

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/CS/CS/HB 1 — School Choice

by Education Quality Subcommittee; Education and Employment Committee; PreK-12 Appropriations Subcommittee; Choice and Innovation Subcommittee; and Reps. Tuck, Plasencia, and others (CS/CS/SB 202 by Appropriations Committee; Appropriations Committee on Education; and Senators Simon, Perry, and Collins)

The bill (Chapter 2023-16, L.O.F.) expands educational choice and opportunity for Florida families, supports public schools by reducing state regulations, and benefits teachers by removing barriers to certification.

Expanding Educational Choice

The bill expands eligibility for Florida Tax Credit (FTC) and Family Empowerment Scholarship for Education Options (FES-EO) programs to include any student who is a resident of Florida and is eligible to enroll in kindergarten through grade 12 in a public school. In addition the bill:

- For FTC and FES-EO Scholarships:
 - Expands through an education savings account the authorized uses of FTC and FES-EO scholarship funds, which must first be used for tuition and fees at a private school, if the student is enrolled in a private school.
 - Adds a second priority group for students whose household income is between 185 percent and 400 percent of the federal poverty level.
 - Expands the eligibility for public school transportation scholarships to all students eligible for a scholarship.
 - Requires FES-EO scholarships be awarded once all FTC scholarships have been funded.
- For FTC Scholarships:
 - Establishes the personalized education program (PEP) as a parent-directed educational choice option under the FTC scholarship that satisfies mandatory school attendance and provides access to the same programs and services as the home education program.
 - Provides a schedule for funding the FTC scholarships to eligible students that are enrolled in a PEP, which limits enrollment to 20,000 in the 2023-2024 school year. By the 2027-2028 school year, every PEP student will have access to a scholarship.
 - Provides students in a PEP, and their parents, the option to work with choice navigators, who assist parents with the selection, application, and enrollment in educational options that address the academic needs of their student.
 - Updates the parent and student participation responsibilities for the scholarship by requiring the parent to meet with the private school's principal or the principal's designee to review the school's academic programs and policies.
- For the Family Empowerment Scholarship for Students with Unique Abilities (FES-UA):

- Increases scholarship annual growth from 1 to 3 percent of the state's total exceptional student education student membership, to increase the number of eligible students with disabilities served by the FES-UA.
- Expands the authorized uses of the FES-UA, and requires that private schools accepting an FES-UA discuss with the parent the school's academic programs and policies, and specialized services which may meet the student's individual needs.
- Establishes a cap of \$50,000 as the maximum amount an SFO is permitted to maintain in an individual student's empowerment account for an FES-UA.
- For the Department of Education (DOE):
 - Requires the Department of Education (DOE) to collect and publish specified assessment results for students in a PEP.
 - Requires the DOE to report all scholarship students for funding, removing this obligation from school districts.
 - Requires the Commissioner of Education (commissioner) to develop an online portal to help parents choose the best educational option for their student.
- For a Scholarship Funding Organization (SFO):
 - Establishes a cap of \$24,000 for an individual student's empowerment account for an FES-EO or FTC scholarship.
 - Requires SFOs to participate in a joint development of agreed-upon purchasing guidelines for all scholarship programs.
- For Private Schools:
 - Requires a private school to publish that a student with disabilities does not have an individual right to receive some or all of the special education services that the child would receive if enrolled in a public school.
 - Authorizes the commissioner to deny an owner, officer, or director from operating a private school, and to include such an individual on the disqualification list, if such an individual operated a school that closed during the school year.

Supporting Public Schools by Removing Regulations

The bill requires the State Board of Education to, by November 1, 2023, recommend reductions to the Florida Early Learning-20 education code, and provides immediate reductions to regulations by:

- Providing flexibility for school districts by exempting from the required cost per student station any construction started prior to July 1, 2026.
- Removing the requirement for at least one course within the 24 credits required for a standard diploma to be completed through online learning.
- Adding flexibility for student transportation by allowing vehicles other than school buses to regularly transport students.
- Expressly authorizing any public school, including charter schools, to permit a student to enroll part-time, and provides for proportional funding based on time of attendance.
- Authorizing the commissioner to deny an owner, officer or director to participate in the state school scholarship program if the individual has operated a school that closed during the school year.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

- Extending the timeline to transfer a student record from three to five school days.
- Authorizing the district capital outlay millage to be used for payment of salaries and benefits for employees whose job duties support related activities.

Removing Barriers to Teacher Certification

The bill removes barriers to teacher certifications by adding options to the acceptable means of demonstrating mastery of general knowledge, subject area knowledge, and professional preparation and education competence. The bill also increases the validity period of a nonrenewable temporary teaching certificate from 3 to 5 years.

These provisions were approved by the Governor and take effect July 1, 2023, except as otherwise expressly provided.

