funded through the
159 General Appropriations Act and may include, but are not limited
160 to, those services identified on the student's academic
161 intervention plan.

162 (c) A student shall be identified as being eligible to
163 receive services ~~funded~~ through the dropout prevention and
164 academic intervention program based upon one of the following
165 criteria:

166 1. The student is academically unsuccessful as evidenced
167 by low test scores, retention, failing grades, low grade point
168 average, falling behind in earning credits, or not meeting the
169 state or district achievement levels in reading, mathematics, or
170 writing.

171 2. The student has a pattern of excessive absenteeism or
172 has been identified as a habitual truant.

173 3. The student has a history of disruptive behavior in
174 school or has committed an offense that warrants out-of-school
175 suspension or expulsion from school according to the district

176 school board's code of student conduct. For the purposes of this
 177 program, "disruptive behavior" is behavior that:

178 a. Interferes with the student's own learning or the
 179 educational process of others and requires attention and
 180 assistance beyond that which the traditional program can provide
 181 or results in frequent conflicts of a disruptive nature while
 182 the student is under the jurisdiction of the school either in or
 183 out of the classroom; or

184 b. Severely threatens the general welfare of students or
 185 others with whom the student comes into contact.

186 4. The student is identified by a school's early warning
 187 system pursuant to s. 1001.42(18)(b).

188 ~~(d)1. "Second chance schools" means district school board~~
 189 ~~programs provided through cooperative agreements between the~~
 190 ~~Department of Juvenile Justice, private providers, state or~~
 191 ~~local law enforcement agencies, or other state agencies for~~
 192 ~~students who have been disruptive or violent or who have~~
 193 ~~committed serious offenses. As partnership programs, second~~
 194 ~~chance schools are eligible for waivers by the Commissioner of~~
 195 ~~Education from State Board of Education rules that prevent the~~
 196 ~~provision of appropriate educational services to violent,~~
 197 ~~severely disruptive, or delinquent students in small~~
 198 ~~nontraditional settings or in court-adjudicated settings.~~

199 ~~2. District school boards seeking to enter into a~~
 200 ~~partnership with a private entity or public entity to operate a~~

201 ~~second chance school for disruptive students may apply to the~~
 202 ~~Department of Education for startup grants. These grants must be~~
 203 ~~available for 1 year and must be used to offset the startup~~
 204 ~~costs for implementing such programs off public school campuses.~~
 205 ~~General operating funds must be generated through the~~
 206 ~~appropriate programs of the Florida Education Finance Program.~~
 207 ~~Grants approved under this program shall be for the full~~
 208 ~~operation of the school by a private nonprofit or for-profit~~
 209 ~~provider or the public entity. This program must operate under~~
 210 ~~rules adopted by the State Board of Education and be implemented~~
 211 ~~to the extent funded by the Legislature.~~

212 ~~3. A student enrolled in a sixth, seventh, eighth, ninth,~~
 213 ~~or tenth grade class may be assigned to a second chance school~~
 214 ~~if the student meets the following criteria:~~

215 ~~a. The student is a habitual truant as defined in s.~~
 216 ~~1003.01.~~

217 ~~b. The student's excessive absences have detrimentally~~
 218 ~~affected the student's academic progress and the student may~~
 219 ~~have unique needs that a traditional school setting may not~~
 220 ~~meet.~~

221 ~~c. The student's high incidences of truancy have been~~
 222 ~~directly linked to a lack of motivation.~~

223 ~~d. The student has been identified as at risk of dropping~~
 224 ~~out of school.~~

225 ~~4. A student who is habitually truant may be assigned to a~~

226 ~~second chance school only if the case staffing committee,~~
227 ~~established pursuant to s. 984.12, determines that such~~
228 ~~placement could be beneficial to the student and the criteria~~
229 ~~included in subparagraph 3. are met.~~

230 ~~5. A student may be assigned to a second chance school if~~
231 ~~the district school board in which the student resides has a~~
232 ~~second chance school and if the student meets one of the~~
233 ~~following criteria:~~

234 ~~a. The student habitually exhibits disruptive behavior in~~
235 ~~violation of the code of student conduct adopted by the district~~
236 ~~school board.~~

237 ~~b. The student interferes with the student's own learning~~
238 ~~or the educational process of others and requires attention and~~
239 ~~assistance beyond that which the traditional program can~~
240 ~~provide, or, while the student is under the jurisdiction of the~~
241 ~~school either in or out of the classroom, frequent conflicts of~~
242 ~~a disruptive nature occur.~~

243 ~~c. The student has committed a serious offense which~~
244 ~~warrants suspension or expulsion from school according to the~~
245 ~~district school board's code of student conduct. For the~~
246 ~~purposes of this program, "serious offense" is behavior which:~~

247 ~~(I) Threatens the general welfare of students or others~~
248 ~~with whom the student comes into contact;~~

249 ~~(II) Includes violence;~~

250 ~~(III) Includes possession of weapons or drugs; or~~

251 ~~(IV) Is harassment or verbal abuse of school personnel or~~
252 ~~other students.~~

253 ~~6. Prior to assignment of students to second chance~~
254 ~~schools, district school boards are encouraged to use~~
255 ~~alternative programs, such as in-school suspension, which~~
256 ~~provide instruction and counseling leading to improved student~~
257 ~~behavior, a reduction in the incidence of truancy, and the~~
258 ~~development of more effective interpersonal skills.~~

259 ~~7. Students assigned to second chance schools must be~~
260 ~~evaluated by the district school board's child study team before~~
261 ~~placement in a second chance school. The study team shall ensure~~
262 ~~that students are not eligible for placement in a program for~~
263 ~~emotionally disturbed children.~~

264 ~~8. Students who exhibit academic and social progress and~~
265 ~~who wish to return to a traditional school shall complete a~~
266 ~~character development and law education program and demonstrate~~
267 ~~preparedness to reenter the regular school setting prior to~~
268 ~~reentering a traditional school.~~

269 (2) (a) Each district school board may establish dropout
270 prevention and academic intervention programs at the elementary,
271 middle, junior high school, or high school level. Programs
272 designed to eliminate patterns of excessive absenteeism or
273 habitual truancy shall emphasize academic performance and may
274 provide specific instruction in the areas of career education,
275 preemployment training, and behavioral management. Such programs

276 shall utilize instructional teaching methods and student
277 services that lead to improved student behavior as appropriate
278 to the specific needs of the student.

279 (b) Each school that establishes a dropout prevention and
280 academic intervention program at that school site shall reflect
281 that program in the school improvement plan as required under s.
282 1001.42(18).

283 (c) For each student enrolled in a dropout prevention and
284 academic intervention program, an academic intervention plan
285 shall be developed to address eligibility for placement in the
286 program and to provide individualized student goals and progress
287 monitoring procedures. A student's academic intervention plan
288 must be consistent with the student's individual education plan
289 (IEP).

290 (3) Each district school board providing ~~receiving~~ state
291 ~~funding for~~ dropout prevention and academic intervention
292 programs ~~through the General Appropriations Act~~ shall submit
293 information through an annual report to the Department of
294 Education's database documenting the extent to which each of the
295 district's dropout prevention and academic intervention programs
296 has been successful in the areas of graduation rate, dropout
297 rate, attendance rate, and retention/promotion rate. The
298 department shall compile this information into an annual report
299 which shall be submitted to the presiding officers of the
300 Legislature by February 15.

301 (4) Each district school board shall establish course
302 standards, as defined by rule of the State Board of Education,
303 for dropout prevention and academic intervention programs and
304 procedures for ensuring that teachers assigned to the programs
305 are certified pursuant to s. 1012.55 and possess the affective,
306 pedagogical, and content-related skills necessary to meet the
307 needs of these students.

308 (5) Each district school board providing a dropout
309 prevention and academic intervention program pursuant to this
310 section shall maintain for each participating student records
311 documenting the student's eligibility, the length of
312 participation, the type of program to which the student was
313 assigned or the type of academic intervention services provided,
314 and an evaluation of the student's academic and behavioral
315 performance while in the program. Before ~~The school principal or~~
316 ~~his or her designee shall, prior to~~ placement in a dropout
317 prevention and academic intervention program or the provision of
318 an academic service, the school principal or his or her designee
319 shall provide written notice of placement or services ~~by~~
320 ~~certified mail, return receipt requested,~~ to the student's
321 parent; shall make a reasonable effort to notify the student's
322 parent by telephone or e-mail, or both; and must document such
323 effort. The parent of the student shall sign an acknowledgment
324 of the notice of placement or service and return the signed
325 acknowledgment to the principal within 3 days after receipt of

326 the notice. The parents of a student assigned to such a dropout
327 prevention and academic intervention program shall be notified
328 in writing and entitled to an administrative review of any
329 action by school personnel relating to such placement pursuant
330 to ~~the provisions of~~ chapter 120.

331 (6) District school board dropout prevention and academic
332 intervention programs shall be coordinated with social service,
333 law enforcement, prosecutorial, and juvenile justice agencies
334 and juvenile assessment centers in the school district.
335 Notwithstanding ~~the provisions of~~ s. 1002.22, these agencies are
336 authorized to exchange information contained in student records
337 and juvenile justice records. Such information is confidential
338 and exempt from ~~the provisions of~~ s. 119.07(1). District school
339 boards and other agencies receiving such information shall use
340 the information only for official purposes connected with the
341 certification of students for admission to and for the
342 administration of the dropout prevention and academic
343 intervention program, and shall maintain the confidentiality of
344 such information unless otherwise provided by law or rule.

345 (7) The State Board of Education shall have the authority
346 pursuant to ss. 120.536(1) and 120.54 to adopt rules necessary
347 to implement ~~the provisions of~~ this section; such rules shall
348 require the minimum amount of necessary paperwork and reporting.

349 Section 5. Subsections (3) through (16) of section
350 1006.38, Florida Statutes, are renumbered as subsections (4)

351 through (17), respectively, present subsections (14) and (16)
352 are amended, and a new subsection (3) is added to that section,
353 to read:

354 1006.38 Duties, responsibilities, and requirements of
355 instructional materials publishers and manufacturers.—This
356 section applies to both the state and district approval
357 processes. Publishers and manufacturers of instructional
358 materials, or their representatives, shall:

359 (3) For each adoption cycle, make sample copies of all
360 instructional materials on the commissioner's list of state-
361 adopted instructional materials available electronically for use
362 by educator preparation institutes as defined in s. 1004.85(1)
363 to enable educators to practice teaching with currently adopted
364 instructional materials aligned to state academic standards.

