

Committee on Education

CS/CS/HB 3 — Home Book Delivery for Elementary Students

by Education and Employment Committee; PreK-12 Appropriations Subcommittee; and Rep. Trabulsy and others

The bill establishes the New Worlds Reading Initiative to improve literacy skills and instill a love of reading by providing high-quality free books to students in kindergarten through grade 5 who are reading below grade level. The bill provides for tax credit contributions to the initiative. Specifically, the bill requires:

- The Department of Education (DOE) to:
 - o Designate a state-level administrator with an academic innovation institution that has extensive specified early literacy experience, to implement the initiative.
 - o On the DOE website, publish information about the initiative, and, annually starting September 30, 2022, report on participating student achievement and learning gains.
- The state-level administrator to:
 - o Develop, in consultation with Just Read, Florida!, a diverse selection of high quality books for each grade level.
 - o Distribute books through the mail at no cost to students either directly or through an agreement with a book distribution company.
 - o Assist school districts and any partnering nonprofit organizations with developing public awareness of the initiative.
 - o Maintain a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to improve literacy and provide books to children.
 - o Develop training materials for parents of students in the initiative.
 - o Submit an annual financial report to the DOE which includes the number of students and households served.
 - o Expend eligible contributions received only for the purchase and delivery of books, and an administrative fee not to exceed two percent of total eligible contributions.
- School districts to:
 - o Notify the parent of a student with a substantial reading deficiency or who scored below a level 3 on the statewide English Language Arts Assessment that the student is eligible to receive books at no cost through the New Worlds Reading Initiative.
 - o Coordinate with the administrator to initiate monthly book delivery during the school year, beginning no later than December 31 during the 2021-2022 school year, and no later than October in subsequent years. A student remains in the initiative until he or she is promoted to sixth grade or his or her parent opts out, whichever is earlier.
 - o Partner with local nonprofit organizations to raise awareness of the initiative, including information on eligibility and video training modules, the student handbook, the read-at-home plan provided to parents of students identified with a substantial reading deficiency, and local awareness events.
- The Department of Revenue to administer the tax credit provisions of the initiative.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 114-0

Committee on Education

HB 5 — Civic Education Curriculum

by Rep. Zika and others

The bill requires the Florida Department of Education (DOE) to develop or approve an integrated civic education curriculum for public school students in kindergarten through grade 12. The civic education curriculum must aid in students' development of civic responsibility and knowledge.

The bill also establishes the "Portraits in Patriotism Act," by requiring the DOE to curate oral history resources which integrates into the civics education curriculum personal stories of diverse individuals who demonstrate civic-minded qualities, including first-person accounts of victims of other nations' governing philosophies who can compare those philosophies with the philosophies of the United States.

The bill specifies that the United States Government course that is required to earn a standard high school diploma must include a comparative discussion of political ideologies that conflict with the principles of freedom and democracy in the nation's founding principles.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 115-0

Committee on Education

CS/CS/SB 52 — Postsecondary Education

by Appropriations Committee; Education Committee; and Senators Rodrigues and Baxley

Fee Exemptions

The bill clarifies that a specified postsecondary institution fee exemption applies to a student currently in Department of Children and Families (DCF) or relative or nonrelative custody, under a court guardianship, or adopted from DCF, or who was at the time the student turned 18 years of age.

Dual Enrollment Scholarship Program

The bill establishes the Dual Enrollment Scholarship Program, administered by the Department of Education, to support postsecondary institutions in providing dual enrollment. The bill requires the program:

- Beginning the 2021 fall term, to reimburse eligible postsecondary institutions for tuition and related instructional materials costs for dual enrollment courses taken by private school or home education program secondary students during the fall or spring terms.
- Beginning the 2022 summer term, to reimburse institutions for tuition and related instructional materials costs for dual enrollment courses taken by public school, private school, or home education program secondary students during the summer term.

The bill specifies reimbursement rates for Florida College System (FCS) institutions, state universities, and independent postsecondary institutions, as well as reimbursements for instructional materials costs.

Early College Program

The bill renames the collegiate high school program as the early college program, and defines the program to mean a structured high school acceleration program in which a cohort of students is enrolled full time in postsecondary courses toward an associate degree. The bill requires early college programs to prioritize courses applicable as general education core courses for an associate degree or a baccalaureate degree.

The bill authorizes a charter school to execute a contract directly with the local FCS institution or another authorized institution to establish an early college program.

Bonuses for State University System Employees

The bill authorizes a university board of trustees to implement a bonus scheme based on awards for work performance or employee recruitment and retention. The bill requires the board of trustees to submit to the Board of Governors (BOG) the bonus scheme, including specified criteria, and requires BOG to approve any bonus scheme so created before its implementation.

School Community Professional Development Act

The bill authorizes a public or private college or university with an approved teacher preparation program to develop a professional development system that includes a master plan for inservice activities.

Florida Postsecondary Comprehensive Transition Program

This bill removes the specification that Florida Postsecondary Comprehensive Transition Program grant funds must be used for start-up and enhancement, and removes the institutional cap on annual grant awards.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 26-14; House 83-32

Committee on Education

CS/CS/HB 131 — Educator Conduct

by Education and Employment Committee; Secondary Education and Career Development Subcommittee; and Reps. Duggan, Buchanan, and others

The bill requires the Department of Education (DOE) to maintain a list of persons permanently disqualified from employment in a public school or a private school that participates in a state educational scholarship program (private scholarship school). Public schools and private scholarship schools are prohibited from employing a person in a position with direct contact with students if the person is included on the disqualification list. The bill also:

- Requires the disqualification list to include the identify of persons who:
 - o Have been placed on the list as directed by the Education Practices Commission.
 - o Were terminated or resigned in lieu of termination from employment as a result of sexual misconduct with a student.
 - o Have been disqualified from owning or operating a private scholarship school, if determined by the Commissioner of Education to have operated a school in a manner contrary or the health, safety, or welfare of the public.
 - o Have committed a disqualifying felony offense as specified in law.
- Requires that educational support employees be included to the same extent required for instructional personnel and school administrators in policies establishing standards of ethical conduct and procedures for investigating, reporting, and terminating personnel.
- Requires the complete investigation of complaints of misconduct by public school personnel, regardless of resignation or termination, and provides authority for the DOE to place a person on the disqualification list.
- Requires public school system employee personnel files to include affidavits of separation in instances of termination, or resignation in lieu of termination, as a result of sexual misconduct with a student. The bill requires district school superintendents to ensure the affidavits are reviewed when screening personnel for employment.
- Provides that a person on the disqualification list commits a felony of the third degree for serving or applying for employment in a public or private scholarship school.
- Provides authority for the DOE to remove a person from the disqualification list if the employer that submitted the person for inclusion on the list requests that the person be removed and submits documentation to support the request.
- Adds to the information that must be posted in a prominent place in public and private scholarship schools directions for accessing the DOE's website for more information in reporting acts of suspected child abuse, abandonment, or neglect.
- Changes the time for a law enforcement agency to notify school personnel to within 48 hours after an employee is arrested for child abuse or the sale or possession of a controlled substance, rather than after an employee is charged. The bill requires the school principal to notify parents of children who had direct contact with the employee.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 116-0

