



Postsecondary Education & Workforce Subcommittee

January 30, 2024

3:00 PM

Morris Hall (17 HOB)

Meeting Packet

**Paul Renner
Speaker**

**Lauren Melo
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Postsecondary Education & Workforce Subcommittee

Start Date and Time: Tuesday, January 30, 2024 03:00 pm

End Date and Time: Tuesday, January 30, 2024 05:00 pm

Location: Morris Hall (17 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 947 Sexual Misconduct Information in Public K-20 Education by Bartleman

HB 1291 Educator Preparation Programs by Snyder

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 01/26/2024 4:15PM by Vernon.Andrea

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 947 Sexual Misconduct Information in Public K-20 Education

SPONSOR(S): Bartleman

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 1270

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Postsecondary Education & Workforce Subcommittee		Collins	Kiner
2) Higher Education Appropriations Subcommittee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

The bill requires each school district to provide to parents, students, and school employees the contact information of the Title IX Coordinator, the process for placing and filing a sexual misconduct complaint, and support measures for a person who files a sexual misconduct complaint.

The bill requires Florida College System institutions and state universities to create a policy related to sexual harassment, sexual assault, dating violence, and stalking. This policy must be included in the institution and university's student handbook and personnel handbook. A link to the institution's and university's website concerning sexual harassment, sexual assault, dating violence, and stalking policy website must be easily accessible on the institution or university's website homepage.

Additionally, the bill requires Florida College System institutions and state universities to create and implement a comprehensive prevention and outreach program on sexual harassment, sexual assault, dating violence, and stalking. The program must address a range of strategies to prevent sexual harassment, sexual assault, dating violence, and stalking, including a victim empowerment program, a public awareness campaign, primary prevention strategies, bystander intervention strategies, and risk reduction strategies. The bill requires all students during student orientations and at the beginning of each semester to be provided information concerning these programs; the protocols for reporting an incident of sexual harassment, sexual assault, dating violence, or stalking; and the contact information for the Title IX coordinator.

This bill does not appear to have a fiscal impact. See fiscal comments.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

School Districts

Each school district shall be the unit of control, organization, and administration of schools. The responsibility for the actual operation and administration of all schools needed within the districts in conformity with rules and minimum standards prescribed by the state. The responsibility for proving any desirable and practicable opportunities authorized by law beyond those required by the state, are delegated to the school officials of the respective districts.¹ A district school system includes all public schools, including alternative site schools for disruptive or violent students, and all services and activities directly related to education in that district which are under the direction of the district school officials.² School districts may to determine policies and programs consistent with state law.³ Each district school board shall, in consultation with parents, teachers, and administrators, develop and adopt a policy to promote parental involvement in the public school system.⁴

State Board of Education

The State Board of Education (SBE)⁵ is the “chief implementing and coordinating body of public education in Florida, except for the State University System” and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education, except for the state university system.⁶ As such, the SBE has authority over the Florida College System (FCS) institutions, and is authorized to delegate the SBE’s general powers to the Commissioner of Education (commissioner) or the directors of the divisions of the Florida Department of Education (DOE or department).⁷ The Florida College System (FCS) is comprised of 28 FCS institutions, and the regional service areas for such institutions are specified in law.⁸ Currently, the FCS serves 560,984 students.⁹

Department of Education

The DOE is the administrative and supervisory agency under the implementation direction of the SBE.¹⁰ The commissioner is appointed by the SBE and serves as the executive director of the

¹ Section 1001.30, F.S.

² Section 1001.31, F.S.

³ Section 1001.41, F.S.

⁴ Section 1014.05, F.S.

⁵ The State Board of Education is established as “a body corporate and have such supervision of the system of free public education as is provided by law.” Art. IX, s. 2, Fla. Const.

⁶ Section 1001.02(1), F.S.

⁷ *Id.*

⁸ The 28 Florida College System (FCS) institutions are Broward College, College of Central Florida, Chipola College, Daytona State College, Eastern Florida State College, Florida SouthWestern State College, Florida State College at Jacksonville, Florida Keys Community College, Gulf Coast State College, Hillsborough Community College, Indian River State College, Florida Gateway College, Lake-Sumter State College, State College of Florida, Manatee-Sarasota, Miami Dade College, North Florida Community College, Northwest Florida State College, Palm Beach State College, Pasco-Hernando State College, Pensacola State College, Polk State College, St. Johns River State College, St. Petersburg College, Santa Fe College, Seminole State College of Florida, South Florida State College, Tallahassee Community College, and Valencia College. Section 1000.21(3), F.S.