365 ~~(15)-(14)~~ Accurately and fully disclose only the names of
366 those persons who actually authored the instructional materials.
367 In addition to the penalties provided in subsection ~~(17)~~ ~~(16)~~,
368 the commissioner may remove from the list of state-adopted
369 instructional materials those instructional materials whose
370 publisher or manufacturer misleads the purchaser by falsely
371 representing genuine authorship.

372 ~~(17)-(16)~~ Upon the willful failure of the publisher or
373 manufacturer to comply with the requirements of this section, be
374 liable to the department in the amount of three times the total
375 sum which the publisher or manufacturer was paid in excess of

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376 the price required under subsections (6) ~~(5)~~ and (7) ~~(6)~~ and in
377 the amount of three times the total value of the instructional
378 materials and services which the district school board is
379 entitled to receive free of charge under subsection (8) ~~(7)~~.

380 Section 6. Subsections (9) and (12) of section 1007.25,
381 Florida Statutes, are amended to read:

382 1007.25 General education courses; common prerequisites;
383 other degree requirements.—

384 (9) (a) An associate in arts degree must ~~shall~~ require no
385 more than 60 semester hours of college credit and include 36
386 semester hours of general education coursework. Beginning with
387 students initially entering a Florida College System institution
388 or state university in the 2014-2015 academic year and
389 thereafter, coursework for an associate in arts degree must
390 ~~shall~~ include demonstration of competency in a foreign language
391 pursuant to s. 1007.262. Except for developmental education
392 required pursuant to s. 1008.30, all required coursework must
393 ~~shall~~ count toward the associate in arts degree or the
394 baccalaureate degree.

395 (b) An associate in arts specialized transfer degree must
396 include 36 semester hours of general education coursework and
397 require 60 semester hours or more of college credit. Specialized
398 transfer degrees are designed for Florida College System
399 institution students who need supplemental lower-level
400 coursework in preparation for transfer to another institution.

401 The State Board of Education shall establish criteria for the
402 review and approval of new specialized transfer degrees. The
403 approval process must require:

404 1. A Florida College System institution to submit a notice
405 of its intent to propose a new associate in arts specialized
406 degree program to the Division of Florida Colleges. The notice
407 must include the recommended credit hours, the rationale for the
408 specialization, the demand for students entering the field, and
409 the coursework being proposed to be included beyond the 60
410 semester hours required for the general transfer degree, if
411 applicable. Notices of intent may be submitted by a Florida
412 College System institution at any time.

413 2. The Division of Florida Colleges to forward the notice
414 of intent within 10 business days after receipt to all Florida
415 College System institutions and the Chancellor of the State
416 University System, who shall forward the notice to all state
417 universities. State universities and Florida College System
418 institutions shall have 60 days after receipt of the notice to
419 submit comments to the proposed associate in arts specialized
420 transfer degree.

421 3. After the submission of comments pursuant to
422 subparagraph 2., the requesting Florida College System
423 institution to submit a proposal that, at a minimum, includes:

424 a. Evidence that the coursework for the associate in arts
425 specialized transfer degree includes demonstration of competency

426 in a foreign language pursuant to s. 1007.262 and demonstration
427 of civic literacy competency as provided in subsection (5).

428 b. Demonstration that all required coursework will count
429 toward the associate in arts degree or the baccalaureate degree.

430 c. An analysis of demand and unmet need for students
431 entering the specialized field of study at the baccalaureate
432 level.

433 d. Justification for the program length if it exceeds 60
434 credit hours, including references to the common prerequisite
435 manual or other requirements for the baccalaureate degree. This
436 includes documentation of alignment between the exit
437 requirements of a Florida College System institution and the
438 admissions requirements of a baccalaureate program at a state
439 university to which students would typically transfer.

440 e. Articulation agreements for graduates of the associate
441 in arts specialized transfer degree.

442 f. Responses to the comments received under subparagraph
443 2.

444 (c) The Division of Florida Colleges shall review the
445 proposal and, within 30 days after receipt, shall provide
446 written notification to the Florida College System institution
447 of any deficiencies and provide the institution with an
448 opportunity to correct the deficiencies. Within 45 days after
449 receipt of a completed proposal by the Division of Florida
450 Colleges, the Commissioner of Education shall recommend approval

451 or disapproval of the new specialized transfer degree to the
452 State Board of Education. The State Board of Education shall
453 consider the recommendation at its next meeting.

454 (d) Upon approval of an associate in arts specialized
455 transfer degree by the State Board of Education, a Florida
456 College System institution may offer the degree and shall report
457 data on student and program performance in a manner prescribed
458 by the Department of Education.

459 (e) The State Board of Education shall adopt rules
460 pursuant to ss. 120.536(1) and 120.54 to prescribe format and
461 content requirements and submission procedures for notices of
462 intent, proposals, and compliance reviews under this subsection.

463 (12) A student who received an associate in arts degree
464 ~~for successfully completing 60 semester credit hours~~ may
465 continue to earn additional credits at a Florida College System
466 institution. The university must provide credit toward the
467 student's baccalaureate degree for an additional Florida College
468 System institution course if, according to the statewide course
469 numbering, the Florida College System institution course is a
470 course listed in the university catalog as required for the
471 degree or as prerequisite to a course required for the degree.
472 Of the courses required for the degree, at least half of the
473 credit hours required for the degree must ~~shall~~ be achievable
474 through courses designated as lower division, except in degree
475 programs approved by the State Board of Education for programs

476 | offered by Florida College System institutions and by the Board
 477 | of Governors for programs offered by state universities.

478 | Section 7. Subsections (4) and (5) of section 1008.33,
 479 | Florida Statutes, are amended to read:

480 | 1008.33 Authority to enforce public school improvement.—

481 | (4) (a) The state board shall apply intensive intervention
 482 | and support strategies tailored to the needs of schools earning
 483 | two consecutive grades of "D" or a grade of "F." In the first
 484 | full school year after a school initially earns a grade of "D,"
 485 | the school district must immediately implement intervention and
 486 | support strategies prescribed in rule under paragraph (3) (c).
 487 | For a school that initially earns a grade of "F" or a second
 488 | consecutive grade of "D," the school district must either
 489 | continue implementing or immediately begin implementing
 490 | intervention and support strategies prescribed in rule under
 491 | paragraph (3) (c) and provide the department, by August ~~September~~
 492 | 1, with the memorandum of understanding negotiated pursuant to
 493 | s. 1001.42(21) and, ~~by October 1,~~ a district-managed turnaround
 494 | plan for approval by the state board. The plan must include
 495 | measurable academic benchmarks that put the school on a path to
 496 | earning and maintaining a grade of "C" or higher ~~The district-~~
 497 | ~~managed turnaround plan may include a proposal for the district~~
 498 | ~~to implement an extended school day, a summer program, a~~
 499 | ~~combination of an extended school day and a summer program, or~~
 500 | ~~any other option authorized under paragraph (b) for state board~~

501 ~~approval. A school district is not required to wait until a~~
502 ~~school earns a second consecutive grade of "D" to submit a~~
503 ~~turnaround plan for approval by the state board under this~~
504 ~~paragraph.~~ Upon approval by the state board, the school district
505 must implement the plan for the remainder of the school year and
506 continue the plan for 1 full school year. The state board may
507 allow a school an additional year of implementation before the
508 school must implement a turnaround option required under
509 paragraph (b) if it determines that the school is likely to
510 improve to a grade of "C" or higher after the first full school
511 year of implementation.

512 (b) Unless an additional year of implementation is
513 provided pursuant to paragraph (a), a school that completes a
514 plan cycle under paragraph (a) and does not improve to a grade
515 of "C" or higher must ~~implement one of the following:~~

516 1. Reassign students to another school and monitor the
517 progress of each reassigned student;

518 2. Close the school and reopen the school as one or more
519 charter schools, each with a governing board that has a
520 demonstrated record of effectiveness. Upon reopening as a
521 charter school:

522 a. The school district shall continue to operate the
523 school for the following school year and no later than October 1
524 execute a charter school turnaround contract that will allow the
525 charter school an opportunity to conduct an evaluation of the

526 educational program and personnel currently assigned to the
527 school during the year in preparation for assuming full
528 operational control of the school and facility by July 1. The
529 school district may not reduce or remove resources from the
530 school during this time.

531 b. The charter school operator must provide enrollment
532 preference to students currently attending or who would have
533 otherwise attended or been zoned for the school. The school
534 district shall consult and negotiate with the charter school
535 every 3 years to determine whether realignment of the attendance
536 zone is appropriate to ensure that students residing closest to
537 the school are provided with an enrollment preference.

538 c. The charter school operator must serve the existing
539 grade levels served by the school at its current enrollment or
540 higher, but may, at its discretion, serve additional grade
541 levels.

542 d. The school district may not charge rental or leasing
543 fees for the existing facility or for the property normally
544 inventoried to the school. The school and the school district
545 shall agree to reasonable maintenance provisions in order to
546 maintain the facility in a manner similar to all other school
547 facilities in the school district.

548 e. The school district may not withhold an administrative
549 fee for the provision of services identified in s.
550 1002.33(20)(a); or

551 3. Contract with an outside entity that has a demonstrated
552 record of effectiveness to provide turnaround services
553 identified in state board rule, which may include school
554 leadership, educational modalities, teacher and leadership
555 professional development, curriculum, operation and management
556 services, school-based administrative staffing, budgeting,
557 scheduling, other educational service provider functions, or any
558 combination thereof. Selection of an outside entity may include
559 one or a combination of the following:

560 a. An external operator, which may be a district-managed
561 charter school or a high-performing charter school network in
562 which all instructional personnel are not employees of the
563 school district, but are employees of an independent governing
564 board composed of members who did not participate in the review
565 or approval of the charter.

