1 A bill to be entitled 2 An act relating to education; amending s. 200.065, 3 F.S.; requiring a district school board to advertise 4 its intent to adopt a tentative budget on a publicly 5 available website if the district school board does 6 not advertise such intent in a newspaper of general 7 circulation; defining the term "publicly accessible 8 website"; requiring certain information relating to a 9 postponed hearing to be posted on a school district website under certain circumstances; amending s. 10 11 316.173, F.S.; revising requirements for signage that must be posted on certain school buses; amending s. 12 13 1001.372, F.S.; requiring public notices for district school board meetings be posted on a publicly 14 accessible website; deleting a requirement for public 15 16 notices to be published in a newspaper; amending s. 1002.20, F.S.; deleting a requirement that an economic 17 18 security report of employment and earning outcomes be 19 provided to students; amending s. 1002.55, F.S.; requiring newly hired prekindergarten instructors to 20 21 complete specified training within a certain 22 timeframe; deleting obsolete language; amending s. 23 1004.85, F.S.; requiring program participants of a 24 postsecondary educator preparation institute to meet 25 specified requirements before participating in field

Page 1 of 40

90672

experiences; amending s. 1004.88, F.S.; authorizing the Florida Institute for Charter School Innovation to develop a professional learning system; repealing s. 1006.025, F.S., relating to guidance services; amending s. 1010.11, F.S.; providing that school districts are exempt from certain requirements relating to electronic transfer of funds; amending s. 1011.03, F.S.; requiring a district school board to publish its tentative budget on a publicly accessible website; deleting a requirement for a district school board to publish its tentative budget in a newspaper or at a courthouse under certain circumstances; amending s. 1012.05, F.S.; authorizing, rather than requiring, district school boards to base certain polices on guidelines from the Department of Education; revising the frequency with which school districts must submit certain information to the department; amending s. 1012.07, F.S.; requiring the State Board of Education to develop strategies to address critical teacher shortages; amending s. 1012.22, F.S.; providing that collective bargaining may not preclude a district school board from carrying out specified duties; providing that if a superintendent appears before the State Board of Education for a specified purpose, the president of

Page 2 of 40

90672

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the school district bargaining unit also must appear; amending s. 1012.555, F.S.; revising requirements for individuals to participate in the Teacher Apprenticeship Program; amending s. 1012.575, F.S.; providing that certain provisions relating to alternative teacher preparation programs also apply to the Florida Institute for Charter School Innovation; repealing s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; repealing s. 1012.86, F.S., relating to the Florida College System institution employment equity accountability program; amending s. 1012.98, F.S.; providing that provisions relating to the development of a professional learning system apply to the Florida Institute for Charter School Innovation; amending s. 1013.15, F.S.; authorizing district school boards to rent or lease specified plants and facilities and sites; providing that the lease-purchase of certain plants and facilities and sites are exempt from certain requirements; amending s. 1013.16, F.S.; revising minimum lease term requirements for land for certain construction projects; amending s. 1013.20, F.S.; deleting a district school board requirement to plan for the use of relocatables; deleting a requirement for the commissioner to provide a progress report to

Page 3 of 40

90672

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the Legislature; repealing s. 1013.21, F.S., relating to reduction of relocatable facilities in use; amending s. 1013.385, F.S.; deleting requirements for a resolution relating to educational facilities construction which may be adopted by district school boards; providing that exceptions to requirements for public shelter design criteria remain subject to certain emergency management provisions; providing that a school board may not be required to build more emergency-shelter space than identified as needed; amending s. 1013.48, F.S.; deleting a requirement that school districts monitor and report the impact of certain change orders; amending ss. 1001.64, 1001.65, 1003.621, 1011.6202, and 1013.35, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

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Section 1. Paragraph (f) of subsection (2) of section 200.065, Florida Statutes, is amended to read:

200.065 Method of fixing millage.-

(2) No millage shall be levied until a resolution or ordinance has been approved by the governing board of the taxing authority which resolution or ordinance must be approved by the

Page 4 of 40

90672

taxing authority according to the following procedure:

- (f)1. Notwithstanding any provisions of paragraph (c) to the contrary, each school district shall advertise its intent to adopt a tentative budget on a publicly accessible website pursuant to s. 50.0311 or in a newspaper of general circulation pursuant to subsection (3) within 29 days after of certification of value pursuant to subsection (1). For the purpose of this paragraph, the term "publicly accessible website" includes a district school board's official website if the school board website satisfies the remaining requirements of s. 50.0311. Not less than 2 days or more than 5 days thereafter, the district shall hold a public hearing on the tentative budget pursuant to the applicable provisions of paragraph (c). In the event of postponement or recess due to a declared state of emergency, the school district may postpone or recess the hearing for up to 7 days and shall post a prominent notice at the place of the original hearing showing the date, time, and place where the hearing will be reconvened. The posted notice shall measure not less than 8.5 by 11 inches. The school district shall make every reasonable effort to provide reasonable notification of the continued hearing to the taxpayers. The information must also be posted on the school district's website <u>if the district school</u> board uses a different method of advertisement.
- 2. Notwithstanding any provisions of paragraph (b) to the contrary, each school district shall advise the property