⁹ Florida Department of Education, Policy Reports & Data, *FCS Resident and Nonresident Enrollment Report 2022-2023*, <https://www.fldoe.org/core/fileparse.php/5659/urlt/23-hr3f29c.xlsx> (last visited Jan. 24, 2024).

¹⁰ Section 1001.20(1), F.S.

department.¹¹ Within the DOE, the Division of Florida Colleges (DFC)¹² is directed by the Chancellor of the DFC,¹³ who is appointed by the commissioner.¹⁴

Florida College System Institution

Each FCS institution is governed by a local board of trustees (BOT).¹⁵ The FCS institution BOT members are appointed by the Governor to staggered four-year terms, and confirmed by the Senate.¹⁶ Each FCS institution BOT is responsible for cost-effective policy decisions regarding the FCS institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the SBE, the measurement of performance, the reporting of information, and the provision of input on state policy, budgeting, and education standards.¹⁷ FCS institution BOTs are authorized to adopt rules, procedures, and policies regarding admissions, programs, administration, personnel, contracts, and facilities.¹⁸

State University System Programs

The State University System of Florida serves more than 430,000 students and is comprised of twelve universities.¹⁹ For each university in the State University System of Florida, the Board of Governors is responsible for cost-effective policy decisions appropriate to the university's mission, the implementation and maintenance of high-quality education programs, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.²⁰

The Board of Governors is required to develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan is required to:²¹

- Include performance metrics and standards common for all institutions and metrics and standards unique to institutions.
- Consider reports and recommendations of the Florida Talent Development Council and the Articulation Coordinating Committee.
- Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.
- Include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis, using the criteria to determine value for and prioritization of degree credentials and degree programs established by the Credentials Review Committee. The Board of Governors must review designated programs of emphasis, at a minimum, every 3 years to ensure alignment with the prioritization of degree credentials and degree programs identified by the Credentials Review Committee.

Title IX and Florida Educational Equity Act

Title IX of the Education Amendments of 1972 (Title IX) addresses sexual harassment, sexual violence, or any gender-based discrimination that may deny a person access to educational benefits and

¹¹ Section 20.15(2), F.S.

¹² *Id.* at (3)(a).

¹³ *Id.* at (4).

¹⁴ Section 20.15(4), F.S.

¹⁵ Sections 1001.60(3), 1001.61(1), and 1004.65(1), F.S. FCS institutions are statutorily designated as political subdivisions of the state. Section 1004.67, F.S.

¹⁶ Section 1001.61(2), F.S.

¹⁷ Section 1001.64(1), F.S.

¹⁸ *Id.* at (4).

¹⁹ The 12 State University System of Florida universities are University of West Florida, Florida State University, Florida A&M University, University of North Florida, University of Florida, University of Central Florida, Florida Polytech, University of South Florida, New College of Florida, Florida Gulf Coast University, Florida Atlantic University, and Florida International University. State University System of Florida, *Home*, <https://www.flbog.edu/> (last visited Jan. 22, 2024).

²⁰ Section 1001.706(1), F.S.

²¹ Section 1001.706(5), F.S.

opportunities. Under Title IX, schools must ensure that all students and employees have equal access to education and educational facilities, regardless of sex, sexual orientation, or gender identity. Sexual harassment and sexual violence are forms of gender discrimination that are prohibited by Title IX. When a student or employee has experienced a hostile environment such as sexual assault or severe, pervasive, and objectively offensive sexual harassment, schools must stop the discrimination, prevent its recurrence, and address its effects. This includes retaliation from other students, school administrators, or faculty. Schools must proactively prevent and respond to claims of sexual harassment, sexual violence, and other forms of gender-based violence, retaliation, discrimination, and must have an impartial and prompt process for investigating and adjudicating reported cases.²²

In 2020, Title IX Regulations on Sexual harassment was amended to define sexual harassment to include certain types of unwelcome sexual conduct, sexual assault, dating violence, and stalking.²³ Each educational institution that receives federal funds must designate and authorize at least one employee to be the Title IX coordinator.²⁴ Federal law requires each educational institution to evaluate, modify, and take appropriate remedial steps to eliminate the effects of any discrimination from policies and practices concerning the admission of students, treatment of students, and employment of personnel.²⁵ Any person may report sex discrimination, including sexual harassment, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.²⁶

Under federal law, each recipient of federal financial assistance which operates an education program or activity, must prominently display the contact information required to be listed for the Title IX Coordinator on its website, if any, and in each handbook or catalog that it makes available to persons entitled to a notification.²⁷ Recipients of federal funds must notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator pursuant to this paragraph.²⁸