566 b. A contractual agreement that allows for a charter
567 school network or any of its affiliated subsidiaries to provide
568 individualized consultancy services tailored to address the
569 identified needs of one or more schools under this section.

570
571 A school district and outside entity under this subparagraph
572 must enter, at minimum, a 2-year, performance-based contract.
573 The contract must include school performance and growth metrics
574 the outside entity must meet on an annual basis. The state board
575 may require the school district to modify or cancel the

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576 contract.

577 (c) Implementation of the turnaround option is no longer
578 required if the school improves to a grade of "C" or higher,
579 unless the school district has already executed a charter school
580 turnaround contract pursuant to this section.

581 (d) If a school earning two consecutive grades of "D" or a
582 grade of "F" does not improve to a grade of "C" or higher after
583 2 school years of implementing the turnaround option selected by
584 the school district under paragraph (b), the school district
585 must implement another turnaround option. Implementation of the
586 turnaround option must begin the school year following the
587 implementation period of the existing turnaround option, unless
588 the state board determines that the school is likely to improve
589 to a grade of "C" or higher if additional time is provided to
590 implement the existing turnaround option.

591 (5) The state board shall adopt rules pursuant to ss.
592 120.536(1) and 120.54 to administer this section. The rules
593 shall include timelines for submission of implementation plans,
594 approval criteria for implementation plans, ~~and~~ timelines for
595 implementing intervention and support strategies, a standard
596 charter school turnaround contract, a standard facility lease,
597 and a mutual management agreement. The state board shall consult
598 with education stakeholders in developing the rules.

599 Section 8. Subsection (5), paragraph (a) of subsection
600 (6), and subsection (9) of section 1012.79, Florida Statutes,

601 are amended to read:

602 1012.79 Education Practices Commission; organization.—

603 (5) The Commissioner of Education may, at his or her
 604 discretion, appoint and remove ~~commission, by a vote of three-~~
 605 ~~fourths of the membership,~~ shall employ an executive director,
 606 who shall be exempt from career service. ~~The executive director~~
 607 ~~may be dismissed by a majority vote of the membership.~~

608 (6) (a) The commission shall be assigned to the Department
 609 of Education for administrative and fiscal accountability
 610 purposes. The commission, in the performance of its powers and
 611 duties, may ~~shall~~ not be subject to control, supervision, or
 612 direction by the Department of Education.

613 (9) The commission shall make such expenditures as may be
 614 necessary in exercising its authority and powers and carrying
 615 out its duties and responsibilities, including expenditures for
 616 personal services, legal services ~~general counsel or access to~~
 617 ~~counsel,~~ and rent at the seat of government and elsewhere; for
 618 books of reference, periodicals, furniture, equipment, and
 619 supplies; and for printing and binding. The expenditures of the
 620 commission shall be subject to the powers and duties of the
 621 Department of Financial Services as provided in s. 17.03.

622 Section 9. Section 1012.86, Florida Statutes, is repealed.

623 Section 10. Subsections (2) and (3) of section 948.037,
 624 Florida Statutes, are amended to read:

625 948.037 Education and learning as a condition of probation

626 or community control.-

627 (2) A juvenile on community control who is a public school
 628 student must attend a public adult education program or a
 629 dropout prevention program, pursuant to s. 1003.53, ~~which~~
 630 ~~includes a second chance school or an alternative to expulsion,~~
 631 if the school district where the juvenile is enrolled offers
 632 such programs, unless the principal of the school determines
 633 that special circumstances warrant continuation in the regular
 634 educational school program.

635 (3) If a juvenile on community control attends a regular
 636 educational school program because a public adult education
 637 program or dropout prevention program, ~~which includes a second~~
 638 ~~chance school or an alternative to expulsion,~~ is not available
 639 in the school district, the identity of the juvenile on
 640 community control, the nature of the felony offense committed by
 641 the juvenile, and the conditions of community control must be
 642 made known to each of the student's teachers.

643 Section 11. Subsection (19) of section 1001.64, Florida
 644 Statutes, is amended to read:

645 1001.64 Florida College System institution boards of
 646 trustees; powers and duties.-

647 (19) Each board of trustees shall appoint, suspend, or
 648 remove the president of the Florida College System institution.
 649 The board of trustees may appoint a search committee. The board
 650 of trustees shall conduct annual evaluations of the president in

651 accordance with rules of the State Board of Education and submit
652 such evaluations to the State Board of Education for review. The
653 evaluation must address the achievement of the performance goals
654 established by the accountability process implemented pursuant
655 to s. 1008.45 and the performance of the president in achieving
656 the annual and long-term goals and objectives ~~established in the~~
657 ~~Florida College System institution's employment accountability~~
658 ~~program implemented pursuant to s. 1012.86.~~

659 Section 12. Subsection (22) of section 1001.65, Florida
660 Statutes, is amended to read:

661 1001.65 Florida College System institution presidents;
662 powers and duties.—The president is the chief executive officer
663 of the Florida College System institution, shall be corporate
664 secretary of the Florida College System institution board of
665 trustees, and is responsible for the operation and
666 administration of the Florida College System institution. Each
667 Florida College System institution president shall:

668 ~~(22) Submit an annual employment accountability plan to~~
669 ~~the Department of Education pursuant to the provisions of s.~~
670 ~~1012.86.~~

671 Section 13. Paragraphs (l) and (m) of subsection (2) of
672 section 1006.07, Florida Statutes, are amended to read:

673 1006.07 District school board duties relating to student
674 discipline and school safety.—The district school board shall
675 provide for the proper accounting for all students, for the

676 attendance and control of students at school, and for proper
677 attention to health, safety, and other matters relating to the
678 welfare of students, including:

679 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
680 conduct for elementary schools and a code of student conduct for
681 middle and high schools and distribute the appropriate code to
682 all teachers, school personnel, students, and parents, at the
683 beginning of every school year. Each code shall be organized and
684 written in language that is understandable to students and
685 parents and shall be discussed at the beginning of every school
686 year in student classes, school advisory council meetings, and
687 parent and teacher association or organization meetings. Each
688 code shall be based on the rules governing student conduct and
689 discipline adopted by the district school board and shall be
690 made available in the student handbook or similar publication.
691 Each code shall include, but is not limited to:

692 (1) Notice that any student who is determined to have
693 brought a firearm or weapon, as defined in chapter 790, to
694 school, to any school function, or onto any school-sponsored
695 transportation, or to have possessed a firearm at school, will
696 be expelled, with or without continuing educational services,
697 from the student's regular school for a period of not less than
698 1 full year and referred to mental health services identified by
699 the school district pursuant to s. 1012.584(4) and the criminal
700 justice or juvenile justice system. District school boards may

701 assign the student to a disciplinary program ~~or second chance~~
702 ~~school~~ for the purpose of continuing educational services during
703 the period of expulsion. District school superintendents may
704 consider the 1-year expulsion requirement on a case-by-case
705 basis and request the district school board to modify the
706 requirement by assigning the student to a disciplinary program
707 ~~or second chance school~~ if the request for modification is in
708 writing and it is determined to be in the best interest of the
709 student and the school system.

710 (m) Notice that any student who is determined to have made
711 a threat or false report, as defined by ss. 790.162 and 790.163,
712 respectively, involving school or school personnel's property,
713 school transportation, or a school-sponsored activity will be
714 expelled, with or without continuing educational services, from
715 the student's regular school for a period of not less than 1
716 full year and referred for criminal prosecution and mental
717 health services identified by the school district pursuant to s.
718 1012.584(4) for evaluation or treatment, when appropriate.
719 District school boards may assign the student to a disciplinary
720 program ~~or second chance school~~ for the purpose of continuing
721 educational services during the period of expulsion. District
722 school superintendents may consider the 1-year expulsion
723 requirement on a case-by-case basis and request the district
724 school board to modify the requirement by assigning the student
725 to a disciplinary program ~~or second chance school~~ if it is

726 | determined to be in the best interest of the student and the
 727 | school system.

728 | Section 14. Paragraph (c) of subsection (1) of section
 729 | 1006.09, Florida Statutes, is amended to read:

730 | 1006.09 Duties of school principal relating to student
 731 | discipline and school safety.—

732 | (1)

733 | (c) The principal or the principal's designee may
 734 | recommend to the district school superintendent the expulsion of
 735 | any student who has committed a serious breach of conduct,
 736 | including, but not limited to, willful disobedience, open
 737 | defiance of authority of a member of his or her staff, violence
 738 | against persons or property, or any other act which
 739 | substantially disrupts the orderly conduct of the school. A
 740 | recommendation of expulsion ~~or assignment to a second chance~~
 741 | ~~school~~ may also be made for any student found to have
 742 | intentionally made false accusations that jeopardize the
 743 | professional reputation, employment, or professional
 744 | certification of a teacher or other member of the school staff,
 745 | according to the district school board code of student conduct.
 746 | Any recommendation of expulsion shall include a detailed report
 747 | by the principal or the principal's designated representative on
 748 | the alternative measures taken prior to the recommendation of
 749 | expulsion.

750 | Section 15. Subsection (3) of section 1006.13, Florida

751 Statutes, is amended to read:

752 1006.13 Policy of zero tolerance for crime and
753 victimization.—

754 (3) Zero-tolerance policies must require students found to
755 have committed one of the following offenses to be expelled,
756 with or without continuing educational services, from the
757 student's regular school for a period of not less than 1 full
758 year, and to be referred to the criminal justice or juvenile
759 justice system.

760 (a) Bringing a firearm or weapon, as defined in chapter
761 790, to school, to any school function, or onto any school-
762 sponsored transportation or possessing a firearm at school.

763 (b) Making a threat or false report, as defined by ss.
764 790.162 and 790.163, respectively, involving school or school
765 personnel's property, school transportation, or a school-
766 sponsored activity.

767
768 District school boards may assign the student to a disciplinary
769 program for the purpose of continuing educational services
770 during the period of expulsion. District school superintendents
771 may consider the 1-year expulsion requirement on a case-by-case
772 basis and request the district school board to modify the
773 requirement by assigning the student to a disciplinary program
774 ~~or second chance school~~ if the request for modification is in
775 writing and it is determined to be in the best interest of the

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776 | student and the school system. If a student committing any of
777 | the offenses in this subsection is a student who has a
778 | disability, the district school board shall comply with
779 | applicable State Board of Education rules.