Page 5 of 40

90672

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appraiser of its recomputed proposed millage rate within 35 days of certification of value pursuant to subsection (1). The recomputed proposed millage rate of the school district shall be considered its proposed millage rate for the purposes of paragraph (b).

- 3. Notwithstanding any provisions of paragraph (d) to the contrary, each school district shall hold a public hearing to finalize the budget and adopt a millage rate within 80 days of certification of value pursuant to subsection (1), but not earlier than 65 days after certification. The hearing shall be held in accordance with the applicable provisions of paragraph (d), except that a newspaper advertisement need not precede the hearing.
- Section 2. Paragraph (a) of subsection (2) of section 316.173, Florida Statutes, is amended to read:
 - 316.173 School bus infraction detection systems.-
- (2)(a) The school district must post high-visibility reflective signage on the rear of each school bus in which a school bus infraction detection system is installed and operational which indicates the use of such system. The signage must be in the form of one or more signs or stickers and must contain the following elements in substantially the following form:
- 1. The words "STOP WHEN RED LIGHTS FLASH" or "DO NOT PASS WHEN RED LIGHTS FLASH."

Page 6 of 40

2. The words "CAMERA ENFORCED."

- 3. A graphic depiction of a camera.
- Section 3. Paragraphs (b) and (c) of subsection (2) of section 1001.372, Florida Statutes, are amended to read:
 - 1001.372 District school board meetings.-
 - (2) PLACE OF MEETINGS.-
 - (b) Upon the giving of due public notice on a publicly accessible website as provided in s. 50.0311, regular or special meetings of the district school board may be held at any appropriate public place in the county.
 - (c) For purpose of this section, due public notice shall consist of publication in a newspaper of general circulation in the county or in each county where there is no newspaper of general circulation in the county an announcement over at least one radio station whose signal is generally received in the county, a reasonable number of times daily during the 48 hours immediately preceding the date of such meeting, or by posting a notice at the courthouse door if no newspaper is published in the county, at least 2 days after prior to the giving of notice meeting.
 - Section 4. Subsection (24) of section 1002.20, Florida Statutes, is amended to read:
 - 1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed

Page 7 of 40

of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(24) ECONOMIC SECURITY REPORT.—Beginning in the 2014-2015 school year and annually thereafter, each middle school and high school student or the student's parent prior to registration shall be provided a two-page summary of the Department of Economic Opportunity's economic security report of employment and earning outcomes prepared pursuant to s. 445.07 and electronic access to the report.

Section 5. Paragraph (c) of subsection (3) of section 1002.55, Florida Statutes, is amended to read:

1002.55 School-year prekindergarten program delivered by private prekindergarten providers.—

- (3) To be eligible to deliver the prekindergarten program, a private prekindergarten provider must meet each of the following requirements:
- (c) The private prekindergarten provider must have, for each prekindergarten class of 11 children or fewer, at least one prekindergarten instructor who meets each of the following requirements:
- 1. The prekindergarten instructor must hold, at a minimum, one of the following credentials:
- a. A child development associate credential issued by the National Credentialing Program of the Council for Professional

Page 8 of 40

201 Recognition; or

b. A credential approved by the Department of Children and Families as being equivalent to or greater than the credential described in sub-subparagraph a.

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The Department of Children and Families may adopt rules under ss. 120.536(1) and 120.54 which provide criteria and procedures for approving equivalent credentials under sub-subparagraph b.

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The prekindergarten instructor must successfully complete three emergent literacy training courses that include developmentally appropriate and experiential learning practices for children and a student performance standards training course approved by the department as meeting or exceeding the minimum standards adopted under s. 1002.59. A newly hired prekindergarten instructor must complete the three emergent literacy training courses within 30 calendar days after being hired if the instructor has not previously completed the courses. The prekindergarten instructor must complete an emergent literacy training course at least once every 5 years after initially completing the three emergent literacy training courses. The courses in this subparagraph must be recognized as part of the informal early learning and career pathway identified by the department under s. 1002.995(1)(b). The requirement for completion of the standards training course shall take effect July 1, 2022. The courses must be made

Page 9 of 40

90672

226 available online or in person.