Committee on Education

SB 146 — Civic Literacy Education

by Senator Brandes

This bill requires the Commissioner of Education to develop minimum criteria for a civic literacy practicum that helps students evaluate the roles, rights, and responsibilities of United States citizens and identify effective methods of active participation in society, government, and the political system.

The bill authorizes the practicum to be incorporated into a school's curriculum for a high school United States Government course, beginning in the 2022-2023 school year. The bill requires the practicum to provide students with an opportunity to be civically engaged through:

- Participation in an unpaid internship at a governmental entity;
- A series of simulations or observations of governmental entities performing their specified core functions in relation to the public; or
- Learning about the United States naturalization process and attending a United States citizenship naturalization oath ceremony.

The bill specifies that the practicum must require a student to complete a research paper including specified components. The bill further allows hours outside of classroom instruction that a student devotes to a qualifying unpaid civic engagement activity to count toward the community service requirements for the Florida Bright Futures Scholarship Program. The bill encourages school districts to include and accept civic literacy practicum activities and hours toward requirements for academic awards, especially awards including community service.

The bill creates the Citizen Scholar Program within the University of South Florida (USF), to be headquartered at the Center for Civic Engagement at USF St. Petersburg. The bill authorizes, subject to appropriation, USF St. Petersburg to contract with the YMCA to provide students participating in the YMCA Youth and Government program the opportunity to be designated Citizen Scholars and earn undergraduate credit.

The bill requires the Citizen Scholar Program to:

- Combine academic instruction with the implementation of concepts learned in the classroom into the local community to improve civic literacy.
- Provide students with opportunities to deepen their knowledge of American democracy and improve civil discourse.

The bill authorizes high school students completing the program to receive up to 6 undergraduate credit hours and be known as Citizen Scholars.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 114-0

Committee on Education

CS/HB 149 — Students with Disabilities in Public Schools

by Early Learning and Elementary Education Subcommittee and Reps. DuBose, Plasencia, and others

The bill revises the circumstances and procedures required for restraining students with a disability in public schools and prohibits the use of seclusion. The bill also provides enhanced mechanisms for monitoring specified classrooms. Specifically, the bill requires:

- School districts to:
 - o Adopt positive behavior interventions, supports, and restraint procedures and training, and identify all school personnel authorized to use the interventions, supports, and restraint.
 - o Provide annual training to all school personnel authorized to use positive behavior interventions and supports.
- Restraints to be used only as a last resort, after all available positive behavior interventions and supports have been exhausted, to avoid imminent risk of serious physical injury, and without obstructing or restricting breathing or blood flow, and without placing the student in a facedown position with the student's hands restrained behind the student's back.
- The development of a crisis intervention plan for a student who has been restrained twice during a semester.
- The Commissioner of Education to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or in-service training requirements for instructional personnel.

The bill creates the Video Cameras in Public School Classrooms Pilot Program, beginning in the 2021-2022 school year, which requires:

- Schools within the Broward County School District to install a video camera, upon the request of a parent, in self-contained classrooms where students with a disability are enrolled and specifies the circumstances under which the video recording may be viewed.
- The Department of Education (DOE) to collect information relating to the installation and maintenance of video cameras in self-contained classrooms as part of the pilot program.
- Data maintained by the DOE on the use of restraint to be updated monthly and made available to the public through the DOE's website by October 1, 2021.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 118-0

Committee on Education

CS/HB 157 — First Aid Training in Public Schools

by Secondary Education and Career Development Subcommittee and Reps. Hawkins, Busatta
Cabrera and others

The bill requires school districts to provide basic training in first aid, including cardiopulmonary resuscitation (CPR) instruction, for public school students in grades 9 and 11. The bill encourages school districts to provide basic first aid training, including CPR instruction, to students in grades 6 and 8.

The bill provides that the CPR training must be based on a one-hour nationally recognized program that uses the most current evidence-based emergency cardiovascular care guidelines.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 114-0

Committee on Education

CS/CS/HB 173 — Individual Education Plan Requirements for Students with Disabilities

by Education and Employment Committee; Secondary Education and Career Development Subcommittee; and Rep. Tant and others

The bill modifies communication and timeline provisions to facilitate quality planning for a successful transition of a student with a disability to postsecondary education and career opportunities. Specifically, the bill requires:

- An Individual Education Plan (IEP) team to start the transition process during the student's seventh grade year or when the student attains the age of 12, whichever occurs first.
- An IEP team to have an operational plan in place that is implemented on the first day of the student's first year in high school or when he or she attains the age of 14, whichever occurs first.
- School districts to provide to a student with a disability and his or her parent the following information on:
 - o The school district's high school-level transition services, career and technical education, and collegiate programs available to such students, and how to access such programs.
 - o School-based transition programs and programs and services available through Florida's Center for Student's with Unique Abilities, the Florida Centers for Independent Living, the Division of Vocational Rehabilitation, the Agency for Persons with Disabilities, and the Division of Blind Services.
- A statement of the student's intent to pursue a standard high school diploma must document discussion of the process of deferment of a standard high school diploma and a signed statement of the student's intention to defer the high school diploma, if applicable.
- The Florida Department of Education (FDOE) to conduct a review, in conjunction with the Project 10: Transition Education Network, of existing transition services and programs to establish uniform best practices for such programs to deliver appropriate employment, pre-employment, and independent living skills education to enrolled students. The FDOE must establish and publish on its website uniform best practices by July 1, 2022.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 39-0; House 118-0

Committee on Education

CS/CS/HB 233 — Postsecondary Education

by Education and Employment Committee; Postsecondary Education and Lifelong Learning Subcommittee; and Rep. Roach and others