780 | Section 16. 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: Choice & Innovation

2 Subcommittee

3 Representative Canady offered the following:

4
5 **Amendment (with title amendment)**

6 Between lines 64 and 65, insert:

7 Section 1. Paragraph (f) of subsection (1) and paragraphs
8 (b) and (c) of subsection (2) of section 192.0105, Florida
9 Statutes, are amended to read:

10 192.0105 Taxpayer rights.—There is created a Florida
11 Taxpayer's Bill of Rights for property taxes and assessments to
12 guarantee that the rights, privacy, and property of the
13 taxpayers of this state are adequately safeguarded and protected
14 during tax levy, assessment, collection, and enforcement
15 processes administered under the revenue laws of this state. The

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16 Taxpayer's Bill of Rights compiles, in one document, brief but
17 comprehensive statements that summarize the rights and
18 obligations of the property appraisers, tax collectors, clerks
19 of the court, local governing boards, the Department of Revenue,
20 and taxpayers. Additional rights afforded to payors of taxes and
21 assessments imposed under the revenue laws of this state are
22 provided in s. 213.015. The rights afforded taxpayers to assure
23 that their privacy and property are safeguarded and protected
24 during tax levy, assessment, and collection are available only
25 insofar as they are implemented in other parts of the Florida
26 Statutes or rules of the Department of Revenue. The rights so
27 guaranteed to state taxpayers in the Florida Statutes and the
28 departmental rules include:

29 (1) THE RIGHT TO KNOW.—

30 (f) The right of an exemption recipient to be sent a
31 renewal application for that exemption, the right to a receipt
32 for homestead exemption claim when filed, and the right to
33 notice of denial of the exemption (see ss. 196.011(7)
34 ~~196.011(6)~~, 196.131(1), 196.151, and 196.193(1)(c) and (5)).

35
36 Notwithstanding the right to information contained in this
37 subsection, under s. 197.122 property owners are held to know
38 that property taxes are due and payable annually and are charged
39 with a duty to ascertain the amount of current and delinquent

Amendment No.1

40 taxes and obtain the necessary information from the applicable
41 governmental officials.

42 (2) THE RIGHT TO DUE PROCESS.—

43 (b) The right to petition the value adjustment board over
44 objections to assessments, denial of exemption, denial of
45 agricultural classification, denial of historic classification,
46 denial of high-water recharge classification, disapproval of tax
47 deferral, and any penalties on deferred taxes imposed for
48 incorrect information willfully filed. Payment of estimated
49 taxes does not preclude the right of the taxpayer to challenge
50 his or her assessment (see ss. 194.011(3), 196.011(7) ~~196.011(6)~~
51 and (9) (a), 196.151, 196.193(1) (c) and (5), 193.461(2),
52 193.503(7), 193.625(2), 197.2425, 197.301(2), and 197.2301(11)).

53 (c) The right to file a petition for exemption or
54 agricultural classification with the value adjustment board when
55 an application deadline is missed, upon demonstration of
56 particular extenuating circumstances for filing late (see ss.
57 193.461(3) (a) and 196.011(1), (8), (9), and (10) (e) ~~(7), (8),~~
58 ~~and (9) (e)~~).

59 Section 2. Paragraphs (b), (c), and (d) of subsection (1)
60 of section 192.048, Florida Statutes, are amended to read:

61 192.048 Electronic transmission.—

62 (1) Subject to subsection (2), the following documents may
63 be transmitted electronically rather than by regular mail:

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64 (b) The tax exemption renewal application required under
65 s. 196.011(7)(a) ~~s. 196.011(6)(a)~~.

66 (c) The tax exemption renewal application required under
67 s. 196.011(7)(b) ~~s. 196.011(6)(b)~~.

68 (d) A notification of an intent to deny a tax exemption
69 required under s. 196.011(10)(e) ~~s. 196.011(9)(e)~~.

70 Section 3. Subsections (3) and (4) of section 196.082,
71 Florida Statutes, are amended to read:

72 196.082 Discounts for disabled veterans; surviving spouse
73 carryover.—

74 (3) If the partially or totally and permanently disabled
75 veteran predeceases his or her spouse and if, upon the death of
76 the veteran, the spouse holds the legal or beneficial title to
77 the homestead and permanently resides thereon as specified in s.
78 196.031, the discount from ad valorem tax that the veteran
79 received carries over to the benefit of the veteran's spouse
80 until such time as he or she remarries or sells or otherwise
81 disposes of the property. If the spouse sells or otherwise
82 disposes of the property, a discount not to exceed the dollar
83 amount granted from the most recent ad valorem tax roll may be
84 transferred to his or her new residence, as long as it is used
85 as his or her primary residence and he or she does not remarry.
86 An applicant who is qualified to receive a discount under this
87 section and who fails to file an application by March 1 may file
88 an application for the discount and may file a petition pursuant

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89 to s. 194.011(3) with the value adjustment board requesting that
90 the discount be granted. Such application and petition shall be
91 subject to the same procedures as for exemptions set forth in s.
92 196.011(9) ~~s. 196.011(8)~~.

93 (4) To qualify for the discount granted under this
94 section, an applicant must submit to the county property
95 appraiser by March 1:

96 (a) An official letter from the United States Department
97 of Veterans Affairs which states the percentage of the veteran's
98 service-connected disability and evidence that reasonably
99 identifies the disability as combat-related;

100 (b) A copy of the veteran's honorable discharge; and

101 (c) Proof of age as of January 1 of the year to which the
102 discount will apply.

103

104 Any applicant who is qualified to receive a discount under this
105 section and who fails to file an application by March 1 may file
106 an application for the discount and may file, pursuant to s.
107 194.011(3), a petition with the value adjustment board
108 requesting that the discount be granted. Such application and
109 petition shall be subject to the same procedures as for
110 exemptions set forth in s. 196.011(9) ~~s. 196.011(8)~~.

111 Section 4. Subsections (5) through (12) of section
112 196.011, Florida Statutes, are renumbered as subsections (6)
113 through (13), respectively, present subsections (1), (10), and

Amendment No.1

114 (11) are amended, and a new subsection (5) is added to that
115 section, to read:

116 196.011 Annual application required for exemption.—

117 (1) (a) Except as provided in s. 196.081(1)(b), every
118 person or organization who, on January 1, has the legal title to
119 real or personal property, except inventory, which is entitled
120 by law to exemption from taxation as a result of its ownership
121 and use shall, on or before March 1 of each year, file an
122 application for exemption with the county property appraiser,
123 listing and describing the property for which exemption is
124 claimed and certifying its ownership and use. The Department of
125 Revenue shall prescribe the forms upon which the application is
126 made. Failure to make application, when required, on or before
127 March 1 of any year shall constitute a waiver of the exemption
128 privilege for that year, except as provided in subsection (7) or
129 subsection (9) ~~(8)~~.

130 (b) The form to apply for an exemption under s. 196.031,
131 s. 196.081, s. 196.091, s. 196.101, s. 196.102, s. 196.173, or
132 s. 196.202 must include a space for the applicant to list the
133 social security number of the applicant and of the applicant's
134 spouse, if any. If an applicant files a timely and otherwise
135 complete application, and omits the required social security
136 numbers, the application is incomplete. In that event, the
137 property appraiser shall contact the applicant, who may refile a
138 complete application by April 1. Failure to file a complete

Amendment No.1

139 application by that date constitutes a waiver of the exemption
140 privilege for that year, except as provided in subsection (7) or
141 subsection (9)-(8).

142 (5) It shall not be necessary to make annual application
143 for exemption on property used to house a charter school
144 pursuant to s. 196.1983. The owner or lessee of any property
145 used to house a charter school pursuant to s. 196.1983 who is
146 not required to file an annual application shall notify the
147 property appraiser promptly whenever the use of the property or
148 the status or condition of the owner or lessee changes so as to
149 change the exempt status of the property. If any owner or lessee
150 fails to so notify the property appraiser and the property
151 appraiser determines that for any year within the prior 10 years
152 the owner or lessee was not entitled to receive such exemption,
153 the owner or lessee of the property is subject to the taxes
154 exempted as a result of such failure plus 15 percent interest
155 per annum and a penalty of 50 percent of the taxes exempted. The
156 property appraiser making such determination shall record in the
157 public records of the county a notice of tax lien against any
158 property owned by that person or entity in the county, and such
159 property must be identified in the notice of tax lien. Such
160 property is subject to the payment of all taxes and penalties.
161 Such lien when filed shall attach to any property, identified in
162 the notice of tax lien, owned by the person or entity who
163 illegally or improperly received the exemption. If such person

Amendment No.1

164 or entity no longer owns property in that county but owns
165 property in some other county or counties in the state, the
166 property appraiser shall record a notice of tax lien in such
167 other county or counties, identifying the property owned by such
168 person or entity in such county or counties, and it shall become
169 a lien against such property in such county or counties.

170 (10) At the option of the property appraiser and
171 notwithstanding any other provision of this section, initial or
172 original applications for homestead exemption for the succeeding
173 year may be accepted and granted after March 1. Reapplication on
174 a short form as authorized by subsection (6)~~(5)~~ shall be
175 required if the county has not waived the requirement of an
176 annual application. Once the initial or original application and
177 reapplication have been granted, the property may qualify for
178 the exemption in each succeeding year pursuant to the provisions
179 of subsection (7)~~(6)~~ or subsection (10)~~(9)~~.

180 (11) For exemptions enumerated in paragraph (1)(b), social
181 security numbers of the applicant and the applicant's spouse, if
182 any, are required and must be submitted to the department.
183 Applications filed pursuant to subsection (6)~~(5)~~ or subsection
184 (7)~~(6)~~ shall include social security numbers of the applicant
185 and the applicant's spouse, if any. For counties where the
186 annual application requirement has been waived, property
187 appraisers may require refiling of an application to obtain such
188 information.