Section 6. Paragraph (b) of subsection (3) of section 1004.85, Florida Statutes, is amended to read:

1004.85 Postsecondary educator preparation institutes. -

- (3) Educator preparation institutes approved pursuant to this section may offer competency-based certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. An educator preparation institute choosing to offer a competency-based certification program pursuant to the provisions of this section must implement a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.
 - (b) Each program participant must:
- 1. Meet certification requirements pursuant to s. 1012.56(1) by obtaining a statement of status of eligibility in the certification subject area of the educational plan and meet the requirements of s. 1012.56(2)(a)-(f) before participating in field experiences.
- 2. Demonstrate competency and participate in field experiences that are appropriate to his or her educational plan prepared under paragraph (a). Beginning with candidates entering an educator preparation institute in the 2022-2023 school year,

Page 10 of 40

a candidate for certification in a coverage area identified pursuant to s. 1012.585(3)(f) must successfully complete all competencies for a reading endorsement, including completion of the endorsement practicum through the candidate's field experience, in order to graduate from the program.

- 3. Before completion of the program, fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification by documenting a positive impact on student learning growth in a prekindergarten through grade 12 setting and, except as provided in s. 1012.56(7)(a)3., achieving a passing score on the professional education competency examination, the basic skills examination, and the subject area examination for the subject area certification which is required by state board rule.
- Section 7. Subsections (3) and (4) of section 1004.88, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a new subsection (3) is added to that section, to read:
 - 1004.88 Florida Institute for Charter School Innovation.-
- 270 (3) The institute may develop a professional learning 271 system pursuant to s. 1012.98(7).
- Section 8. <u>Section 1006.025</u>, <u>Florida Statutes</u>, is repealed.
- Section 9. Section 1010.11, Florida Statutes, is amended to read:

Page 11 of 40

90672

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1010.11 Electronic transfer of funds.—Pursuant to the provisions of s. 215.85, each district school board, Florida College System institution board of trustees, and university board of trustees shall adopt written policies prescribing the accounting and control procedures under which any funds under their control are allowed to be moved by electronic transaction for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment. Electronic transactions shall comply with the provisions of chapter 668. However, a district school board is exempt from the requirements of s. 668.50(18)(b).

Section 10. Subsections (1) and (3) of section 1011.03, Florida Statutes, are amended to read:

- 1011.03 Public hearings; budget to be submitted to Department of Education.—
- (1) Each district school board shall cause a summary of its tentative budget, including the proposed millage levies as provided for by law, to be posted on the district's official website or on a publicly accessible website as provided in s.

 50.0311 and advertised once in a newspaper of general circulation published in the district or to be posted at the courthouse if there be no such newspaper.
- (3) The board shall hold public hearings to adopt tentative and final budgets pursuant to s. 200.065. The hearings shall be primarily for the purpose of hearing requests and

Page 12 of 40

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complaints from the public regarding the budgets and the proposed tax levies and for explaining the budget and proposed or adopted amendments thereto, if any. The tentative budget must be posted on the district's official website at least 2 days before the budget hearing held pursuant to s. 200.065 or other law. The final adopted budget must be posted on the district's official website within 30 days after adoption. The board shall require the superintendent to transmit two copies of the adopted budget to the Department of Education as prescribed by law and rules of the State Board of Education.

Section 11. Subsection (3) of section 1012.05, Florida Statutes, is amended to read:

- 1012.05 Teacher recruitment and retention.-
- (3)(a) Each school board shall adopt policies relating to mentors and support for first-time teachers, which may include the based upon guidelines issued by the Department of Education.
- (b) By September 15 and February 15 each school year, each school district shall electronically submit accurate public school e-mail addresses for all instructional and administrative personnel, as identified in s. 1012.01(2) and (3), to the Department of Education.
- Section 12. Section 1012.07, Florida Statutes, is amended to read:
- 1012.07 Identification of critical teacher shortage areas.—The term "critical teacher shortage area" means high-need

Page 13 of 40

content areas and high-priority location areas identified by the
State Board of Education. The State Board of Education shall
adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to
annually identify critical teacher shortage areas. The state
board must consider current and emerging educational
requirements and workforce demands in determining critical
teacher shortage areas. School grade levels may also be
designated critical teacher shortage areas. Individual district
school boards may identify and submit other critical teacher
shortage areas. Such submissions must be aligned to current and
emerging educational requirements and workforce demands in order
to be approved by the State Board of Education. High-priority
location areas $\underline{\text{must}}$ $\underline{\text{shall}}$ be in high-density, low-economic urban
schools; low-density, low-economic rural schools; and schools
that earned a grade of "F" or three consecutive grades of "D"
pursuant to s. 1008.34. The State Board of Education shall
develop strategies to address critical teacher shortage areas.
Section 13. Subsection (3) is added to section 1012.22,
Florida Statutes, to read:
1012.22 Public school personnel; powers and duties of the
district school board.—The district school board shall:
(3)(a) Collective bargaining.—Notwithstanding provisions
of chapter 447 related to district school board collective
bargaining, collective bargaining may not preclude a district
school board from carrying out its constitutional and statutory