The bill adds requirements designed to protect the expression of diverse viewpoints at Florida College System (FCS) institutions and state universities. The bill:

- Requires each FCS institution and state university to annually assess the intellectual freedom and viewpoint diversity at that institution using a survey adopted by the State Board of Education (SBE) or the Board of Governors of the State University System (BOG), as applicable. The SBE and the BOG must publish the results by September 1, 2022, and each September 1 thereafter.
- Prohibits the SBE and the BOG, and FCS institutions and state universities, from shielding students, faculty, or staff from protected free speech.
- Includes in the definition of protected expressive activities faculty research, lectures, writings, and commentary, whether published or unpublished. The bill clarifies that expressive activities do not include defamatory speech.
- Authorizes a student to record video or audio of class lectures for personal educational use, in connection with a complaint to the public institution of higher education where the recording was made, or as evidence in, or in preparation for, a criminal or civil proceeding.
- Modifies the cause of action for violations of student expressive rights to authorize a cause of action for persons injured by violations of specified rights to free speech activities, and adds a cause of action for violations related to the recording and publication of classroom lectures.

The bill requires that state university student government associations provide elected or appointed officers a direct appeal to a senior university administrator of any discipline, suspension, or removal from office. In addition, the bill requires all FCS institutions and state universities to adopt student codes of conduct that meet a set of minimum due process protections for students and student organizations.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 23-15; House 77-42

Committee on Education

CS/HB 311 — Pub. Rec./Assessment Instruments

by Post-Secondary Education and Lifelong Learning Subcommittee and Rep. Silvers

The bill expands the scope of the existing public records exemption that covers examination and assessment instruments relating to statewide, standardized assessments and student progression. The bill makes confidential and exempt from public access:

- The statewide kindergarten screening assessment.
- The assessment of learning gains for students in a Department of Juvenile Justice education program.
- Assessments for the identification of limited English proficient students.
- The civic literacy assessment administered by Florida College System (FCS) institutions and state universities.
- Teacher certification assessments.
- The Preliminary SAT/National Merit Scholar Qualifying Test and the PreACT assessments administered under the Florida Partnership for Minority and Underrepresented Student Achievement.

The bill creates a new public records exemption that covers all examinations and assessments, including related developmental materials and workpapers, which are prepared, prescribed, or administered by an FCS institution, a state university, or the Florida Department of Education. The bill provides that the State Board of Education and the Board of Governors of the State University System are responsible for implementing rules or regulations governing access, maintenance, and destruction of the assessments and related records.

The bill provides a statement of public necessity as required by the Florida Constitution. The bill makes legislative findings that the exemptions are necessary in order to maintain the security of proprietary information included in assessment instruments, prevent academic dishonesty, and ensure the validity of the results derived from the administration of examinations and assessments.

The bill provides that the public records exemptions are subject to the Open Government Sunset Review Act and are repealed on October 2, 2026, unless reenacted by the Legislature.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 118-0

Committee on Education

CS/CS/SB 366 — Educational Opportunities Leading to Employment

by Appropriations Committee; Education Committee; and Senators Hutson, Brodeur, and Diaz

The bill enhances work-based learning opportunities for students. The bill provides:

- That a student 18 years of age or younger who is in a paid work-based learning opportunity must be covered by the workers' compensation insurance of his or her employer.
- That a student 18 years of age or younger who is providing unpaid services under a work-based learning opportunity provided by a school district or Florida College System (FCS) institution is considered to be employed by the school district or FCS institution.
- Authority for the Department of Education (DOE) to reimburse employers, including school districts and FCS institutions, for the proportionate cost of workers' compensation insurance premiums for students in work-based learning opportunities in accordance with DOE rules, and appropriates \$2 million to the DOE for this purpose.

The bill requires the development of pathways to college credit programs. Specifically, the bill

- Requires the State Board of Education to develop, by January 31, 2022, alternative methods for assessing communication and computation skills. FCS institutions and dual enrollment programs may use a common placement test or the developed alternative methods for admissions and program eligibility.
- Requires a representative committee of public postsecondary institutions to identify three mathematics pathways aligned to programs, meta-majors, and careers.

The bill authorizes an institution to participate in the Florida Postsecondary Student Assistance Grant (FSAG) Postsecondary program if the institution is an aviation maintenance school in Florida, is certified by the Federal Aviation Administration, and is licensed by the Commission for Independent Education.

The bill renames the Florida Ready to Work Certification Program as the Florida Ready to Work Credential Program (Credential Program) and revises the purpose of the program to enhance the employability skills of Floridians and to better prepare them for successful employment.

Specifically, the bill removes the award of scaled-level credentials and requires:

- The Department of Economic Opportunity (DEO) and the DOE to conduct a comprehensive identification of employability skills currently in demand by employers.
- An employability credential to be awarded to a Credential Program participant who successfully passes assessments which measure the employability skills identified by DEO and DOE.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 39-0; House 116-0

Committee on Education

CS/CS/HB 419 — Early Learning and Early Grade Success

by Education and Employment Committee; PreK-12 Appropriations Subcommittee; and Reps. Grall, Aloupis, and others

The bill (Chapter 2021-10, L.O.F.) modifies the administration of the Voluntary Prekindergarten Education (VPK) Program and the school readiness program and reorganizes the regulatory structure of the Office of Early Learning to consolidate authority and oversight within the State Board of Education (SBE). The bill places early learning coalitions (ELCs) under the authority of the SBE and the Commissioner of Education. The bill also transfers the Gold Seal Quality Care program to the Department of Education (DOE) from the Department of Children and Families, adds standards for accrediting entities, and requires procedures to verify compliance.

The bill repeals the current kindergarten readiness rate and associated assessment, and expands accountability and assessment requirements for VPK providers. The bill requires a coordinated screening and progress monitoring program (CSPM) to be administered at the beginning, middle, and end of every school year for students in VPK through grade 3 to provide information on students' progress in mastering the appropriate grade-level standards to parents, teachers, and school and program administrators. VPK students who demonstrate a substantial reading deficiency must be referred to the school district for intervention. The bill creates the Council for Early Grade Success within the DOE to oversee the CSPM and requires the new screenings and assessments to be administered by qualified individuals.