Amendment No.1

189 Section 5. Paragraph (a) of subsection (24) of section
190 1002.33, Florida Statutes, is amended to read:

191 1002.33 Charter schools.—

192 (24) RESTRICTION ON EMPLOYMENT OF RELATIVES.—

193 (a) This subsection applies to charter school personnel in
194 a charter school operated by a private entity. As used in this
195 subsection, the term:

196 1. "Charter school personnel" means a ~~charter school~~
197 ~~owner~~, president, chairperson of the governing board of
198 directors, superintendent, governing board member, principal,
199 assistant principal, or any other person employed by the charter
200 school who has equivalent decisionmaking authority and in whom
201 is vested the authority, or to whom the authority has been
202 delegated, to appoint, employ, promote, or advance individuals
203 or to recommend individuals for appointment, employment,
204 promotion, or advancement in connection with employment in a
205 charter school, including the authority as a member of a
206 governing body of a charter school to vote on the appointment,
207 employment, promotion, or advancement of individuals.

208 2. "Relative" means father, mother, son, daughter,
209 brother, sister, uncle, aunt, first cousin, nephew, niece,
210 husband, wife, father-in-law, mother-in-law, son-in-law,
211 daughter-in-law, brother-in-law, sister-in-law, stepfather,
212 stepmother, stepson, stepdaughter, stepbrother, stepsister, half
213 brother, or half sister.

Amendment No.1

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Charter school personnel in schools operated by a municipality or other public entity are subject to s. 112.3135.

T I T L E A M E N D M E N T

Remove line 2 and insert:
An act relating to education; amending ss. 192.0105, 192.048, and 196.082, F.S.; conforming cross-references; amending s. 196.011, F.S.; providing that an annual application for exemption on property used to house a charter school is not necessary; requiring the owner or lessee of such property to notify the property appraiser in specified circumstances; providing penalties; amending s. 1002.33, F.S.; revising the definition of the term "charter school personnel"; amending s. 1002.45

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Choice & Innovation
 2 Subcommittee

3 Representative Canady offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 348 and 349, insert:

7 Section 5. Section 1004.051, Florida Statutes, is created
8 to read:

9 1004.051 Regulation of working students.-

10 (1) A public postsecondary institution may not, as a
 11 condition of admission to or enrollment in any of the
 12 institution's schools, colleges, or programs, implicitly or
 13 explicitly prohibit an applicant or currently enrolled student
 14 from being employed, either full time or part time.

15 (2) This section does not apply if the applicant or
 16 currently enrolled student is employed by an organization or

Amendment No. 2

17 agency that is affiliated or associated with a foreign country
18 of concern as defined in s. 288.860(1).

19

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T I T L E A M E N D M E N T

22

Remove line 30 and insert:

23

document such effort; creating s. 1004.051, F.S.;

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prohibiting a public postsecondary institution from

25

implicitly or explicitly prohibiting specified

26

students from being employed; providing

27

nonapplicability; amending s. 1006.38, F.S.;

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Choice & Innovation
 2 Subcommittee

3 Representative Canady offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 477 and 478, insert:

7 Section 7. Subsection (4) of section 1007.271, Florida
 8 Statutes, is amended to read:

9 1007.271 Dual enrollment programs.—

10 (4) (a) District school boards may not refuse to enter into
 11 a dual enrollment articulation agreement with a local Florida
 12 College System institution if that Florida College System
 13 institution has the capacity to offer dual enrollment courses.

14 (b) District school boards must make reasonable efforts to
 15 enter into dual enrollment articulation agreements with a

Amendment No. 3

16 Florida College System institution which offers online dual
17 enrollment courses.

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19 **T I T L E A M E N D M E N T**

20 Remove line 39 and insert:
21 providing for rulemaking; amending s. 1007.271, F.S.;
22 requiring district school boards to make reasonable
23 efforts to enter into specified agreements with a
24 Florida College System institution for certain online
25 courses; amending s. 1008.33, F.S.;

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Choice & Innovation
 2 Subcommittee

3 Representative Canady offered the following:

4

5 **Amendment (with title amendment)**

6 Between lines 598 and 599, insert:

7 Section 8. Paragraph (c) of subsection (3) of section
 8 1009.21, Florida Statutes, is amended to read:

9 1009.21 Determination of resident status for tuition
 10 purposes.—Students shall be classified as residents or
 11 nonresidents for the purpose of assessing tuition in
 12 postsecondary educational programs offered by charter technical
 13 career centers or career centers operated by school districts,
 14 in Florida College System institutions, and in state
 15 universities.

16 (3)

Amendment No. 4

17 (c) Each institution of higher education shall
18 affirmatively determine that an applicant who has been granted
19 admission to that institution as a Florida resident meets the
20 residency requirements of this section at the time of initial
21 enrollment. The residency determination must be documented by
22 the submission of written or electronic verification that
23 includes two or more of the documents identified in this
24 paragraph, unless the document provided is the document
25 described in sub-subparagraph 1.f., which is deemed a single,
26 conclusive piece of evidence proving residency. ~~No single piece~~
27 ~~of evidence shall be conclusive.~~

28 1. The documents must include at least one of the
29 following:

- 30 a. A Florida voter's registration card.
31 b. A Florida driver license.
32 c. A State of Florida identification card.
33 d. A Florida vehicle registration.
34 e. Proof of a permanent home in Florida which is occupied
35 as a primary residence by the individual or by the individual's
36 parent if the individual is a dependent child.
37 f. An application for property tax exemption for homestead
38 property that has been approved by a property appraiser,
39 provided that such property has been continuously maintained as
40 the primary residence for at least 12 months before the first
41 day of the semester for which the resident status is being

Amendment No. 4

42 claimed ~~Proof of a homestead exemption in Florida.~~

43 g. Transcripts from a Florida high school for multiple
44 years if the Florida high school diploma or high school
45 equivalency diploma was earned within the last 12 months.

46 h. Proof of permanent full-time employment in Florida for
47 at least 30 hours per week for a 12-month period.

48 2. The documents may include one or more of the following:

49 a. A declaration of domicile in Florida.

50 b. A Florida professional or occupational license.

51 c. Florida incorporation.

52 d. A document evidencing family ties in Florida.

53 e. Proof of membership in a Florida-based charitable or
54 professional organization.

55 f. Any other documentation that supports the student's
56 request for resident status, including, but not limited to,
57 utility bills and proof of 12 consecutive months of payments; a
58 lease agreement and proof of 12 consecutive months of payments;
59 or an official state, federal, or court document evidencing
60 legal ties to Florida.

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62 -----

63 **T I T L E A M E N D M E N T**

64 Remove line 51 and insert:
65 agreements; amending s. 1009.21, F.S.; providing an
66 additional method for a student to prove residency for

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1285 (2024)

Amendment No. 4

67 | tuition purposes; amending s. 1012.79, F.S.;

68 | authorizing the

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1317 Patriotic Organizations

SPONSOR(S): Duggan

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 1016

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee		Wolff	Sleap
2) Education & Employment Committee			

SUMMARY ANALYSIS

The bill defines the term “patriotic organization” as a youth membership organization serving young people under the age of 21 that is listed in Title 36, U.S.C., as it existed on January 1, 2020, with an educational purpose that promotes patriotism and civic involvement.

The bill authorizes, but does not require, a school district to allow a representative of a patriotic organization the opportunity, during school hours and instructional time, to speak with and distribute materials in a classroom setting to students to encourage participation in the patriotic organization and its activities and provide opportunities for a patriotic organization to have displays at schools within the district to provide opportunities for student recruitment.

However, if a school district authorizes such an activity, the bill requires the school district to provide a specific day and time for the patriotic organization to speak to students at schools within the district after the patriotic organization has provided reasonable notice of its intent to speak to students and provide displays. The bill clarifies that an approved patriotic organization may be allowed to use any school building or property, if such permitted activities are set to occur outside of the school day.

Additionally, the bill clarifies that a school district that allows a patriotic organization to speak with and distribute materials to students or use school buildings or property is not required to provide equal access to an organization that is not designated as a patriotic organization.

The bill does not appear to have a fiscal impact.

The effective date of the bill is July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Civics Education in Florida

The mission of Florida's K-20 education system is to "allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities."¹ Civic literacy and preparing students to become civically engaged and knowledgeable adults who positively contribute to their communities is a priority of the Florida education system.²

Secondary Education

Florida law requires each district school board to provide instruction on the history, significance, and principles of the Declaration of Independence and the United States Constitution, flag education, and civil government.³ Additional instruction in civic and character education on the qualities and responsibilities of patriotism and citizenship are also required.⁴ The civic and character education instruction must include "kindness; respect for authority, life, liberty, and personal property; honesty; charity; racial, ethnic, and religious tolerance; and cooperation and, for grades 11 and 12, voting using the uniform primary and general election ballot."⁵ By July 1 of each year, each school district must submit a report to the Commissioner of Education that describes how instruction was provided for such topics during the previous school year.⁶

A district school board may also adopt rules requiring patriotic programs in schools that encourage respect for the government of the United States and its national anthem and flag.⁷ Teachers or administrators in the schools may read or post historic material such as the United States Constitution, the Bill of Rights, and other foundational materials.⁸

Currently, Florida's State Academic Standards for social studies include civics content in kindergarten through grade 12.⁹ For middle grades, a student must successfully complete three middle school or higher courses in social studies in order to be promoted to high school.¹⁰ One of the three courses must be at least a one-semester civics education course that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches; and the meaning and significance of documents such as the Articles of Confederation, the Declaration of Independence, and the United States Constitution.¹¹

At the high school level, 24 credits are required for a standard high school diploma.¹² Three credits must be in social studies, including one credit each in United States History and World History; one-half

¹ Section 1000.03(4), F.S.

² Section 1000.03(5)(c), F.S.

³ Section 1003.42(2)(a)-(e), F.S.

⁴ Section 1003.42(2)(t), F.S.

⁵ *Id.*

⁶ Rule 6A-1.094124(1)-(2), F.A.C.

⁷ Section 1003.44(1), F.S.

⁸ Section 1003.44(2), F.S.

⁹ See CPALMS, *Browse and Search Standards*, <http://www.cpalms.org/Public/search/Standard> (last visited Jan. 19, 2024) (providing the Florida Academic Standards for each subject area, by grade level); see also, Florida's State Academic Standards, *Social Studies* (2023), available at <https://www.fldoe.org/core/fileparse.php/20653/urlt/6-4.pdf> and r. 6A-1.09411 and 6A-1.09401, F.A.C.