Page 14 of 40

351	duties	related	to	the	following:

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- 1. Providing incentives to highly effective teachers.
- 2. Implementing intervention and support strategies under s. 1008.33 to address the causes of low student performance and improve student academic performance and attendance.
- 3. Implementing student discipline provisions required by law, including a review of a student's abilities, past performance, behavior, and needs.
 - 4. Implementing school safety plans and requirements.
 - 5. Implementing staff and student recognition programs.
- 6. Distributing correspondence to parents, teachers, and community members related to the daily operation of schools and the district.
- 7. Providing any required notice or copies of information related to the district school board or district operations which is readily available on the school district's website.
 - 8. The school district's calendar.
- (b) Appearances before the board.—If a district school superintendent appears before the state board to provide an update under s. 1011.62(14)(e), the state board must require that the president of the collective bargaining unit that represents the school district also must appear.
- Section 14. Subsection (2) of section 1012.555, Florida Statutes, is amended to read:
 - 1012.555 Teacher Apprenticeship Program.-

Page 15 of 40

90672

(2)(a) An individual must meet the following minimum eligibility requirements to participate in the apprenticeship program:

- 1. Have received an associate degree from an accredited postsecondary institution.
- 2. Have earned a cumulative grade point average of $2.5 \ 3.0$ in that degree program.
- 3. Have successfully passed a background screening as provided in s. 1012.32.
- 4. Have received a temporary apprenticeship certificate as provided in s. 1012.56(7)(d).
- (b) As a condition of participating in the program, an apprentice teacher must commit to spending <u>at least</u> the first 2 years in the classroom of a mentor teacher using team teaching strategies identified in s. 1003.03(5)(b) and fulfilling the onthe-job training component of the registered apprenticeship and its associated standards.
 - (c) An apprentice teacher must do both of the following:
- 1. Complete <u>at least</u> 2 years in an apprenticeship before being eligible to apply for a professional certificate established in s. 1012.56(7)(a). Completion of the Teacher Apprenticeship Program does not exempt an apprentice teacher from the requirements of s. 1012.56(2)(c).
 - 2. Receive related instruction as provided in s. 446.051.
 - (d) An apprentice teacher must be appointed by the

Page 16 of 40

90672

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district school board as an education paraprofessional and must be paid in accordance with s. 446.032 and rules adopted by the State Board of Education.

(e) An apprentice teacher may change schools or districts after the first year of his or her apprenticeship if the hiring school or district has agreed to fund the remaining year of the apprenticeship.

Section 15. Section 1012.575, Florida Statutes, is amended to read:

1012.575 Alternative preparation programs for certified teachers to add additional coverage.—A district school board, or an organization of private schools, or a consortium of charter schools with an approved professional learning system as described in s. 1012.98(7), or the Florida Institute for Charter School Innovation may design alternative teacher preparation programs to enable persons already certificated to add an additional coverage to their certificates. Each alternative teacher preparation program shall be reviewed and approved by the Department of Education to ensure assure that persons who complete the program are competent in the necessary areas of subject matter specialization. Two or more school districts may jointly participate in an alternative preparation program for teachers.

Section 16. <u>Section 1012.72</u>, <u>Florida Statutes</u>, is repealed.

Page 17 of 40

Section	17.	Section	1012.86,	Florida	Statutes,	is
repealed.						

Section 18. Paragraph (b) of subsection (5) and subsection (7) of section 1012.98, Florida Statutes, are amended to read:

1012.98 School Community Professional Learning Act.—

- (5) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:
- (b) Each school district shall develop a professional learning system as specified in subsection (4). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional learning system must:
- 1. Be reviewed and approved by the department for compliance with s. 1003.42(3) and this section. Effective March 1, 2024, the department shall establish a calendar for the review and approval of all professional learning systems. A professional learning system must be reviewed and approved every 5 years. Any substantial revisions to the system must shall be submitted to the department for review and approval. The department shall establish a format for the review and approval of a professional learning system.