The Florida Educational Equity Act prohibits discrimination on the basis of race, color, national origin, sex, disability, religion, or marital status against a student or an employee in the state system of public K-20 education. No person in Florida shall, on the basis of race, color, national origin, sex, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.²⁹

The district must ensure that its educational and employment programs, services and activities are provided without discrimination on the basis of race, color, national origin, sex, age or disability. Any institution receiving federal financial assistance must:

²² Under federal law, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. U.S. Department of Justice, *Title IX of the Education Amendments of 1972*, <https://www.justice.gov/crt/title-ix-education-amendments-1972> (last visited Jan. 22, 2024).

²³ United States Department of Education, *Questions and Answers on the Title IX Regulations on Sexual Harassment (July 2021)(Updated June 28, 2022)*, available at <https://www2.ed.gov/about/offices/list/ocr/docs/202107-qa-titleix.pdf>, at pg. 4.

²⁴ 34 C.F.R. § 106.8 (2024).

²⁵ 34 C.F.R. § 106.3 (2024).

²⁶ 34 C.F.R. § 106.8 (2024).

²⁷ *Id.*

²⁸ *Id.*

²⁹ Section 1000.05(2)(a), F.S.

- Designate a person(s) to coordinate compliance efforts for Title IX, Section 504, American with Disabilities Act and the Florida Educational Equity Act.
- Adopt and publish grievance procedures to address complaints of discrimination and harassment. Procedures must include timeframes to allow for prompt and equitable resolution of complaints. Procedure must be available to students, parents, employees and the general public.
- Provide continuous notice to students, parents, employees and the general public that the district prohibits illegal discrimination. It must also provide annual notice of nondiscrimination for its career and technical education programs. The nondiscrimination notices must provide contact information for filing complaints.³⁰

If a state university is not in compliance with Title IX and the Florida Educational Equity act, the Board of Governors must:

- Declare the Florida College System institution ineligible for competitive state grants; and
- Withhold funds sufficient to obtain compliance.³¹

Effect of Proposed Changes

The bill requires each school district to provide parents, students, and school employees the contact information of the Title IX Coordinator, the process for placing and filing a sexual misconduct complaint, and the support measures for a person who files a sexual misconduct complaint.

The bill requires Florida College System institutions and state universities to create a policy related to sexual harassment, sexual assault, dating violence, and stalking. This policy must be included the institution and university's student handbook and personnel handbook. A link to the institution and university's website concerning sexual harassment, sexual assault, dating violence, and stalking policy must be easily accessibly on the institution or university's website homepage.

Additionally, the bill requires Florida College System institutions and state universities to create and implement a comprehensive prevention and outreach program on sexual harassment, sexual assault, dating violence, and stalking. The program must address a range of strategies to prevent sexual harassment, sexual assault, dating violence, and stalking, including a victim empowerment program, a public awareness campaign, primary prevention strategies, bystander intervention strategies, and risk reduction strategies. The bill requires all students during student orientations and at the beginning of each semester to be provided information concerning these programs; the protocols for reporting an incident of sexual harassment, sexual assault, dating violence, or stalking; and the contact information for the Title IX Coordinator.

B. SECTION DIRECTORY:

Section 1: Amends s. 1001.42, F.S., requiring district school boards to provide certain information relating to Title IX and sexual misconduct complaints to students, parents, and school employees.

Section 2: Creating s. 1004.0972, F.S., requiring Florida College System institutions and state universities to create a sexual harassment, sexual assault, dating violence, and stalking policy; providing requirements for such policy; requiring Florida College System institutions and state universities to create and implement a comprehensive prevention and outreach program on sexual harassment, sexual assault, dating violence, and stalking; providing requirements for the program; requiring Florida College System institutions and state universities to provide certain information to students.

Section 3: Provides an effective date

³⁰ Florida Department of Education, *Equal Education Opportunity Services*, <https://www.fldoe.org/schools/equal-educal-opportunity/services.stml> (last visited Jan. 25, 2024).

³¹ Section 1006.71(2)(a)-(b), F.S.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

This bill does not appear to have a fiscal impact as Florida College System institutions and state universities who receive federal funding are required to have a policy in place.

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.

26 | district school board, acting as a board, shall exercise all
 27 | powers and perform all duties listed below:

28 | (29) PROVISION OF TITLE IX INFORMATION.—Each district
 29 | school board shall provide to parents, students, and school
 30 | employees the following information:

31 | (a) The person who serves as the Title IX Coordinator for
 32 | each school.