The bill also requires:

- Beginning in the 2022-2023 program year, a program assessment composite score for each VPK provider based on the results of a program assessment that measures the quality of teacher-child interactions, including emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children ages 3 to 5 years, in each VPK classroom. If a VPK provider fails to meet a minimum composite score adopted by the DOE, the provider may not participate in the VPK Program.
- A performance metric that provides a score to each VPK provider based on the results of the CSPM, including learning gains, and the program assessment, beginning in the 2022-2023 program year.
- The assignment of a performance designation for VPK providers beginning with the 2023-2024 program year. The designations must provide for a differential payment to VPK providers based on program performance.

The bill requires the DOE to adopt procedures for merging or terminating ELCs, and must adopt performance standards and outcome measures that include implementation of a customer service survey. Survey results may require ELCs to implement a correction plan.

The bill modifies the market rate schedule paid to school readiness providers to require a market rate schedule based on the prevailing market rate. The bill also authorizes early learning

coalitions to adopt an alternative payment schedule that has been approved by the federal Administration for Children and Families.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 118-0

Committee on Education

CS/CS/CS/HB 429 — Purple Star Campuses

by Education and Employment Committee; Local Administration and Veterans Affairs Subcommittee; Secondary Education and Career Development Subcommittee; and Reps. Learned, Maney and others

The bill establishes the Purple Star Campus program to support military-connected children. Specifically the bill:

- Defines a military student as a student enrolled in a school district, charter school, or a school or institution participating in a Florida educational choice scholarship program, who is a dependent of an active-duty or former member of the United States military that is the Army, Navy, Air Force, Marine Corps, or Coast Guard, a reserve component of any of these branches of the military, or the Florida National Guard.
- Requires the Department of Education (DOE) to establish the Purple Star Campus program that requires a participating school to at a minimum:
 - o Designate a staff member as a military liaison.
 - o Maintain a webpage on a school's website which includes resources for military students and families.
 - o Maintain a student-led transition program that assists military students in transitioning into the school.
 - o Offer professional development training opportunities for staff members on issues relating to military students.
 - o Reserve at least five percent of controlled open enrollment seats for military-connected students.
- Authorizes the DOE to establish additional criteria to identify schools committed to supporting military families such as:
 - o Hosting an annual military recognition event;
 - o Partnering with a school liaison officer from a military installation;
 - o Supporting projects that connect the school with the military community; and
 - o Providing outreach for military parents and their children.
- Authorizes a school to partner with a school district to procure digital, professional development, or other assistance necessary to implement the criteria of the Purple Star Campus program.

The bill also requires the State Board of Education to adopt rules to implement the Purple Star Campus program.

If approved by the Governor, these provisions take effect on July 1, 2021.

Vote: Senate 40-0; House 117-0

Committee on Education

CS/HB 519 — Required Health Education Instruction

by Secondary Education and Career Development Subcommittee; and Rep. Yarborough and others

The bill modifies required instruction for members of the instructional staff of public schools and requires that the general health education curriculum for kindergarten through grade 12 must be developmentally and age-appropriate, and include information on the prevention of child sexual abuse, exploitation, and human trafficking.

The bill also shifts health education instruction on abstinence and the consequences of teenage pregnancy from kindergarten through grade 12 to grades 6 through 12.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 117-0

Committee on Education

HB 529 — Moments of Silence in Public Schools

by Rep. Fine and others

The bill requires a moment of silence to be set aside for students during each school day. The bill directs the principal of each public school to require teachers in first-period classrooms in all grades to set aside one to two minutes daily for a moment of silence, during which students may not interfere with other students' participation.

The bill provides that a teacher:

- May not make suggestions as to the nature of any reflection that a student may engage in during the moment of silence.
- Must encourage parents to discuss the moment of silence with their children and to make suggestions as to the best use of this time.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 32-6; House 94-24

Committee on Education

CS/HB 723 — Juvenile Justice Education Programs

by Education and Employment Committee; and Rep. Massullo and others

The bill modifies how juvenile justice education programs are operated and funded. These modifications include how instructional time is defined and how funds are allocated between school districts and educational providers.

The bill updates the definition of “juvenile justice education programs or schools” to permit the calculation of the mandatory period of operation for nonresidential programs to be expressed in hours. If hours are selected as the means of calculating the period of operation, then the calculation of hours must conform to State Board of Education (SBE) rules and the SBE must review the calculation each year. The bill also permits hours, with similar SBE review requirements, to be used to calculate the optional decrease in instructional days for nonresidential programs.

The bill requires that the SBE rule governing funding of the juvenile justice education programs provide that at least 95 percent of the Florida Education Finance Program funds generated by students in those programs be spent on instructional costs. Additionally, the bill clarifies that Department of Juvenile Justice education programs are entitled to 100 percent of formula-based categorical funds generate by students in the programs.

The bill provides additional requirements for contracts between district school boards and juvenile justice education programs. Specifically, the bill requires:

- All contracts to be in writing between district school boards desiring to contract directly with juvenile justice education programs to provide academic instruction.
- New or renewal contracts to be executed and negotiated within 40 days after the district school board provides the proposal, unless both parties agree to an extension.
- District school boards to satisfy invoices issued by the juvenile justice education program within 15 working days after receipt.
- o If a district school board does not timely issue a warrant for payment, it must pay to the juvenile justice education program interest at a rate of one percent per month, calculated on a daily basis, on the unpaid balance until such time as a warrant is issued for the invoice and accrued interest amount.
- o District school boards may not delay payment to a juvenile justice education program of any portion of funds owed pending the district’s receipt of local funds.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 116-0

Committee on Education

HB 827 — School District Funding

by Rep. Hawkins and others

This bill expands the requirement that each school district allocate at least 80 percent of funds received from the Advanced International Certificate of Education (AICE) bonus FTE funding to the school program that generated the funds, to also include school programs administered by the University of Cambridge Local Examinations Syndicate that prepare prospective students to enroll in AICE courses.

The bill requires these funds to be expended solely for the payment of costs associated with:

- The application and registration process;
- Program fees and site licenses;
- Training, professional development, salaries, benefits, and bonuses for instructional personnel and program coordinators;
- Examination and diploma fees;
- Membership fees;
- Supplemental books;
- Instructional supplies, materials, and equipment; and
- Other activities that identify prospective AICE students or prepare prospective students to enroll in AICE courses.

The bill specifies that the school district is required to distribute specified bonuses to each classroom teacher who provided AICE or International General Certificate of Secondary Education (pre-AICE) instruction.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 38-0; House 118-0

Committee on Education

CS/HB 845 — Higher Education

by Post-Secondary Education and Lifelong Learning Subcommittee and Rep. Smith, D. and others

This bill reinstates the effective date of July 1, 2021, to section 3 of chapter 2020-28, Laws of Florida, to retain current law that makes sections 1006.74 and 468.453, F.S., affecting intercollegiate athlete compensation and rights, effective July 1, 2021.