Page 18 of 40

2. Be based on analyses of student achievement data and
instructional strategies and methods that support rigorous,
relevant, and challenging curricula for all students. Schools
and districts, in developing and refining the professional
learning system, shall also review and monitor school discipline
data; school environment surveys; assessments of parental
satisfaction; performance appraisal data of teachers, managers,
and administrative personnel; and other performance indicators
to identify school and student needs that can be met by improved
professional performance.

- 3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional and school administrative personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.
- 4. Provide inservice activities and support targeted to the individual needs of new teachers participating in the professional learning certification and education competency program under s. 1012.56(8)(a).

Page 19 of 40

Include a professional learning catalog for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The catalog must shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice catalog must be aligned to and support the school-based inservice catalog and school improvement plans pursuant to s. 1001.42(18). Each district inservice catalog must provide a description of the training that middle grades instructional personnel and school administrators receive on the district's code of student conduct adopted pursuant to s. 1006.07; integrated digital instruction and competency-based instruction and CAPE Digital Tool certificates and CAPE industry certifications; classroom management; student behavior and interaction; extended learning opportunities for students; and instructional leadership. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards shall must submit verification of their approval to the Commissioner of Education no later than October 1, annually. Each school principal may establish and maintain an individual professional learning plan

Page 20 of 40

90672

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for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). An individual professional learning plan must be related to specific performance data for the students to whom the teacher is assigned, define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity, and include an evaluation component that determines the effectiveness of the professional learning plan.

- 6. Include inservice activities for school administrative personnel, aligned to the state's educational leadership standards, which that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.
- 7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional learning programs.
- 8. Provide for delivery of professional learning by distance learning and other technology-based delivery systems to reach more educators at lower costs.
- 9. Provide for the continuous evaluation of the quality and effectiveness of professional learning programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and

Page 21 of 40

526 their students' achievement and behavior.

- 10. For all grades, emphasize:
- a. Interdisciplinary planning, collaboration, and instruction.
- b. Alignment of curriculum and instructional materials to the state academic standards adopted pursuant to s. 1003.41.
- c. Use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.

Each school that includes any of grades 6, 7, or 8 <u>shall</u> <u>must</u> include in its school improvement plan, required under s.

1001.42(18), a description of the specific strategies used by the school to implement each item listed in this subparagraph.

11. Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic

Page 22 of 40

awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies. Such training for teaching foundational skills must shall be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies included in the training may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Such instructional strategies may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading. Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements of s. 1012.585(3)(f).

(7) An organization of private schools or <u>a</u> consortium of charter schools <u>that has at least</u> which has no fewer than 10 member schools in this state, <u>that</u> which publishes and files with the Department of Education copies of its standards, and the member schools of which comply with the provisions of part II of chapter 1003, relating to compulsory school attendance; repreparation program approved pursuant to s. 1004.04; or the

Page 23 of 40

90672

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Florida Institute for Charter School Innovation, may also develop a professional learning system that includes a professional learning catalog for inservice activities. The system and inservice catalog must be submitted to the commissioner for approval pursuant to state board rules.

Section 19. Section 1013.15, Florida Statutes, is amended to read:

1013.15 Lease, rental, and lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites.—

A board may lease any land, facilities, or educational plants owned by it to any person or entity for such term, for such rent, and upon such terms and conditions as the board determines to be in its best interests; any such lease may provide for the optional or binding purchase of the land, facilities, or educational plants by the lessee upon such terms and conditions as the board determines are in its best interests. A determination that any such land, facility, or educational plant so leased is unnecessary for educational purposes is not a prerequisite to the leasing or lease-purchase of such land, facility, or educational plant. Before Prior to entering into or executing any such lease, a board shall consider approval of the lease or lease-purchase agreement at a public meeting, at which a copy of the proposed agreement in its final form shall be available for inspection and review by the public, after due notice as required by law.

Page 24 of 40

90672

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(2)(a) A district school board may rent or lease
educational plants, ancillary plants, and auxiliary facilities
and sites as defined in s. 1013.01. Educational plants,
ancillary plants, and auxiliary facilities and sites rented or
leased for 1 year or less shall be funded through the operations
budget or funds derived from millage proceeds pursuant to s.
1011.71(2). A lease contract for 1 year or less, when extended
or renewed beyond a year, becomes a multiple-year lease.
Operational funds or funds derived from millage proceeds
pursuant to s. 1011.71(2) may be authorized to be expended for
multiple-year leases. All leased <u>educational plants</u> , ancillary
plants, and auxiliary facilities and sites must be inspected
before prior to occupancy by the authority having jurisdiction.