33 | (b) The process for placing and filing a sexual misconduct
 34 | complaint.

35 | (c) The support measures in place for a person who files a
 36 | sexual misconduct complaint and how to access the support
 37 | measures.

38 | Section 2. Section 1004.0972, Florida Statutes, is created
 39 | to read:

40 | 1004.0972 Public postsecondary educational institution
 41 | sexual harassment, sexual assault, dating violence, and stalking
 42 | policies.—

43 | (1) Each Florida College System institution and state
 44 | university shall create a sexual harassment, sexual assault,
 45 | dating violence, and stalking policy. The policy must:

46 | (a) Be included in the institution or university's student
 47 | handbook and personnel handbook.

48 | (b) Have a website dedicated solely to the policy. The
 49 | website must be easily accessible through a link on the
 50 | institution or university's website homepage.

51 (2) Each Florida College System institution and state
 52 university shall:

53 (a) Create and implement a comprehensive prevention and
 54 outreach program on sexual harassment, sexual assault, dating
 55 violence, and stalking. The program must address a range of
 56 strategies to prevent sexual harassment, sexual assault, dating
 57 violence, and stalking, including a victim empowerment program,
 58 a public awareness campaign, primary prevention strategies,
 59 bystander intervention strategies, and risk reduction
 60 strategies.

61 (b) Provide students with all of the following:

62 1. Information on the program established under paragraph

63 (a).

64 2. The protocols for reporting an incident of sexual
 65 harassment, sexual assault, dating violence, or stalking,
 66 including the name, office location, and contact information of
 67 the institution or university's Title IX coordinator.

68
 69 The information provided under this paragraph must be given to
 70 students at student orientations and emailed to students at the
 71 beginning of each semester.

72 Section 3. 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: Postsecondary Education &
2 Workforce Subcommittee

3 Representative Beltran offered the following:

4

5 **Amendment**

6 Remove lines 48-50 and insert:

7 (b) Have a webpage dedicated solely to the policy. The
8 webpage must be easily accessible through a link on the
9 institution or university's website homepage.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1291 Educator Preparation Programs

SPONSOR(S): Snyder

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 1372

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Postsecondary Education & Workforce Subcommittee		Wolff	Kiner
2) Education & Employment Committee			

SUMMARY ANALYSIS

Teacher Preparation Programs and Educator Preparation Institutes (EPI) are two Department of Education approved pathways for individuals to receive the education necessary to become certified teachers in Florida. School leader preparation programs enable aspiring school leaders to obtain their certificate in educational leadership.

The bill prohibits teacher preparation programs, EPIs, and Level I and Level II school leader preparation programs from distorting significant historical events or including a curriculum or instruction that teaches identity politics, violates the Florida Educational Equity Act, or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

The bill requires all teacher preparation programs, EPIs, and Level I and Level II school leader preparation programs to afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

The bill does not appear to have a fiscal impact.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Florida Educational Equity Act

The “Florida Educational Equity Act” (FEEA) prohibits discrimination in any program or employment condition on the basis of race, color, national origin, sex, disability, religion, or marital status against a student or an employee in the state system of public K-20 education.

The FEEA specifies, in part, that:

- No individual may, on the basis of race, color, national origin, sex, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any public K-20 education program or activity, or in any employment conditions or practices, conducted by a public educational institution that receives or benefits from federal or state financial assistance.¹
- The criteria for admission to a program or course may not have the effect of restricting access by persons of a particular race, color, national origin, sex, disability, religion, or marital status.²

The FEEA includes in discrimination on the basis of race, color, national origin, or sex, subjecting any student or employee to training or instruction that espouses, promotes, advances, inculcates, or compels such student or employee to believe any of the following concepts:³

- Members of one race, color, national origin, or sex are morally superior to members of another race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- A person’s moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex.
- Members of one race, color, national origin, or sex cannot and should not attempt to treat others without respect to race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, bears responsibility for, or should be discriminated against or receive adverse treatment because of, actions committed in the past by other members of the same race, color, national origin, or sex.
- A person, by virtue of his or her race, color, national origin, or sex, should be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- A person, by virtue of his or her race, color, sex, or national origin, bears personal responsibility for and must feel guilt, anguish, or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin, or sex.
- Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, national origin, or sex to oppress members of another race, color, national origin, or sex.

¹ Section 1000.05(2)(a), F.S.

² Section 1000.05(2)(b), F.S.