The bill also prohibits state funds from being used to join or maintain membership in an association whose decisions or proposed decisions are a result of, or in response to, actions proposed or adopted by the Legislature, if such decisions or proposed decisions will result in a negative fiscal impact to the state. The bill requires the Board of Governors to notify any association if its actions or proposed actions may require public postsecondary institutions to withdraw from such association.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 29-10; House 114-2

Committee on Education

CS/HB 847 — Florida Postsecondary Academic Library Network

by Education and Employment Committee and Reps. Byrd and Silvers

This bill establishes the Florida Postsecondary Academic Library Network (Network) under the joint oversight of the Board of Governors (BOG) and the Department of Education (DOE), in place of the Florida Academic Library Services Cooperative (FALSC).

The bill generally assigns to the Network the functions of the FALSC, with modifications, which include recommending the use of low cost, no cost, or open-access textbooks and innovative pricing techniques; negotiating statewide licensing of electronic library resources; and managing a single library automation system.

The bill repeals the Complete Florida Plus Program (Complete Florida Plus) but retains in the Network purposes from Complete Florida Plus regarding access to distance learning courses and degree programs, and the provision of online academic support services. The bill also assigns to the Network functions formerly under Complete Florida Plus, with modifications, including:

- A statewide Internet-based catalog of distance learning courses, which includes courses, degree programs, and resources offered by public postsecondary institutions.
- Statewide online student advising services and support with specified functions, limited to public postsecondary institutions.

The bill assigns responsibility for determining the host entity for these specified services to the Office of the BOG and the DOE, and requires the Chancellors of the FCS and the BOG to provide oversight for successful delivery of these services. The host entity is required to:

- Develop and disseminate guidelines for the statewide Internet-based catalog of distance learning courses.
- Submit a report to the Chancellors of the FCS and the BOG, by December 31, 2021, and annually thereafter, regarding the implementation and operation of the Network. The Chancellors must provide this report to the Governor, the Legislature, the BOG, and the State Board of Education.

The bill further requires the Commissioner of Education and Chancellor of the BOG to provide, by June 1, 2022, a joint recommendation for a process by which school district career centers and charter technical career centers would access appropriate Network services.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 119-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Education

CS/CS/SB 1028 — Education

by Appropriations Committee and Senators Hutson and Diaz

The bill modifies policies related to, among others, charter schools, schools of hope, high-performing charter schools, student retention, and transgender student athletes.

Florida College System and State University Charter Schools

The bill authorizes state universities and Florida College System (FCS) institutions to solicit applications and sponsor charter schools, upon approval by the Department of Education (DOE).

The bill specifies funding for such charter schools through the Florida Education Finance Program (FEFP) similar to other charter schools, but requires the DOE to develop a tool to calculate the funding amount for each eligible charter school student.

The bill specifies that the limitation of one developmental research (laboratory) school per university does not apply to a university that establishes a lab school to serve families of a military installation within same county.

Charter School Operations

The bill provides additional requirements relating to charter school sponsors, applications, contracts, enrollment, and termination of a charter. Specifically, the bill:

- Relating to charter school sponsors:
 - o Requires the DOE to develop a sponsor evaluation framework with specified components, with results of the evaluation included the annual charter school report.
 - o Specifies a sponsor's administrative fee for an exceptional student education center.
- Relating to charter school applications:
 - o Removes the February 1 deadline for the submission of charter school applications, and specifies that the applicant determines when the charter school will open.
 - o Authorizes reasonable attorney fees related to application disputes, and establishes a financial penalty for school districts that fail to implement a court decision.
- Relating to charter school contracts:
 - o Authorizes a charter school to forgo DOE mediation and immediately appeal to an administrative law judge in a dispute regarding a charter contract.
 - o Specifies that changes to a charter school's curriculum consistent with state standards are deemed approved, unless the sponsor and the DOE determines in writing that the curriculum is inconsistent with state standards.
- Relating to charter school enrollment:
 - o Provides an enrollment preference for students who complete a VPK program at a provider with which the charter school has a written agreement

- o Expands the criteria by which a charter school may limit enrollment to include students living in a development in which a developer or charitable foundation contributes to a charter school with a specified value.
- Relating to termination of a charter, provides requirements for a sponsor to immediately terminate a charter; authorizes a sponsor to seek an injunction in circuit court to prohibit continued operation of a charter school for health, safety, or welfare of the students; and authorizes reasonable attorney fees and costs in specified circumstances.

High-Performing Charter Schools

The bill replaces the annual limit on the establishment of high-performing charter schools to specify that a high-performing charter school may have open two applications at a time. Additionally, the bill provides that a charter school may be designated as high performing if it receives funding through the National Fund of the Charter School Growth Fund, and has received no school grade lower than a “C,” during each of the previous 3 school years for the years that the school received a grade.

Schools of Hope

The bill specifies a school of hope or a nonprofit entity that operates more than one school of hope can be designated as an LEA by the DOE and authorizes the nonprofit to report its students to the DOE, rather than the school district, and:

- Specifies that a school of hope operated by a nonprofit entity designated as an LEA may comply with financial reporting requirements by submitting specified financial statements to the school district regarding all schools of hope in that district.
- Authorizes a not for profit entity designated by the DOE as an LEA to use unrestricted current and capital assets at any of its schools of hope within the same district.
- Authorizes a charter school operated as a school of hope to be eligible to receive charter school capital outlay funding

Additionally, the bill authorizes personnel at a school of hope to complete background screening requirements by filing a set of fingerprints with the school of hope, rather than the school district.

Other Charter School Provisions

The bill provides additional charter school provisions, which:

- Specify that an interlocal agreement between a school district and a governmental entity which prohibits or limits the creation of a charter school within the geographic borders of the school district is void and unenforceable.
- Authorize a charter school that is an exceptional student education center and receives two consecutive ratings of “maintaining” or higher to replicate its educational program, subject to verification by the Commissioner of Education.
- Authorize a virtual charter school to provide part-time instruction.
- Authorize career and professional academies to be offered by charter schools.

Student Retention

The bill authorizes, effective upon becoming a law, a parent or guardian to submit a written request, by June 30, 2021, that his or her K-5 public school student be retained, for academic reasons, for the 2021-2022 school year in the grade level to which the student was assigned at the beginning of the 2020-2021 school year.