- 1. All newly leased spaces must be inspected and brought into compliance with the Florida Building Code pursuant to chapter 553 and the life safety codes pursuant to chapter 633, before prior to occupancy, using the board's operations budget or funds derived from millage proceeds pursuant to s. 1011.71(2).
- 2. Plans for renovation or remodeling of leased space shall conform to the Florida Building Code and the Florida Fire Prevention Code for educational occupancies or other occupancies, as appropriate and as required in chapters 553 and 633, before prior to occupancy.
 - 3. All leased facilities must be inspected annually for

Page 25 of 40

firesafety deficiencies in accordance with the applicable code and have corrections made in accordance with s. 1013.12. Operational funds or funds derived from millage proceeds pursuant to s. 1011.71(2) may be used to correct deficiencies in leased space.

- 4. When the board declares that a public emergency exists, it may take up to 30 days to bring the leased facility into compliance with the requirements of State Board of Education rules.
- (b) A board is authorized to lease-purchase educational plants, ancillary plants, and auxiliary facilities and sites as defined in s. 1013.01, and a district school board is authorized to lease-purchase educational plants, ancillary plants, and auxiliary facilities and sites. The lease-purchase of educational plants, ancillary plants, and auxiliary facilities and sites must, where applicable, comply with shall be as required by s. 1013.37, subject to the authorization in s. 1013.385 to exempt certain facilities from the requirements of that section; must shall be advertised for and receive competitive proposals and be awarded to the best proposer; and must shall be funded using current or other funds specifically authorized by law to be used for such purpose.
- 1. A district school board, by itself, or through a direct-support organization formed pursuant to s. 1001.453 or nonprofit educational organization or a consortium of district

Page 26 of 40

- 2. All activities and information, including lists of individual participants, associated with agreements made pursuant to this section shall be subject to the provisions of chapter 119 and s. 286.011.
- (c)1. The term of any lease-purchase agreement, including the initial term and any subsequent renewals, shall not exceed the useful life of the educational facilities and sites for which the agreement is made, or 30 years, whichever is less.
- 2. The initial term or any renewal term of any leasepurchase agreement shall expire on June 30 of each fiscal year,
 but may be automatically renewed annually, subject to a board
 making sufficient annual appropriations therefor. Under no
 circumstances shall the failure of a board to renew a leasepurchase agreement constitute a default or require payment of
 any penalty or in any way limit the right of a board to purchase
 or utilize educational plants, ancillary plants, and auxiliary

Page 27 of 40

plants, ancillary plants, and auxiliary facilities and sites that are the subject of the said lease-purchase agreement.

Educational plants, ancillary plants, and auxiliary facilities and sites being acquired pursuant to a lease-purchase agreement shall be exempt from ad valorem taxation.

- 3. No lease-purchase agreement entered into pursuant to this subsection shall constitute a debt, liability, or obligation of the state or a board or shall be a pledge of the faith and credit of the state or a board.
- 4. Any lease-purchase agreement entered into pursuant to this subsection shall stipulate an annual rate which may consist of a principal component and an interest component, provided that the maximum interest rate of any interest component payable under any such lease-purchase agreement, or any participation or certificated portion thereof, shall be calculated in accordance with and be governed by the provisions of s. 215.84.
- (3) Lease or lease-purchase agreements entered into by university boards of trustees shall comply with the provisions of ss. 1013.171 and 1010.62.
- (4)(a) A board may rent or lease existing buildings, or space within existing buildings, originally constructed or used for purposes other than education, for conversion to use as educational facilities. Such buildings rented or leased for 1 year or less shall be funded through the operations budget or

Page 28 of 40

funds derived from millage pursuant to s. 1011.71(2). A rental agreement or lease contract for 1 year or less, when extended or renewed beyond a year, becomes a multiple-year rental or lease. Operational funds or funds derived from millage proceeds pursuant to s. 1011.71(2) may be authorized to be expended for multiple-year rentals or leases. Notwithstanding any other provisions of this section, if a building was constructed in conformance with all applicable building and life safety codes, it shall be deemed to meet the requirements for use and occupancy as an educational facility subject only to the provisions of this subsection.

- (b) <u>Before</u> Prior to occupying a rented or a leased existing building, or space within an existing building, pursuant to this subsection, a school board shall, in a public meeting, adopt a resolution certifying that the following circumstances apply to the building proposed for occupancy:
- 1. Growth among the school-age population in the school district has created a need for new educational facilities in a neighborhood where there is little or no vacant land.
- 2. There exists a supply of vacant space in existing buildings that meet state minimum building and life safety codes.
- 3. Acquisition and conversion to use as educational facilities of an existing building or buildings is a cost-saving means of providing the needed classroom space as determined by

Page 29 of 40

the difference between the cost of new construction, including land acquisition and preparation and, if applicable, demolition of existing structures, and the cost of acquisition through rental or lease and conversion of an existing building or buildings.