³ Section 1000.05(4)(a), F.S. A federal district court has issued a preliminary injunction to prohibit the Board of Governors from enforcing ss. 1000.05(4)(a)-(b), F.S., and to prohibit the University of South Florida Board of Trustees from enforcing ss. 1000.05(4)(a)1.-3., 5., and 7., and s. 1000.05(4)(b), F.S. *See Pernell v. Florida Bd. of Governors of State Univ. Sys.*, No. 4:22CV304-MW-MAF (N.D. Fla. Nov. 17, 2022) (order granting preliminary injunction), *motion to stay injunction pending appeal denied*, No. 22-13992-J (11th Cir. Mar. 16, 2023).

Required Instruction in K-12 Classrooms

Each district school board is required to provide all courses required for middle grades promotion, high school graduation, and appropriate instruction designed to ensure that students meet State Board of Education (SBE) adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.⁴ Instructional staff in public schools are required to teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historical accuracy, following the prescribed courses of study, and employing approved methods of instruction.⁵

Required instruction and supporting materials in Florida classrooms must be consistent with the following principles of individual freedom:⁶

- No person is inherently racist, sexist, or oppressive, whether consciously or unconsciously, solely by virtue of his or her race or sex.
- No race is inherently superior to another race.
- No person should be discriminated against or receive adverse treatment solely or partly on the basis of race, color, national origin, religion, disability, or sex.
- Meritocracy or traits such as a hard work ethic are not racist but fundamental to the right to pursue happiness and be rewarded for industry.
- A person, by virtue of his or her race or sex, does not bear responsibility for actions committed in the past by other members of the same race or sex.
- A person should not be instructed that he or she must feel guilt, anguish, or other forms of psychological distress for actions, in which he or she played no part, committed in the past by other members of the same race or sex.

Teacher Preparation Programs

Teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve the state education goals.⁷ State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school districts, and private providers by which candidates for educator certification can, depending on the type of program, demonstrate mastery of general knowledge, professional preparation and education competence, and/or subject area knowledge for purposes of attaining an educator certificate.⁸

There are various state-approved teacher preparation programs that individuals may use to receive the training needed to attain an educator certificate, including:⁹

- Initial Teacher Preparation programs in public and private colleges and universities requiring candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Program completers qualify for a professional educator certificate.¹⁰
- Educator Preparation Institutes (EPIs) offering alternative certification programs by postsecondary institutions and qualified private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge, and mastery of professional preparation and education competence.

⁴ Section 1003.42(1)(a), F.S.

⁵ Section 1003.42(2), F.S.

⁶ Section 1003.42(3), F.S.

⁷ Section 1004.04(1)(b), F.S.

⁸ See Florida Department of Education, *Professional Development in Florida*, <http://www.fldoe.org/teaching/professional-dev/> (last visited Jan 23, 2024). See also r. 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

⁹ Florida DOE, *Educator Preparation*, <http://www.fldoe.org/teaching/preparation> (last visited Jan. 23, 2024). See also r. 6A-5.066, F.A.C.

¹⁰ Rule 6A-5.066(1)(r), F.A.C.

- District professional development certification and education competency programs. Such programs are cohesive competency-based professional preparation certification programs offered by school districts, charter schools, and charter management districts by which the instructional staff can satisfy the mastery of professional preparation and education competence requirements.¹¹ In addition to completing the district program, candidates must demonstrate mastery of general knowledge¹² and subject area knowledge.¹³

Teacher Preparation Program Uniform Core Curricula

Each candidate enrolled in a teacher preparation program must receive instruction and be assessed on the uniform core curricula in his or her area of program concentration during course work and field experiences. A candidate for certification in a coverage area that includes reading instruction or interventions in kindergarten through grade six must successfully complete all competencies for a reading endorsement.¹⁴

The SBE must establish, in rule, uniform core curricula for each state-approved teacher preparation program including, but not limited to:¹⁵

- Candidate instruction and assessment in the Florida Educator Accomplished Practices (FEAP)¹⁶ across content areas;
- The use of state-adopted content standards to guide curricula and instruction;¹⁷
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students;¹⁸
- Content literacy and mathematical practices;
- Strategies appropriate for instruction of English language learners;
- Strategies appropriate for instruction of students with disabilities;
- Strategies to differentiate instruction based on student needs;
- Strategies and practices to support evidence-based content aligned to state standards and grading practices;
- Strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support;
- Strategies to support the use of technology in education and distance learning; and
- Strategies and practices to support effective, research-based assessment and grading practices aligned to the state's academic standards.