The bill requires the principal to collaboratively discuss the request with the parent or guardian any basis for agreement or disagreement with the request. However, the bill specifies that the parent or guardian has the final decision whether to retain the student.

Fairness in Women's Sports Act

The bill creates the Fairness in Women's Sports Act to provide female athletes opportunities to demonstrate their skill, strength, and athletic abilities and also provide other opportunities that result from participating in athletic endeavors.

The bill requires interscholastic, intercollegiate, intramural, or club athletic teams or sports sponsored by a public secondary school or public postsecondary institution to be designated as male, female, or coed based on the biological sex at birth of team members:

The bill specifies athletic teams or sports designated for females, women, or girls may not be open to students of the male sex. A statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex if the statement was filed at or near the time of the student's birth.

Other Provisions

The bill modifies other educational provisions, which:

- Authorize high-performing school districts to provide up to two days of virtual instruction as a part of the 180 days, under specified circumstances.
- Authorize district school board special and advisory committees to meet remotely.
- Authorize that students at aviation maintenance schools that are certified by the Federal Aviation Administration (FAA) and are licensed by the Commission on Independent Education may receive Florida Student Assistance Grant (FSAG) awards.
- Require, beginning in 2022-2023 academic year, public schools to provide information on the important role water safety education courses and swimming lessons play in saving lives.

If approved by the Governor, these provisions take effect July 1, 2021, unless otherwise provided.

Vote: Senate 23-16; House 79-37

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Education

CS/HB 1159 — Education

by Education and Employment Committee and Rep. Busatta Cabrera

This bill alters approved teacher preparation programs to require that the General Knowledge Test be passed by the time of graduation instead of as a prerequisite, and accordingly, removes the option to waive admissions requirements for teacher preparation programs for up to 10 percent of admitted students.

The bill adds to the uniform core curricula for state-approved teacher preparation programs and educator preparation institutes (EPIs) the identification of and referrals regarding student mental health issues and the use of technology in education.

The bill alters educator certification requirements to allow:

- Applicants for a professional certificate to demonstrate professional competence through completion of an approved EPI, rather than by an examination.
- Nondegreed teachers of career programs to substitute specified career education training through an EPI as an alternative to career education training conducted through a school district inservice master plan.
- Documentation of receipt of a master's or higher degree from a postsecondary educational institution that meets specified criteria as a means of demonstrating mastery of general knowledge.

The bill authorizes an organization of private schools or a consortium of charter schools with an approved professional development system to design alternative preparation programs for certified teachers to add additional coverages to their certificates.

The bill expands, from principals to school and district leaders, participation in the William Cecil Golden Professional Development Program for School Leaders, and adds civic education, coaching, mental health awareness, distance learning, and school safety, among others, as goals of the network leadership program.

The bill authorizes a parent or guardian to request his or her K-5 public school student be retained at the same grade level for the 2021-2022 school year. To retain his or her student, a parent or guardian must submit, in writing, a retention request to the school principal. A principal must consider a request received on or before June 30, 2021, but may consider later requests.

The principal must discuss with the parent or guardian any disagreement with the retention request, however, the bill specifies that the parent or guardian holds the final decision whether to retain the student. In lieu of retention, the school and parent or guardian may collaborate to develop an individualized one-year education plan, and must convene an individual education plan (IEP) team, if applicable.

Finally, the bill requires the Commissioner of Education to provide each school district, by July 31 of each year, student learning growth data calculated to measure student performance on specified statewide assessments.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 114-0

Committee on Education

CS/HB 1261 — Higher Education

by Education and Employment Committee and Rep. Toledo and others

COVID-19 Liability

The bill provides liability protections for educational institutions for actions related to the COVID-19 pandemic. Specifically, the bill:

- Defines an educational institution as a preschool through secondary school, or postsecondary school, whether public or nonpublic. The Board of Governors (BOG) of the State University System and the State Board of Education (SBE) are also included within these immunity protections.
- Extends the protections to an educational institution that has taken reasonably necessary actions, such as providing online instruction or modifying services, in compliance with federal, state, or local guidance to diminish the impact or the spread of COVID-19 and provides specified immunity relating to such actions.

The bill specifies that in any action against an educational institution, the BOG, or the SBE for the reimbursement of tuition or fees, certain documents and publications of the institution are not evidence of an express or implied contract to provide in-person or on-campus education and related services or access to facilities during the COVID-19 public health emergency.

The bill specifies that to bring an action against an educational institution for compliance with a federal, state, local, BOG, or SBE order or directive to alter the mode of instruction, the burden of proof must be clear and convincing evidence for damages against the institution.

State University Career Planning and Information

The bill establishes a mechanism to connect state university undergraduate students to career information. Specifically, the bill requires:

- The BOG to create an online dashboard of data, by January 1, 2022, regarding state university graduates, which must include post-graduation salary; student loan debt; debt-to-income ratio; estimated loan payment as a percentage of income; and percentage of graduates who have continued their education.
- Each state university board of trustees to adopt procedures to connect undergraduate students to career planning, coaching, and related programs during the first academic year of the student's enrollment.

Tuition and Fee Exemptions and Waivers

The bill clarifies that a specified postsecondary education tuition and fee exemption applies to a student currently in the custody of the Department of Children and Families (DCF), in foster care, under a court guardianship, or adopted from DCF, or who was when the student turned 18 years of age.

The bill creates a fee waiver, beginning in the 2021-2022, for Florida students who enroll in one of eight Programs of Strategic Emphasis identified by the Board of Governors. A state university must waive tuition and fees for one upper-level course in that program for every upper-level course in which the student is enrolled.

- The bill also provides that students who receive the fee waiver for these courses will receive their standard award from the Bright Futures Florida Academic Scholars or Florida Medallion Scholars program.
- The waiver is available for up to 110 percent of the degree program credit hours.

The bill creates the State University Free Seat Program for Florida veterans and active duty personnel, and nontraditional students who have been out of school for five years, to enroll in an online baccalaureate program.

- Under the program a state university must waive tuition and fees for one online course. For all other courses in the online program, the state university may not charge more than 75 percent of the standard tuition rate and tuition differential fee.
- The discount is available for up to 110 percent of the program credit hours, and the program is capped at 1,000 student systemwide.