- 4. The building has been examined for suitability, safety, and conformance with state minimum building and life safety codes. The building examination shall consist, at a minimum, of a review of existing documents, building site reconnaissance, and analysis of the building conducted by, or under the responsible charge of, a licensed structural engineer.
- 5. A certificate of evaluation has been issued by an appropriately licensed design professional which states that, based on available documents, building site reconnaissance, current knowledge, and design judgment in the professional's opinion, the building meets the requirements of state minimum building and life safety codes, provides safe egress of occupants from the building, provides adequate firesafety, and does not pose a substantial threat to life to persons who would occupy the building for classroom use.
- 6. The plans for conversion of the building were prepared by an appropriate design professional licensed in this state and the work of conversion was performed by contractors licensed in this state.
 - 7. The conversion of the building was observed by an

Page 30 of 40

751 appropriate design professional licensed in this state.

- 8. The building has been reviewed, inspected, and granted a certificate of occupancy by the local building department.
- 9. All ceilings, light fixtures, ducts, and registers within the area to be occupied for classroom purposes were constructed or have been reconstructed to meet state minimum requirements.
- Section 20. Subsection (1) of section 1013.16, Florida Statutes, is amended to read:
- 1013.16 Construction of facilities on leased property; conditions.—
- (1) A board may construct or place educational facilities and ancillary facilities on land that is owned by any person after the board has acquired from the owner of the land a long-term lease for the use of this land for a period of not less than 40 years or the life expectancy of the permanent facilities constructed thereon, whichever is longer.
- Section 21. Subsection (1) of section 1013.20, Florida Statutes, is amended to read:
- 1013.20 Standards for relocatables used as classroom space; inspections.—
- (1) The State Board of Education shall adopt rules establishing standards for relocatables intended for long-term use as classroom space at a public elementary school, middle school, or high school. "Long-term use" means the use of

Page 31 of 40

relocatables at the same educational plant for a period of 4 years or more. Each relocatable acquired by a district school board after the effective date of the rules and intended for long-term use must comply with the standards. District school boards shall submit a plan for the use of existing relocatables within the 5-year work program to be reviewed and approved by the commissioner by January 1, 2003. A progress report shall be provided by the commissioner to the Speaker of the House of Representatives and the President of the Senate each January thereafter. Relocatables that fail to meet the standards after completion of the approved plan may not be used as classrooms. The standards shall protect the health, safety, and welfare of occupants by requiring compliance with the Florida Building Code or the State Requirements for Educational Facilities for existing relocatables, as applicable, to ensure the safety and stability of construction and onsite installation; fire and moisture protection; air quality and ventilation; appropriate wind resistance; and compliance with the requirements of the Americans with Disabilities Act of 1990. If appropriate and where relocatables are not scheduled for replacement, the standards must also require relocatables to provide access to the same technologies available to similar classrooms within the main school facility and, if appropriate, and where relocatables are not scheduled for replacement, to be accessible by adequate covered walkways. A relocatable that is subject to this section

Page 32 of 40

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801 and does not meet the standards shall not be reported as 802 providing satisfactory student stations in the Florida Inventory 803 of School Houses. 804 Section 22. Section 1013.21, Florida Statutes, is 805 repealed. 806 Section 23. Section 1013.385, Florida Statutes, is amended 807 to read: 808 1013.385 School district construction flexibility.-809 (1) A district school board may, with a majority vote at a 810 public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one or more of the exceptions to the 811 812 educational facilities construction requirements to provide a 813 school with provided in this section. 814 (2) A resolution adopted under this section may propose 815 implementation of exceptions to requirements of the uniform 816 statewide building code for the planning and construction of 817 public educational and ancillary plants adopted pursuant to ss. 818 553.73 and 1013.37 relating to: 819 Interior non-load-bearing walls, by of fire-rated wood stud walls in new construction or remodeling 820

(b) Walkways, roadways, driveways, and parking areas, by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.

for interior non-load-bearing wall assemblies that will not be

Page 33 of 40

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CODING: Words stricken are deletions; words underlined are additions.

exposed to water or located in wet areas.

(c) Standards for relocatables used as classroom space, as specified in s. 1013.20, by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.

(d) Site lighting, by approving construction specifications regarding site lighting that:

1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.

2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.

3. Allow lighting for building entrances and exits to be

installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than 1 foot-candle.