In addition, before program completion, each candidate must demonstrate his or her ability to positively impact student learning growth in the candidate's area(s) of program concentration during a prekindergarten through grade 12 field experience and must pass each portion of the Florida Teacher Certification Examination required for a professional certificate in the area(s) of program concentration.¹⁹

¹¹ Section 1012.56(8)(a), F.S. There are 77 such programs in Florida. Florida Department of Education. *State-Approved Educator Preparation Programs, Approved Add-on Programs*, <https://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.stml> (last visited Jan. 23, 2024).

¹² See Florida DOE, *General Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.stml> (last visited Jan. 23, 2024).

¹³ Florida DOE, *Subject Area Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.stml> (last visited Jan. 23, 2024).

¹⁴ Section 1004.04(2)(c), F.S.

¹⁵ Section 1004.04(2)(b)1.-10., F.S.

¹⁶ Florida DOE, *Professional Development The Florida Educator Accomplished Practices (FEAP)*, <https://www.fldoe.org/teaching/professional-dev/the-fl-educator-accomplished-practices.stml> (last visited Jan. 23, 2024).

¹⁷ The SBE has adopted the state academic standards, which establish the core content of the curricula taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Rule 6A-1.09401(1), F.A.C.; s. 1003.41(1), F.S.

¹⁸ The Just Read, Florida! Office must assist teacher preparation programs and EPIs with this requirement. Section 1001.215(11), F.S.

¹⁹ Section 1004.04(2)(d), F.S.

There are 57 initial teacher preparation programs in Florida, at 10 state universities, 19 Florida College System institutions, and 28 private colleges and universities.²⁰

Educator Preparation Institutes (EPIs)

Postsecondary institutions that are accredited or approved by the Department of Education (DOE) to award degrees and credits for educator certification may seek approval from the DOE to create EPIs for the purpose of providing all or any of the following:²¹

- Professional development instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements;
- Instruction to assist potential and existing substitute teachers in performing their duties;
- Instruction to assist paraprofessionals in meeting education and training requirements;
- Instruction for noneducation baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for mid-career professionals; and
- Instruction and professional development for part-time and full-time non-degreed teachers of career programs.

A private provider that has a proven history of delivering high-quality educator preparation may also seek approval to offer a competency-based certification program. The DOE approval must be based upon evidence provided from other state recipients of the provider's services and data showing the successful performance of completers based upon student achievement.²²

Educator preparation institutes may offer competency-based certification programs specifically designed for non-education major baccalaureate degree holders to enable program participants to meet educator certification. The DOE must approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:²³

- Participant instruction and assessment in the Florida Educator Accomplished Practices across content areas.
- The use of state-adopted student content standards to guide curriculum and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- Content literacy and mathematical practices.
- Strategies appropriate for instruction of English language learners.
- Strategies appropriate for instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- Strategies and practices to support evidence-based content aligned to state standards and grading practices.
- Strategies appropriate for the early identification of a student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.
- Strategies to support the use of technology in education and distance learning.
- An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in specified areas.
- Field experiences appropriate to the certification subject area.
- A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening and educator professional or temporary certification.

²⁰ Florida Department of Education. *State-Approved Educator Preparation Programs, Colleges/Universities*, <https://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.stml> (last visited Jan. 23, 2024).

²¹ Section 1004.85(2)(a), F.S.

²² Section 1004.85(2)(b), F.S.

²³ Section 1004.85(3), F.S. *See also* s.1004.04(2), F.S.

Continued program approval is determined by the Commissioner of Education (commissioner) based upon a periodic review of candidate readiness based on passage rates on educator certification examinations and evidence of performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments, results of program completers' annual evaluations, and workforce contributions.²⁴

Each approved EPI must submit annual performance evaluations to the DOE that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and program completers. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the realities of the classroom and the institute's responsiveness to local school districts. These evaluations must be used by the DOE for purposes of continued approval of an EPI's certification program.²⁵

There are currently 38 state-approved EPI programs. Eighteen at Florida College System institutions, four at state universities, and 16 at private colleges or universities or private providers.²⁶

School Leader Preparation Programs

The DOE is required to approve all Level I and Level II school leader preparation programs that enable aspiring school leaders to obtain their certificate in educational leadership.²⁷ Level I programs lead to initial certification in educational leadership for the purpose for preparing individuals to serve as school administrators.²⁸ Level II programs build upon Level I training and lead to renewal certification as a school principal.²⁹ Postsecondary institutions, school districts, charter schools and charter management organizations are eligible to offer Level I and Level II school leadership programs.³⁰

The school leadership programs are required to be competency-based, aligned to the principal leadership standards adopted by the SBE, and open to individuals employed by public schools, including charter schools and virtual schools.³¹

The purpose of school leader preparation programs is to:³²

- Increase the supply of effective school leaders in the public schools of this state.
- Produce school leaders who are prepared to lead the state's diverse student population in meeting high standards for academic achievement.
- Enable school leaders to facilitate the development and retention of effective and highly effective classroom teachers.
- Produce leaders with the competencies and skills necessary to achieve the state's education goals.
- Sustain the state system of school improvement and education accountability.