The bill creates an out-of-state fee waiver for nonresident students, starting in the 2022-2023 academic year, who:

- Have a grandparent who is a legal resident of Florida;
- Earn a high school diploma comparable to Florida's;
- Achieve an SAT score in the 89th percentile, or a score on another comparable admissions test; and
- Enroll as a full-time undergraduate student at a state university in the fall academic term immediately following high school graduation.

The waiver is available for up to 110 percent of the degree program credit hours, and is capped at 350 students systemwide.

Financial Aid Programs

The bill makes technical and substantive changes to state financial aid programs, which:

- Modifies the Benacquisto Scholarship Program to remove initial eligibility for non-resident students beginning with the 2022-2023 academic year.
- Codifies existing requirements and establishes additional responsibilities for institutions that receive state financial aid and tuition assistance funds, with penalties for noncompliance.
- Removes from the Florida Student Assistance Grant program obsolete or unused provisions.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 102-11

Committee on Education

CS/HB 7011 — Student Literacy

by Education and Employment Committee; Early Learning and Elementary Education Subcommittee; and Rep. Aloupis and others

The bill (Chapter 2021-9, L.O.F.) includes requirements to identify student deficiencies in literacy and intervene as early as prekindergarten, support students in transitioning to kindergarten, and monitor student progress.

The bill establishes a coordinated screening and progress monitoring system, beginning in the 2022-2023 school year, for students enrolled in the Voluntary Prekindergarten Education (VPK) Program and students enrolled in public schools in kindergarten through grade 8. The bill requires the results to be used to rate the performance of VPK providers instead of the statewide kindergarten screener, which is administered at the beginning of the kindergarten school year. The results are required to inform instruction and identify symptoms of dyslexia and must be provided to teachers and parents.

The bill also requires:

- Participants who enter specified teacher preparation programs and institutes in the 2022-2023 school year, for coverage areas that include reading instruction or intervention for any students in kindergarten through grade 6, to complete all of the competencies for a reading endorsement, including the practicum, prior to graduation or completion of the program. The bill also requires personnel who supervise such students to hold a certificate or endorsement in reading.
- The Department of Education (DOE) to review the competencies for the reading endorsement and provide a new pathway for teachers to achieve the reading endorsement.
- VPK instructors to initially take three emergent literacy training courses and thereafter take an emergent literacy training course every five years.
- The Just Read, Florida! Office (JRFO) to:
 - o Identify instructional materials that implement evidence-based reading practices. The bill streamlines the process by which school districts may adopt identified and approved instructional materials.
 - o Provide training to reading coaches and school administrators on evidence-based reading strategies.
 - o Work with the Office of Early Learning in the development of emergent literacy training courses, which must be consistent with evidence-based reading instructional and intervention programs.
- Early learning coalitions to adopt best-practices plans for transitioning prekindergarten students into kindergarten.
- The Reading Achievement Initiative for Scholastic Excellence (RAISE) Program established in the bill to provide literacy supports statewide through at least 20 regional literacy support teams.
- The DOE to compile resources for each school district to incorporate into read-at-home plans to provide to parents of students with a reading deficiency.

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- A tutoring program established in the bill to afford high school juniors and seniors the opportunity to satisfy community service requirements and earn a designation as a New Worlds Scholar by providing 75 verified tutoring hours to students with a substantial deficiency in reading in kindergarten through grade 3.
- A renamed “evidence-based reading instruction allocation” that provides funds for comprehensive reading instruction to also include VPK completers who are at risk of being identified as having a substantial deficiency in early literacy skills.

These provisions were approved by the Governor and take effect July 1, 2021.

Vote: Senate 40-0; House 117-0

Committee on Education

CS/HB 7017 — Foreign Influence

by State Affairs Committee; Public Integrity and Elections Committee; and Rep. Grall and others

This bill requires public disclosure of foreign gifts, scrutiny of grant applicants and vendors with certain foreign connections, and thorough scrutiny of foreign applicants for research positions and of foreign travel and activities of employees of major research institutions.

Foreign Gifts and Contracts

The bill requires any state agency or political subdivision to disclose any gift or grant with a value of \$50,000 or more from any foreign source to the Department of Financial Services (DFS) within 30 days of receipt. Further, the bill requires applicants to a state agency or political subdivision for a grant, or those that propose a contract having a value of \$100,000 or more, to disclose any current or prior contract with, or grant or gift received from a specified foreign country of concern with a value of \$50,000 or more.

The bill exempts from disclosure requirements vendors of commodities, but requires, at least once every five years, the Department of Management Services to screen specified vendors participating in a required online procurement system. The bill requires DFS to establish and maintain a website to publish the specified disclosures, and to investigate specified allegations of a violation.

The bill authorizes administrative fines for failures to make a disclosure as specified. The bill specifies penalties for an individual or entity for a third or subsequent violation.

International Cultural Agreements

The bill prohibits a state agency, political subdivision, public school, state college, or state university from participating in any agreement with, or acceptance of any grant from, a foreign country of concern or associated entity, which constrains freedom of contract, allows control by the foreign county of concern, or promotes a detrimental agenda.

Any such agreement must be shared with appropriate federal agencies prior to execution of the agreement, which is subject to prohibition if deemed to be detrimental to the safety and security of the United States. Any such entity may not accept anything of value conditioned upon participation in a specified program or endeavor.

Foreign Gift Reporting

The bill requires each institution of higher education (IHE) to semiannually report any gift or gifts received from a foreign source with a value of \$50,000 or more. An IHE must make its report to the Board of Governors or State Board of Education, as applicable.

The bill requires, beginning July 1, 2022, the applicable inspector general to randomly audit for compliance at least five percent of the total number of gifts or gift agreements received from IHEs the previous year. The bill subjects an IHE that knowingly, willfully, or negligently fails to disclose required information to a civil penalty of 105 percent of the amount of the undisclosed gift, payable from nonstate funds.

The bill provides protection and a reward of 25 percent of any penalty to a whistle-blower who reports an undisclosed foreign gift.

Screening Foreign Researchers

The bill requires each state university or specified entity with a research budget of \$10 million or more to screen applicants for research positions who are citizens of a foreign country or have a specified affiliation with a foreign country of concern, with specified exceptions. The bill requires such screening to take place prior to interviewing or offering such position.

The bill requires the president or chief administrative officer of the state university or applicable entity to designate a research integrity office to review required materials and take reasonable steps to verify information listed in applications. The bill also authorizes the applicable entity to direct the office to approve applicants for hire based on a risk-based determination.