¹⁰ Section 1003.4156(1)(c), F.S.

¹¹ *Id.*

¹² Section 1003.4282(1)(a), F.S.

credit in economics; and one-half credit in United States Government.¹³ Students taking the United States Government course are required to take the assessment of civic literacy and a student earning a passing score on the assessment are exempt from the postsecondary civic literacy assessment.¹⁴ Students in the middle grades civics course and the high school United States History course must take an end-of-course assessment¹⁵ that constitutes 30 percent of the student’s final course grade.¹⁶

Service Learning

To encourage civic engagement, career exploration, and the application of classroom curriculum in a student’s community, the Department of Education encourages school districts to initiate, adopt, expand, and institutionalize service-learning programs, activities, and policies in kindergarten through grade 12.¹⁷ Service-learning refers to a student-centered, research-based teaching and learning strategy that engages students in meaningful service activities in their school or communities.¹⁸ The service activities are directly tied to academic curriculum, standards, and course, district, or state assessments.¹⁹ The hours a high school student devotes to course-based service-learning activities may be counted toward meeting the service work requirements of the Florida Bright Futures Scholarship Program.²⁰

Patriotic Organizations

Federal law currently provides a listing of recognized patriotic and national observances, ceremonies, and organizations.²¹ Specifically, the law provides a list of Patriotic and National Organizations, including, but not limited to:

- American Historical Association;
- The American Legion;
- Big Brothers-Big Sisters of America;
- Boy Scouts of America;
- Boys & Girls Clubs of America;
- Civil Air Patrol;
- Future Farmers of America;
- Girl Scouts of the United States of America;
- Little League Baseball, Inc.;
- National Academy of Sciences;
- United States Olympic and Paralympic Committee; and
- Veterans of Foreign Wars.²²

Effect of Proposed Changes

The bill defines the term “patriotic organization” as a youth membership organization serving young people under the age of 21 that is listed in Title 36, U.S.C., as it existed on January 1, 2020, with an educational purpose that promotes patriotism and civic involvement.

The bill authorizes, but does not require, a school district to permit the following:

- Allow a representative of a patriotic organization the opportunity, during school hours and instructional time, to speak with and distribute materials in a classroom setting to students to

¹³ Section 1003.4282(3)(d), F.S.

¹⁴ *Id.*

¹⁵ Section 1008.22(3)(b), F.S.

¹⁶ Sections 1003.4156(1)(c) and 1003.4282(3)(d), F.S.

¹⁷ Section 1003.497(1), F.S.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Section 1003.497(3)(b), F.S. *See* s. 1009.534(1), F.S.; s. 1009.535(1), F.S.; ss. 1009.536(1)(e) and (2)(b), F.S. for service work and paid work requirements.

²¹ *See generally* Title 36, U.S.C.

²² *See* 36 U.S.C. § 20101-240112.

encourage participation in the patriotic organization and its activities and inform students of how the patriotic organization may further the students' educational interests and civic involvement to better the students' school and community and themselves; and

- Provide opportunities for a patriotic organization to have displays at schools within the district to provide opportunities for student recruitment. Such displays may include informational flyers and the use of other existing communication channels.

However, if a school district authorizes such an activity, the bill requires the school district to provide a specific day and time for the patriotic organization to speak to students at schools within the district after the patriotic organization has provided reasonable notice of its intent to speak to students and provide displays. The bill clarifies that an approved patriotic organization may be allowed to use any school building or property, if such permitted activities are set to occur outside of the school day.

Additionally, the bill clarifies that a school district that allows a patriotic organization to speak with and distribute materials to students or use school buildings or property is not required to provide equal access to an organization that is not designated as a patriotic organization.

B. SECTION DIRECTORY:

Section 1: Creates s. 1001.433, F.S.; defining the term "patriotic organization"; authorizing school districts to allow representatives of patriotic organizations certain opportunities to speak to students, distribute certain materials, and provide certain displays relating to the patriotic organizations; requiring certain school districts to provide the date and time for such patriotic organizations to speak with students, distribute materials, and provide certain displays; authorizing patriotic organizations to be provided certain access to school buildings and properties under certain circumstances; providing applicability.

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

Not applicable.

1 A bill to be entitled
 2 An act relating to patriotic organizations; creating
 3 s. 1001.433, F.S.; defining the term "patriotic
 4 organization"; authorizing school districts to allow
 5 representatives of patriotic organizations certain
 6 opportunities to speak to students, distribute certain
 7 materials, and provide certain displays relating to
 8 the patriotic organizations; requiring certain school
 9 districts to provide the date and time for such
 10 patriotic organizations to speak with students,
 11 distribute materials, and provide certain displays;
 12 authorizing patriotic organizations to be provided
 13 certain access to school buildings and properties
 14 under certain circumstances; providing applicability;
 15 providing an effective date.

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

18
 19 Section 1. Section 1001.433, Florida Statutes, is created
 20 to read:

21 1001.433 Patriotic Organizations.—

22 (1) As used in this section, the term "patriotic
 23 organization" means a youth membership organization serving
 24 young people under the age of 21 that is listed in Title 36,
 25 U.S.C., as it existed on January 1, 2020, with an educational

26 purpose that promotes patriotism and civic involvement.

27 (2)(a) Each school district may:

28 1. Allow a representative of a patriotic organization the
29 opportunity, during school hours and instructional time, to
30 speak with and distribute materials in a classroom setting to
31 students to encourage participation in the patriotic
32 organization and its activities and inform students of how the
33 patriotic organization may further the students' educational
34 interests and civic involvement to better the students' school
35 and community and themselves.

36 2. Provide opportunities for a patriotic organization to
37 have displays at schools within the district to provide
38 opportunities for student recruitment. Such displays may include
39 informational flyers and the use of other existing communication
40 channels.

41 (b) If a school district authorizes a representative of a
42 patriotic organization to speak with and distribute materials to
43 students and provide displays pursuant to paragraph (a), the
44 school district must provide a specific day and time for the
45 patriotic organization to speak to students at schools within
46 the district after the patriotic organization has provided
47 reasonable notice of its intent to speak to students and provide
48 displays.

49 (3) A patriotic organization may be allowed the use of any
50 school building or property for the purposes of paragraphs

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51 (2) (a) and (b), if such activities occur outside of the school
52 day.

53 (4) A school district that allows a patriotic organization
54 to speak with and distribute materials to students or use school
55 buildings or property pursuant to this section is not required
56 to provide equal access to an organization that is not
57 designated as a patriotic organization.

58 Section 2. 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: Choice & Innovation
2 Subcommittee

3 Representative Duggan offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 25-54 and insert:

7 U.S.C. ss. 30101, 30901, 31101, 40301, 70901, and 80301, as it
8 existed on January 1, 2020, with an educational purpose that
9 promotes patriotism and civic involvement.

10 (2) (a) Each school district may:

11 1. Allow a representative of a patriotic organization the
12 opportunity, during school hours and instructional time, to
13 speak with and distribute informational materials in a classroom
14 setting to students to encourage participation in the patriotic
15 organization and its activities and inform students of how the
16 patriotic organization may further the students' educational

Amendment No. 1

17 interests and civic involvement to better the students' school
18 and community and themselves.

19 2. Provide opportunities for a patriotic organization to
20 have displays at schools within the district to provide
21 opportunities for student recruitment. Such displays may include
22 informational flyers and the use of other existing communication
23 channels.

24 (b) If a school district authorizes a representative of a
25 patriotic organization to speak with and distribute
26 informational materials to students and provide displays
27 pursuant to paragraph (a), the school district must provide a
28 specific day and time for the patriotic organization to speak to
29 students at schools within the district after the patriotic
30 organization has provided reasonable notice of its intent to
31 speak to students and provide displays.

32 (3) A patriotic organization may be allowed the use of any
33 school building or property for the purposes of paragraphs
34 (2) (a) and (b), if such activities occur outside of the school
35 day.

36 (4) A school district that allows a patriotic organization
37 to speak with and distribute informational materials to students
38 or use school

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40 -----

41 **T I T L E A M E N D M E N T**

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1317 (2024)

Amendment No. 1

42 Remove line 11 and insert:
43 distribute such materials, and provide certain
44 displays;

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 109 Charter Schools
SPONSOR(S): Choice & Innovation Subcommittee
TIED BILLS: None. **IDEN./SIM. BILLS:** SB 246

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Choice & Innovation Subcommittee		Blalock	Sleap

SUMMARY ANALYSIS

Conversion charter schools are traditional public schools that have been converted to charter schools. The school must have operated for at least two years as a traditional public school, including a school-within-a-school, before submitting an application to convert to charter status. An application for a conversion charter school may be made by the district school board, the principal, teachers, parents, and/or the school advisory council. The application must demonstrate the support of at least 50 percent of the teachers employed at the school and 50 percent of the parents voting whose children are enrolled at the school, provided that a majority of the parents eligible to vote participate in the ballot process.

The bill authorizes a municipality to submit an application to convert to charter status any or all of the public schools within the municipality's jurisdictional boundary as part of a single application for approval.

The bill removes the requirement that a conversion charter school application must demonstrate the support of at least 50 percent of the teachers employed at the school.

The bill authorizes the Charter School Review Commission (CSRC) to solicit and review applications for conversion charter schools. Similar to a district school board, if the CSRC denies an application for a conversion charter school, the bill requires the CSRC to provide written notice of the denial, including specific reasons and supporting documentation, to the applicants within ten days after the meeting at which the application was denied.

The bill requires the Department of Education and the Department of Management Services to designate vacant school district real property as surplus if the school district has experienced a decline in student enrollment of one percent or more for at least two consecutive years. Upon the designation of such real property as surplus, the school district must make it available to approved charter schools and charter school governing boards within the school district. The school district must transfer control and operation of the property to a charter school or charter school governing board without charging any rental, leasing, or other usage fees and any charter school receiving surplus real property is prohibited from selling or disposing of the property without the written permission of the charters' sponsor.