Initial Level I programs are approved for 5 years. A school district, postsecondary institution, charter school or charter management organizations may apply to the DOE to establish a Level 1 program. To be approved, a Level I program must:³³

- Provide competency-based training aligned to the principal leadership standards adopted by the SBE.

²⁴ Section 1004.85(4), F.S. *See also* r. 6A-5.066, F.A.C.

²⁵ Section 1004.85(5), F.S. *See also* r. 6A-5.066, F.A.C.

²⁶ Florida Department of Education, *State-Approved EPI Programs*, available at <https://www.fldoe.org/core/fileparse.php/7502/urlt/State-ApprovedEPIProgram.pdf>.

²⁷ Section 1012.562, F.S.

²⁸ Section 1012.562, F.S.

²⁹ *Id.*

³⁰ Section 1012.562(2)(a) and (3)(a), F.S. *See also* r. 6A-5.081, F.A.C.

³¹ *Id.*

³² Section 1012.562(1)(a)-(e), F.S.

³³ Section 1012.562(2)(a), F.S.

- If the program is provided by a postsecondary institution, partner with at least one school district.
- Describe the qualifications that will be used to determine program admission standards, including a candidate's instructional expertise and leadership potential.
- Describe how the training provided through the program will be aligned to the personnel evaluation criteria.

Renewal of Level I programs are approved for a period of 5 years and are based upon evidence of the program's continued ability to meet the initial approval requirements. A postsecondary institution or school district must submit an institutional program evaluation plan in a format prescribed by DOE for a Level I program to be considered for renewal. The plan must include:³⁴

- The percentage of personnel who complete the program and are placed in school leadership positions in public schools within the state.
- Results from the personnel evaluations for personnel who complete the program.
- The passage rate of personnel who complete the program on the Florida Education Leadership Examination.
- The impact personnel who complete the program have on student learning as measured by the formulas developed by the commissioner.
- Strategies for continuous improvement of the program.
- Strategies for involving personnel who complete the program, other school personnel, community agencies, business representatives, and other stakeholders in the program evaluation process.
- Additional data included at the discretion of the postsecondary institution or school district.

Initial approval and subsequent renewal of a Level II program is for a period of 5 years. A school district, charter school, or charter management organization may submit to the DOE an application to establish a Level II school leader preparation program or for program renewal. To be approved or renewed, a Level II program must:³⁵

- Demonstrate that personnel accepted into the Level II program have:
 - Obtained their certificate in educational leadership.
 - Earned a highly effective or effective designation.
 - Satisfactorily performed instructional leadership responsibilities as measured by their evaluation system.
- Demonstrate that the Level II program:
 - Provides competency-based training aligned to the principal leadership standards adopted by the State Board of Education.
 - Provides training aligned to the personnel evaluation criteria and professional development under the William Cecil Golden Professional Learning Program for School Leaders.
 - Provides individualized instruction using a customized learning plan for each person enrolled in the program that is based on data from self-assessment, selection, and appraisal instruments.
 - Conducts program evaluations and implements program improvements using input from personnel who completed the Level I program and employers and data gathered from the Level 1 Program.

Effect of Proposed Changes

The bill prohibits teacher preparation programs, EPs, and Level I and Level II school leader preparation programs from distorting significant historical events or include a curriculum or instruction that teaches identity politics, violates the FEEA, or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities.

³⁴ Section 1012.562(2)(b), F.S.

³⁵ Section 1012.256 (3)(a)(b), F.S.

The bill requires all teacher preparation programs, EPIs, and Level I and Level II school leader preparation programs to afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.

B. SECTION DIRECTORY:

Section 1: Amends s. 1004.04, F.S.; prohibiting the courses and curriculum of teacher preparation programs from distorting certain events and including certain curriculum and instruction; requiring teacher preparation programs to afford candidates certain opportunities.

Section 2: Amends s. 1004.85, F.S.; prohibiting the courses and curriculum of postsecondary educator preparation institutes from distorting certain events and including certain curriculum and instruction; requiring postsecondary educator preparation institutes to afford candidates certain opportunities.