(e) Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to s. 1002.33(18). When a hurricane evacuation shelter deficit, as determined by the Division of Emergency Management, in the regional planning council region in which the county is located makes public shelter design criteria

Page 34 of 40

applicable, any exceptions to the public shelter design criteria
remain subject to the concurrence of the applicable local
emergency management agency or the Division of Emergency
Management. A district school board may not be required to build
more emergency-shelter space than identified as needed in the
statewide emergency shelter plan so long as the regional
planning council determines that there is sufficient shelter
capacity within the school district as documented in the
Statewide Emergency Shelter Plan.
Section 24. Section 1013.48, Florida Statutes, is amended
to read:
1013.48 Changes in construction requirements after award
of contract.—The board may, at its option and by written policy
duly adopted and entered in its official minutes, authorize the
superintendent or president or other designated individual to
approve change orders in the name of the board for
preestablished amounts. Approvals $\underline{\text{must}}$ $\underline{\text{shall}}$ be for the purpose
of expediting the work in progress and $\underline{\text{must}}$ $\underline{\text{shall}}$ be reported to
the board and entered in its official minutes. For
accountability, the school district shall monitor and report the
impact of change orders on its district educational facilities
plan pursuant to s. 1013.35.
Section 25. Subsection (19) of section 1001.64, Florida
Statutes, is amended to read:
1001.64 Florida College System institution boards of

Page 35 of 40

trustees; powers and duties. -

(19) Each board of trustees shall appoint, suspend, or remove the president of the Florida College System institution. The board of trustees may appoint a search committee. The board of trustees shall conduct annual evaluations of the president in accordance with rules of the State Board of Education and submit such evaluations to the State Board of Education for review. The evaluation must address the achievement of the performance goals established by the accountability process implemented pursuant to s. 1008.45 and the performance of the president in achieving the annual and long-term goals and objectives established in the Florida College System institution's employment accountability program implemented pursuant to s. 1012.86.

Section 26. Subsection (22) of section 1001.65, Florida Statutes, is amended to read:

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

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

Page 36 of 40

Section 27. Paragraph (i) of subsection (2) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

- (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically high-performing school district shall comply with all of the provisions in chapters 1000-1013, and rules of the State Board of Education which implement these provisions, pertaining to the following:
- (i) Those statutes pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for portables, <u>is</u> and s. 1013.21, relating to the use of relocatable facilities that exceed 20 years of age, are eligible for exemption.

Section 28. Paragraph (b) of subsection (3) of section 1011.6202, Florida Statutes, is amended to read:

1011.6202 Principal Autonomy Program Initiative.—The Principal Autonomy Program Initiative is created within the Department of Education. The purpose of the program is to provide a highly effective principal of a participating school

Page 37 of 40

with increased autonomy and authority to operate his or her school, as well as other schools, in a way that produces significant improvements in student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with the district school board for participation in the program.

- (3) EXEMPTION FROM LAWS.-
- (b) A participating school or a school operated by a principal pursuant to subsection (5) shall comply with the provisions of chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:
- 1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.
- 2. Those laws relating to the student assessment program and school grading system, including chapter 1008.
- 3. Those laws relating to the provision of services to students with disabilities.
- 4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.
- 5. Those laws relating to student health, safety, and welfare.

Page 38 of 40

951 6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.

- 7. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level for a participating school.
- 8. Sections 1012.22(1)(c) and 1012.27(2), relating to compensation and salary schedules.
- 9. Section 1012.33(5), relating to workforce reductions for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.
- 10. Section 1012.335, relating to annual contracts for instructional personnel hired on or after July 1, 2011. This subparagraph does not apply to at-will employees.
- 11. Section 1012.34, relating to personnel evaluation procedures and criteria.
- 12. Those laws pertaining to educational facilities, including chapter 1013, except that s. 1013.20, relating to covered walkways for relocatables, is and s. 1013.21, relating to the use of relocatable facilities exceeding 20 years of age, are eligible for exemption.
- 13. Those laws pertaining to participating school districts, including this section and ss. 1011.69(2) and 1012.28(8).
- Section 29. Paragraph (b) of subsection (1) of section 975 1013.35, Florida Statutes, is amended to read:

Page 39 of 40

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

- (1) DEFINITIONS.—As used in this section, the term:
- (b) "District facilities work program" means the 5-year listing of capital outlay projects adopted by the district school board as provided in subparagraph (2)(a)2. and paragraph (2)(b) as part of the district educational facilities plan, which is required in order to:
- 1. Properly maintain the educational plant and ancillary facilities of the district.
- 2. Provide an adequate number of satisfactory student stations for the projected student enrollment of the district in K-12 programs in accordance with the goal in s. 1013.21.
- Section 30. This act shall take effect July 1, 2024.

Page 40 of 40

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