The bill provides that if within six months after being designated as surplus, the real property is not used by a charter school or charter school governing board, the property must be made available for affordable housing within the county.

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

Charter Schools

All charter schools in Florida are tuition-free public schools within the state's public education system.¹ Charter schools are nonsectarian and operate under a performance contract with a sponsor.² This performance contract is known as a "charter."³ The charter exempts the school from many regulations applicable to traditional public schools to encourage the use of innovative learning methods.⁴ One of the guiding principles of charter schools is to "meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system."⁵

In Florida, several types of entities may authorize or "sponsor" charter schools:

- School districts, Florida College System (FCS) institutions, and state universities may sponsor charter schools.⁶
- State universities may sponsor charter lab schools.⁷
- School districts, FCS institutions, or a consortium of one or more of each may sponsor a charter technical career center.⁸

An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under Florida law.⁹ The school must be organized as, or be operated by, a nonprofit organization, municipality,¹⁰ or other public entity authorized under the law.¹¹ While a charter school must be a public or nonprofit entity, it may be managed by a for-profit education management organization.¹²

During the 2022-23 school year, over 382,367 students were enrolled in 726 charter schools in 46 of Florida's 67 school districts.¹³

Conversion Charter Schools

Conversion charter schools are traditional public schools that have been converted to charter schools.¹⁴ The school must have operated for at least two years as a traditional public school, including a school-within-a-school, before submitting an application to convert to charter status. An application

¹ Section 1002.33(1), F.S. Florida's first charter school law was enacted in 1996. Chapter 96-186, L.O.F., *initially codified at s. 228.056, F.S., re-designated in 2002 as s. 1002.33, F.S.*

² Section 1002.33(1), (7), and (9)(a), F.S.

³ Section 1002.33(7) and (9)(c), F.S.

⁴ Section 1002.33(2)(b)3. and (16), F.S.

⁵ Section 1002.33(2)(a)1., F.S.

⁶ Section 1002.33(5)(a)1.-3., F.S.; In 2021, the Legislature authorized Florida's state universities and FCS institutions to solicit applications and sponsor charter schools upon approval by the Department of Education. A state university or FCS institution may, at its discretion, deny an application for a charter school. S. 1002.33(5)(a)3.c., F.S.

⁷ Sections 1002.32(2) and 1002.33(5)(a)2., F.S.

⁸ Section 1002.34(3)(a)-(b), F.S.

⁹ Section 1002.33(3)(a), F.S.

¹⁰ Section 180.01, F.S. The term "municipality" is defined in statute as any city, town, or village duly incorporated under the laws of the state. *See also* s. 1002.33(15), F.S.

¹¹ Section 1002.33(12)(i), F.S.

¹² *Id.*

¹³ Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet: Florida's Charter Schools* (Oct. 2023), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

¹⁴ Section 1002.33(3)(b), F.S.

for a conversion charter school may be made by the district school board, the principal, teachers, parents, and/or the school advisory council.¹⁵

In 2013, in response to an inquiry from the Town Council of the Town of White Springs, Florida, the Attorney General issued an opinion that while a municipality may apply for a new charter school, as specified in state statute, a municipality may not apply for a conversion charter school, since municipalities are not among those specifically authorized to do so in statute.¹⁶

An application submitted proposing to convert an existing public school to a charter school must demonstrate the support of at least 50 percent of the teachers employed at the school and 50 percent of the parents voting whose children are enrolled at the school, provided that a majority of the parents eligible to vote participate in the ballot process, according to rules adopted by the State Board of Education (SBE).¹⁷ To initiate a ballot process, the applicant may submit a request in writing to the school administrator to conduct a vote for conversion, and the administrator must complete the ballot process within 60 days of receipt of the written request. Written notification of a ballot must be provided to teachers and parents at least 30 days prior to conducting the ballot and only one vote per calendar year may be held. For parent voting, each household receives one ballot regardless of the number of students residing in the household. If a student has two households, the household of the enrolling parent will receive the ballot.¹⁸ If a majority of teachers employed at the school and a majority of voting parents support the charter proposal, the conversion charter application must be submitted during the same calendar year the vote is held. If a district school board denies an application for a conversion charter school, it must provide written notice of the denial, including specific reasons and supporting documentation, to the applicants within ten days after the meeting at which the application was denied.¹⁹

The charter for a conversion charter school must identify the alternative arrangements that will be used for current students who choose not to attend the charter school and current teachers who choose not to teach in the charter school after it is converted.²⁰ Upon conversion, the school must give an enrollment preference to students who would otherwise be assigned to the school. The district school board must consult and negotiate with the conversion charter school every three years to determine whether realignment of the conversion charter school's attendance zone is appropriate in order to ensure that students residing closest to the charter school are provided with an enrollment preference.²¹ The employees of a conversion charter school remain public employees for all purposes, unless they choose otherwise.²²

For an existing public school converting to charter status, no rental or leasing fee for the existing facility or for the property normally inventoried to the conversion school may be charged by the district school board to the parents and teachers organizing the charter school. The charter school shall agree to reasonable maintenance provisions in order to maintain the facility in a manner similar to district school board standards.²³ A conversion charter school is not eligible for charter school capital outlay funding if it operates in facilities provided by its sponsor for a nominal fee or at no charge, or if it is directly or indirectly operated by the school district.²⁴

¹⁵ Rule 6A-0786, F.A.C. A person or entity submitting a charter school application must use form IEPC-M1, Model Florida Charter School Application. The form requires a school seeking approval to convert an existing public school to charter status to show evidence of the voting requirements under s. 1002.33(3)(b), F.S.

¹⁶ Op. Att'y Gen. Fla. 13-06 (2013); see ss. 1002.33(3)(a)-(b), F.S.

¹⁷ *Id.*

¹⁸ *Id.*; see rule 6A-6.0787, F.A.C.

¹⁹ Section 1002.33(3)(b), F.S.

²⁰ Section 1002.33(7)(a)17., F.S. Alternative arrangements for current teachers who choose not to teach in the charter school after conversion are made in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement.

²¹ Section 1002.33(10)(c), F.S.

²² Section 1002.33(12)(c), F.S.; see s. 1002.33(12)(d), F.S.

²³ Section 1002.33(18)(e), F.S.

²⁴ Section 1013.62(1)(b), F.S.

During the 2022-2023 school year, 23 conversion charter schools operated in Florida, representing approximately 3 percent of the total number of charter schools in the state.²⁵

Charter School Review Commission

In 2022, the Legislature established the Charter School Review Commission (CSRC) within Florida's Department of Education (DOE), subject to an appropriation, to assist in the review and approval of charter school applications.²⁶ The CSRC consists of seven members who have charter school experience, selected by the SBE and subject to confirmation by the Senate.²⁷ The CSRC is authorized to solicit and review charter school applications. Upon the CSRC approving an application, the district school board that oversees the school district in which the charter school will be located must serve as its sponsor.²⁸

The DOE must contract with a college or university to provide administrative and technical assistance to the CSRC by reviewing and providing an analysis of charter school applications submitted to the CSRC.²⁹ To have an application considered during a meeting of the CSRC, an applicant must submit a completed application to the entity selected by the DOE at least 90 days prior to the date the CSRC is scheduled to meet, as well as a Standard Letter of Intent for Commission Review.³⁰ Within three calendar days after an applicant submits an application, the applicant must also provide a copy of the application to the school district in which the proposed charter school will be located.³¹

Within 30 calendar days after receiving a copy of the application, the school district may provide input to the entity selected by the DOE. The input from the district must be considered in reviewing the application. The entity must complete its application review and submit its recommendation to the CSRC no later than 30 days prior to the scheduled meeting of the CSRC at which the application will be considered and voted upon. After reviewing the application, the relevant documents, the recommendations of the DOE and the designated entity, and considering the information presented at the meeting, the Commission must then proceed by majority vote to either approve or deny the charter school application.³² If the application is denied, the applicant may appeal the CSRC's decision to the SBE within 30 calendar days after written notification of the decision.³³

The school board of the district in which the proposed charter school will be located is considered the sponsor for the new charter school and must provide an initial proposed charter contract to the school within 30 calendar days after the CSRC's decision to grant approval.³⁴

Charter School Facilities

A charter school must use facilities which comply with the Florida Building Code (FBC)³⁵ and Florida Fire Prevention Code,³⁶ but are exempt from compliance with the State Requirements for Educational Facilities (SREF).³⁷ Conversion charter schools must use facilities that comply with SREF provided that the school district and the charter school have entered into a mutual management plan for the

²⁵ Email, Florida Department of Education, Legislative Affairs (Dec. 14, 2023). Out of 726 currently active charters in the state, 23 are conversion charter schools.

²⁶ Section 2, ch. 2022-144, L.O.F., *codified at* s. 1002.3301, F.S. For Fiscal Year 2023-2024, the CSRC received an appropriation of \$455,000 under Specific Appropriation 134, Contracted Services. *see* s. 2, ch. 2023-239, L.O.F.

²⁷ Section 1002.3301(1), F.S. *see* State Board of Education, *Selection of Members to the Charter School Review Commission* (Oct. 18, 2023), *available at* <https://www.fldoe.org/core/fileparse.php/20680/urlt/20-1.pdf>.

²⁸ Sections 1002.33(5)(a)3.d. and 1002.3301(2) and (4), F.S.

²⁹ Section 1002.3301(3), F.S.; *see* rule 6A-6.0792, F.A.C.

³⁰ Rule 6A-6.0792, F.A.C. The Standard Letter of Intent for Commission Review may be obtained electronically on the DOE's website at <http://www.floridaschoolchoice.org>.

³¹ *Id.*

³² *Id.*

³³ Section 1002.3301(6), F.S.; *see* s. 1002.33(6)(c), F.S. and rule 6A-6.0792, F.A.C.

³⁴ Section 1002.3301(4), F.S.; *see* s. 1002.33(7)(b), F.S. and rule 6A-6.0792, F.A.C.

³⁵ Section 553.73, F.S.

³⁶ Section 633.208, F.S.