The bill requires the research integrity office to report to the nearest Federal Bureau of Investigation field office, and to an applicable law enforcement agency and specified governing board, the identity of any applicant rejected from employment based on the specified screening.

The bill requires a specified inspector general to perform an operational audit regarding implementation by July 1, 2025.

Foreign Travel and Research Institutions

The bill requires, by January 1, 2022, each state university or specified entity with a research budget of \$10 million or more to establish an international travel approval and monitoring program, which must require preapproval and screening by a research integrity office for any employment-related foreign travel and activities engaged in by faculty, researchers, and research department staff.

Lastly, the bill requires the state university or entity to provide an annual report of foreign travel to countries of concern, with specified information, to the applicable governing entity, and the bill requires a specified inspector general to perform an operational audit regarding implementation by July 1, 2025.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 39-0; House 117-0

Committee on Education

HB 7033 — Task Force on Closing the Achievement Gap for Boys

by Early Learning and Elementary Education Subcommittee and Rep. Koster and others

The bill establishes the Task Force on Closing the Achievement Gap for Boys within the Department of Education (DOE) to examine evidence-based strategies for closing the achievement gap for boys and to make recommendations to the DOE, the Governor, and the Legislature. The recommendations must address:

- Professional development for instructional personnel and school administrators.
- The selection of curriculum, supplemental materials, and classroom activities in early learning programs and K-12 schools.
- Academic, behavioral, and mental health supports to help educate and raise young men who are better prepared for success in school and in life.

The bill establishes the Commissioner of Education or a designee as chair of the task force. Other members of the task force must be appointed by July 1, 2021, including stakeholder appointments by the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill requires the task force to convene by August 1, 2021, and upon the call of the chair thereafter. The task force must submit a report containing its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2021.

The bill requires the DOE to provide staffing, administrative support, data, and other relevant information to the task force to help it carry out its responsibilities.

The task force expires on June 30, 2022.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 117-0

Committee on Education

CS/HB 7045 — School Choice

by Appropriations Committee; Education and Employment Committee; and Reps. Fine, Fischer, and others

The bill consolidates student scholarship programs and provides parents with flexibility to meet the educational needs of their child. The bill repeals the Gardiner Scholarship Program (GSP) beginning in 2021-2022 and the McKay Scholarship Program for Students with Disabilities (McKay) in 2022-23, and merges similar provisions into the Family Empowerment Scholarship Program (FES). Specifically, the bill:

- Increases the scholarship award for recipients of the FES to 100 percent of the calculated amount under the Florida Education Finance Program (FEFP).
- Expands program eligibility to include students who are dependents of a member of the U.S. Armed Forces and adopted children.
- Provides for transportation scholarship options to another public school.
- Establishes the FES disability scholarship as an education savings account (ESA) allowing parents to choose from both public and private options. In addition, the FES disability scholarship:
 - o Establishes a maximum program capacity of 20,000 students beginning in 2021-2022, but excludes a student from the maximum program capacity if the student received specialized instructional services in VPK the prior school year; attended public school in the prior school year or received a McKay Scholarship in the 2021-2022 school year; is a dependent child of a member of the U.S. Armed Forces, a foster child, or an adopted child;.
 - o Beginning in 2022-2023, annually increases the maximum program capacity by one percent of the state's total exceptional student education full-time equivalent (FTE) enrollment, not including gifted students.
 - o Prioritizes, for the 2021-2022 school year, an eligible student who received a GSP award in the 2020-2021 school year.
 - o Transitions the funding of scholarships to the FEFP with the amount dependent on the student's matrix of services or the physician or psychologist's diagnosis.
 - o Protects the funding of students who received a GSP or McKay scholarship in the 2020-2021 school year to receive the greater of the prior award amount or the new award amount.

- o Authorizes the physician or psychologist who issued the scholarship student's diagnosis or the IEP team to determine if standardized testing is appropriate.
- Removes the prior public attendance requirement for the FES scholarship for families with limited financial resources, and:
 - o Increases the household income eligibility limit to 375 percent of the federal poverty level, or an adjusted maximum percent of the federal poverty level that is increased by 25 percentage points in the fiscal year following any fiscal year in which more than 5 percent of the available scholarships have not been funded.
 - o Maintains that scholarship priority must be given to a student whose household income level does not exceed 185 percent of the federal poverty level or who is in foster care.
 - o Specifies that a sibling of an FES scholarship recipient is eligible for a scholarship.
 - o Excludes from the maximum program capacity a student who: is a dependent child of a member of the U.S. Armed Forces, a foster child, or an adopted child; meets certain eligibility requirements and attended public school in the prior school year; received a Florida Tax Credit (FTC) or Hope scholarship in the prior year that was not renewed due to a lack of available funds, up to 15,000 students; or beginning in 2022-2023, is eligible to enroll in kindergarten.
 - o Authorizes costs required by the private school to provide a digital device, including Internet access to be paid from the total amount of the scholarship.
- Makes additional modifications to FES funding and payment, including:
 - o Requiring all scholarships to be funded in the FEFP with state funds only, not local funds.
 - o Requiring the Florida Department of Education (FDOE) to notify the nonprofit scholarship funding organization (SFO) that scholarships may not be awarded in a school district in which the award will exceed 99 percent of the school district's share of state funds.
 - o Removing the provision excluding the teacher salary increase allocation from the calculation of scholarship amounts under the FEFP.
 - o Requiring the FDOE to transfer the calculated scholarship amount to the SFO for quarterly disbursement to parents of participating students.

- o Requiring the SFO to ensure that the parent endorses the warrant to the private school or that the parent has approved a funds transfer before and scholarship funds are deposited.
- o Authorizing an administrative fee up to 2.5 percent of funded scholarships for the SFOs administering the FES and requiring the administrative fee be collected from eligible contributions under the FTC and Hope scholarship programs.

The bill also makes modifications to the FTC and Hope scholarship programs, including:

- Increasing the scholarship award for recipients to 100 percent of the calculated amount under the FEFP.

- Modifying scholarship eligibility by increasing the household income limit to 375 percent of the federal poverty level, or an adjusted maximum percentage of the federal poverty level authorized in the FES.

Revising the frequency of operational audits of the SFOs receiving eligible contributions under FTC by the Auditor General from every year to at least once every three years.

These provisions were approved by the Governor and take effect on July 1, 2021, except as otherwise provided.

Vote: Senate 25-14; House 79-36