Section 3: Amends s. 1012.562, F.S.; prohibiting the courses and curriculum of school leader preparation programs from distorting certain events and including certain curriculum and instruction; requiring school leader preparation programs to afford candidates certain opportunities.

Section 4: 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:

The bill does not provide the SBE additional rulemaking authority but existing rules may need to be repealed or amended to incorporate 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 educator preparation programs;
 3 amending ss. 1004.04, 1004.85, and 1012.562, F.S.;
 4 prohibiting the courses and curriculum of teacher
 5 preparation programs, postsecondary educator
 6 preparation institutes, and school leader preparation
 7 programs from distorting certain events and including
 8 certain curriculum and instruction; requiring teacher
 9 preparation programs, postsecondary educator
 10 preparation institutes, and school leader preparation
 11 programs to afford candidates certain opportunities;
 12 providing an effective date.

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

15
 16 Section 1. Paragraph (e) is added to subsection (2) of
 17 section 1004.04, Florida Statutes, to read:

18 1004.04 Public accountability and state approval for
 19 teacher preparation programs.—

20 (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

21 (e) Teacher preparation program courses:

22 1. May not distort significant historical events or
 23 include a curriculum or instruction that teaches identity
 24 politics, violates s. 1000.05, or is based on theories that
 25 systemic racism, sexism, oppression, and privilege are inherent

26 | in the institutions of the United States and were created to
 27 | maintain social, political, and economic inequities.

28 | 2. Must afford candidates the opportunity to think
 29 | critically, achieve mastery of academic program content, learn
 30 | instructional strategies, and demonstrate competence.

31 | Section 2. Paragraph (a) of subsection (2) of section
 32 | 1004.85, Florida Statutes, is amended to read:

33 | 1004.85 Postsecondary educator preparation institutes.—

34 | (2)(a) Postsecondary institutions that are accredited or
 35 | approved as described in State Board of Education rule may seek
 36 | approval from the Department of Education to create educator
 37 | preparation institutes for the purpose of providing any or all
 38 | of the following:

39 | 1. Professional learning instruction to assist teachers in
 40 | improving classroom instruction and in meeting certification or
 41 | recertification requirements.

42 | 2. Instruction to assist potential and existing substitute
 43 | teachers in performing their duties.

44 | 3. Instruction to assist paraprofessionals in meeting
 45 | education and training requirements.

46 | 4. Instruction for baccalaureate degree holders to become
 47 | certified teachers as provided in this section in order to
 48 | increase routes to the classroom for professionals who hold a
 49 | baccalaureate degree and college graduates who were not
 50 | education majors.

51 5. Instruction and professional learning for part-time and
52 full-time nondegreed teachers of career programs under s.
53 1012.39(1)(c).

54 6.a. Instruction that does not distort significant
55 historical events or include a curriculum or instruction that
56 teaches identity politics, violates s. 1000.05, or is based on
57 theories that systemic racism, sexism, oppression, and privilege
58 are inherent in the institutions of the United States and were
59 created to maintain social, political, and economic inequities.

60 b. Courses and instruction within the educator preparation
61 institute must afford candidates the opportunity to think
62 critically, achieve mastery of academic program content, learn
63 instructional strategies, and demonstrate competence.

64 Section 3. Subsection (3) of section 1012.562, Florida
65 Statutes, is renumbered as subsection (4), and a new subsection
66 (3) is added to that section, to read:

67 1012.562 Public accountability and state approval of
68 school leader preparation programs.—The Department of Education
69 shall establish a process for the approval of Level I and Level
70 II school leader preparation programs that will enable aspiring
71 school leaders to obtain their certificate in educational
72 leadership under s. 1012.56. School leader preparation programs
73 must be competency-based, aligned to the principal leadership
74 standards adopted by the state board, and open to individuals
75 employed by public schools, including charter schools and

76 virtual schools. Level I programs lead to initial certification
77 in educational leadership for the purpose of preparing
78 individuals to serve as school administrators. Level II programs
79 build upon Level I training and lead to renewal certification as
80 a school principal.

81 (3)(a) School leader preparation programs may not distort
82 significant historical events or include curriculum or
83 instruction that teaches identity politics, violates s. 1000.05,
84 or is based on theories that systemic racism, sexism,
85 oppression, and privilege are inherent in the institutions of
86 the United States and were created to maintain social,
87 political, and economic inequities.

88 (b) School leader preparation programs must afford
89 candidates the opportunity to demonstrate mastery of program
90 content, including instructional leadership strategies, coaching
91 development, school safety, and continuous improvement efforts.

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