³⁷ Section 1002.33(18)(a)-(b), F.S. *see also* s. 1013.37, F.S.

reasonable maintenance of such facilities. The mutual management plan must contain a provision by which the district school board agrees to maintain charter school facilities in the same manner as its other public schools within the district. Charter schools, with the exception of conversion charter schools, are not required to comply, but may choose to comply, with SREF and the FBC.³⁸

A local governing authority is prohibited from adopting or imposing on a charter school any local building requirements or site-development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in SREF or the FBC. A local governing authority must treat charter schools equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools that are not charter schools, including such provisions that are established by interlocal agreement. An interlocal agreement entered into by a school district for the development of only its own schools, including provisions relating to the extension of infrastructure, may be used by charter schools. A charter school may not be subject to any land use regulation requiring a change to a local government comprehensive plan or requiring a development order or development permit³⁹ that would not be required for a public school in the same location.⁴⁰

If a district school board facility or property is available because it is surplus, marked for disposal, or otherwise unused, it must be provided for a charter school's use on the same basis as it is made available to other public schools in the district. A charter school receiving property from the sponsor may not sell or dispose of such property without written permission from its sponsor. Similarly, for an existing public school converting to charter status, no rental or leasing fee for the existing facility or for the property normally inventoried to the conversion school may be charged by the district school board to the parents and teachers organizing the charter school. The charter school must agree to reasonable maintenance provisions in order to maintain the facility in a manner similar to district school board standards. The Public Education Capital Outlay maintenance funds or any other maintenance funds generated by the facility operated as a conversion school shall remain with the conversion school.⁴¹

As part of its 5-year work plan, each school district must annually provide the DOE with the number of existing vacant classrooms in each school that the district does not intend to use or does not project will be needed for educational purposes for the following school year. The DOE may recommend that a district make such space available to an appropriate charter school.⁴²

District School Board Land

A district school board is authorized to use portions of school sites purchased within the guidelines of SREF, land deemed not usable for educational purposes because of location or other factors, or land declared as surplus by the school board to provide sites for affordable housing for teachers and other district personnel and, in areas of critical state concern, for other essential services personnel as defined by local affordable housing eligibility requirements, independently or in conjunction with other agencies as described in statute.⁴³

Effect of Proposed Changes

The bill authorizes a municipality to make an application for a conversion charter school. The application may be submitted for conversion for any or all of the public schools within the municipality's jurisdictional boundary as part of a single application for approval.

The bill removes the requirement that a conversion charter school application must demonstrate the support of at least 50 percent of the teachers employed at the school. The requirement to demonstrate

³⁸ Section 1002.33(18)(a), F.S.

³⁹ Section 163.3164, F.S.

⁴⁰ Section 1002.33(18)(a), F.S.

⁴¹ Section 1002.33(18)(e), F.S.

⁴² Section 1002.33(18)(g), F.S.

⁴³ Section 1001.43(12), F.S.; *see s. 1001.43(5)*, F.S.

the support of at least 50 percent of the parents voting whose children are enrolled at the school, with a majority of the parents eligible to vote participating in the ballot process, is still in effect.

The bill authorizes the CSRC to solicit and review applications for conversion charter schools. Similar to a district school board, if the CSRC denies an application for a conversion charter school, the bill requires the CSRC to provide written notice of the denial, including specific reasons and supporting documentation, to the applicants within ten days after the meeting at which the application was denied.

The bill requires the DOE and the Department of Management Services to designate vacant school district real property as surplus if the school district has experienced a decline in student enrollment of one percent or more for at least two consecutive years. Upon the designation of such real property as surplus, the school district must make it available to approved charter schools and charter school governing boards within the school district.

The school district must transfer the control and operation of such real property to the charter school or charter school governing board without charging any rental, leasing, or other usage fees. A charter school receiving surplus real property may not sell or dispose of the property without written permission from its sponsor.

If a charter school or charter school governing board within the school district does not request the use of the surplus real property within six months after the property is designated as surplus the property must be made available for affordable housing within the county.

B. SECTION DIRECTORY:

Section 1: Amends s. 1002.33, F.S., revising the requirements for an application for a conversion charter school; authorizing municipalities to apply for the conversion of specified public schools to charter schools; authorizing the Charter School Review Commission to solicit and review applications for conversion charter schools; requiring certain school district real property to be designated as surplus by the Department of Education and Department of Management Services; requiring such surplus real property to be available to certain charter schools and governing boards; providing requirements for the transfer of such real property; requiring such real property to be made available for affordable housing under certain circumstances.

Section 2: 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

None.

1 A bill to be entitled
 2 An act relating to charter schools; amending s.
 3 1002.33, F.S.; revising the requirements for an
 4 application for a conversion charter school;
 5 authorizing municipalities to apply for the conversion
 6 of specified public schools to charter schools;
 7 authorizing the Charter School Review Commission to
 8 solicit and review applications for conversion charter
 9 schools; requiring certain school district real
 10 property to be designated as surplus by the Department
 11 of Education and Department of Management Services;
 12 requiring such surplus real property to be available
 13 to certain charter schools and governing boards;
 14 providing requirements for the transfer of such real
 15 property; requiring such real property to be made
 16 available for affordable housing under certain
 17 circumstances; providing an effective date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

20
 21 Section 1. Paragraph (c) is added to subsection (3) of
 22 section 1002.33, Florida Statutes and paragraph (b) of
 23 subsection (3), paragraph (a) of subsection (5), and paragraph
 24 (e) of subsection (18) of that section are amended to read:
 25 1002.33 Charter schools.—

26 (3) APPLICATION FOR CHARTER STATUS.—

27 (b) An application for a conversion charter school shall
28 be made by a municipality, the district school board, the
29 principal, teachers, parents, and/or the school advisory council
30 at an existing public school that has been in operation for at
31 least 2 years prior to the application to convert. A public
32 school-within-a-school that is designated as a school by the
33 district school board may also submit an application to convert
34 to charter status. An application submitted proposing to convert
35 an existing public school to a charter school shall demonstrate
36 the support of at least ~~50 percent of the teachers employed at~~
37 ~~the school and~~ 50 percent of the parents voting whose children
38 are enrolled at the school, provided that a majority of the
39 parents eligible to vote participate in the ballot process,
40 according to rules adopted by the State Board of Education. The
41 Charter School Review Commission or a district school board
42 denying an application for a conversion charter school shall
43 provide notice of denial to the applicants in writing within 10
44 days after the meeting at which the commission or district
45 school board denied the application. The notice must articulate
46 in writing the specific reasons for denial and must provide
47 documentation supporting those reasons. A private school,
48 parochial school, or home education program shall not be
49 eligible for charter school status.

50 (c) A municipality may submit an application for

51 conversion for any or all of the public schools within its
 52 jurisdictional boundary as part of a single application for
 53 approval.

54 (5) SPONSOR; DUTIES.—

55 (a) Sponsoring entities.—

56 1. A district school board may sponsor a charter school in
 57 the county over which the district school board has
 58 jurisdiction.

59 2. A state university may grant a charter to a lab school
 60 created under s. 1002.32 and shall be considered to be the
 61 school's sponsor. Such school shall be considered a charter lab
 62 school.

63 3. Because needs relating to educational capacity,
 64 workforce qualifications, and career education opportunities are
 65 constantly changing and extend beyond school district
 66 boundaries:

67 a. A state university may, upon approval by the Department
 68 of Education, solicit applications and sponsor a charter school
 69 to meet regional education or workforce demands by serving
 70 students from multiple school districts.

71 b. A Florida College System institution may, upon approval
 72 by the Department of Education, solicit applications and sponsor
 73 a charter school in any county within its service area to meet
 74 workforce demands and may offer postsecondary programs leading
 75 to industry certifications to eligible charter school students.

76 | A charter school established under subparagraph (b)4. may not be
 77 | sponsored by a Florida College System institution until its
 78 | existing charter with the school district expires as provided
 79 | under subsection (7).

80 | c. Notwithstanding paragraph (6)(b), a state university or
 81 | Florida College System institution may, at its discretion, deny
 82 | an application for a charter school.

83 | d. The Charter School Review Commission, as authorized
 84 | under s. 1002.3301, may solicit and review applications for
 85 | conversion charter schools and charter schools overseen by
 86 | district school boards and, upon the commission approving an
 87 | application, the district school board that oversees the school
 88 | district in which the charter school will be located shall serve
 89 | as sponsor.

90 | (18) FACILITIES.—

91 | (e) In order to preserve the availability of scarce vacant
 92 | land for educational purposes, the Department of Education and
 93 | the Department of Management Services shall designate vacant
 94 | school district real property as surplus if such school district
 95 | has experienced a decline in student enrollment of 1 percent or
 96 | more for at least 2 consecutive years. Upon the designation of
 97 | such real property as surplus, the school district must make
 98 | such real property available to approved charter schools and
 99 | charter school governing boards within the school district. The
 100 | school district shall transfer the control and operation of such

101 real property to the charter school or charter school governing
 102 board without charging the charter school any rental, leasing,
 103 or other usage fees. If a charter school or charter school
 104 governing board within the school district does not request the
 105 use of the surplus real property within 6 months after such real
 106 property is designated as surplus by the Department of Education
 107 and the Department of Management Services, the real property
 108 shall be made available for affordable housing within the county
 109 pursuant to s. 1001.43(12). ~~If a district school board facility~~
 110 ~~or property is available because it is surplus, marked for~~
 111 ~~disposal, or otherwise unused, it shall be provided for a~~
 112 ~~charter school's use on the same basis as it is made available~~
 113 ~~to other public schools in the district.~~ A charter school
 114 receiving surplus real property pursuant to this subsection
 115 ~~property from the sponsor~~ may not sell or dispose of such
 116 property without written permission of the sponsor. Similarly,
 117 for an existing public school converting to charter status, no
 118 rental or leasing fee for the existing facility or for the
 119 property normally inventoried to the conversion school may be
 120 charged by the district school board to the parents and teachers
 121 organizing the charter school. The charter school shall agree to
 122 reasonable maintenance provisions in order to maintain the
 123 facility in a manner similar to district school board standards.
 124 The Public Education Capital Outlay maintenance funds or any
 125 other maintenance funds generated by the facility operated as a

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126 | conversion school shall remain with the conversion school.
127 | Section 2. This act shall take effect July 1, 2024.