Vote: Senate 26-12; House 83-27

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 19 — Individual Education Plans

by Education and Employment Committee; Civil Justice Subcommittee; and Rep. Tant and others (CS/SB 636 by Education Pre-K – 12 Committee and Senators Simon and Perry)

The bill requires school districts to, as a part of the transition portion of an individual education plan (IEP), provide certain information to a student with a disability and his or her parent at least 1 year before the student turns 18. The information concerns issues of self-determination and the legal rights and responsibilities regarding educational decisions that transfer to the student upon attaining the age of 18.

The information provided must include ways in which the student may provide informed consent to allow his or her parents to continue to participate in educational decisions, including the permission for parents to access confidential records protected under the Family Educational Rights and Privacy Act; powers of attorney; guardian advocacy; and guardianship.

The bill authorizes the State Board of Education to adopt rules relating to the transition notification requirements in the bill.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 113-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/SB 190 — Interscholastic Extracurricular Activities

by Rules Committee and Senators Grall and Perry

The bill provides a mechanism for a charter school student and a Florida Virtual School student to participate in interscholastic extracurricular activities at a private school.

The bill authorizes a charter school student to develop an agreement with a private school to participate in the private school's interscholastic extracurricular activities if the activity is not offered at the charter school and the student meets the participation requirements provided in law.

Additionally, the bill authorizes a Florida Virtual School student who meets academic, conduct, and other specified requirements to participate in interscholastic extracurricular activities of a private school if the student develops an agreement to participate with the private school.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 38-0; House 116-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/SB 196 — Guidance Services on Academic and Career Planning

by Commerce and Tourism Committee and Senators Jones, Hutson, and Perry

The bill adds to middle school academic and career planning and high school acceleration notification requirements a notification to parents and students of career and work-based learning opportunities and pathways. The bill:

- Requires a middle grade student’s personalized academic and career plan to include information on the career and technical education graduation pathway option and work-based learning opportunities.
- Expands the required annual school district parental notification on high school acceleration options to include information on career education and planning options, work-based learning opportunities, and foundational and soft-skill credentialing programs.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 118-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 225 — Interscholastic and Intrасcholastic Activities

by Education and Employment Committee; Education Quality Subcommittee; and Reps. Hawkins, Canady, and others (CS/CS/SB 308 by Rules Committee; Education Pre-K - 12 Committee; and Senators Collins, Grall, and Perry)

The bill authorizes charter school and Florida Virtual School (FLVS) students to develop an agreement with a private school to allow a student to participate in an interscholastic extracurricular activity at that private school.

The bill authorizes traditional public school students to participate in an interscholastic extracurricular activity at a public school in the district or develop an agreement to participate at a private school, if the public school does not offer the activity. Students must meet specified standards at the receiving school and must register with the school.

The bill modifies the Florida High School Athletic Association (FHSAA) program for private school students to participate in an interscholastic extracurricular activity at a public school to clarify that participation is at an FHSAA member public or private school. Also, the bill increases the non-FHSAA member private school enrollment threshold from 125 to 200 students or fewer to be eligible to participate.

The bill authorizes a student who transfers from a public school to continue to participate in activities at the former school for the rest of the school year.

The bill modifies FHSAA operations, which:

- Requires the FHSAA to allow a school that joins the association by sport to participate in the FHSAA championship contest or series for that sport.
- Requires the State Board of Education to ratify FHSAA bylaws, the hiring of an executive director, and FHSAA budget.
- Revises the composition of the membership of the FHSAA board of directors (board) from 16 to 13 members, 8 of whom are appointed by the Governor and confirmed by the Senate; and 4 members from public and private schools elected from the public and private school representatives.
- Removes the requirement that the appointing authority of members of the FHSAA board of directors makes recommendations to reflect state demographic and population trends.
- Establishes legislative authority with the FHSAA board, and requires a majority vote of the board for the approval of legislative recommendations of the representative assembly.

Additionally, the bill requires certain athletic associations to adopt policies or procedures allowing opening remarks at championship events with specified conditions for those remarks.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 28-12; House 93-22

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/SB 240 — Education

by Fiscal Policy Committee; Education Pre-K - 12 Committee; and Senators Hutson, Simon, and Avila

The bill provides supports for district school boards, Florida College System institutions, and other stakeholders in Florida’s workforce development system to provide students with high-quality career and technical education (CTE) and other workforce education programs.

The bill provides financial supports for middle and high school CTE. Specifically, the bill:

- Provides \$100 million for district school boards and colleges to fund the creation or expansion of CTE programs that serve secondary students.
- Authorizes secondary CTE programs to be funded according to the cost of the programs.
- Removes limitations on bonus funding for middle school students in CTE programs.
- Provides additional bonus funding within the Florida Education Finance Program for select achievements in CTE.

The bill supports CTE pathways for students. Specifically, the bill:

- Adds continuity through controlled open enrollment for middle school students to continue their CTE programs in high school.
- Enhances career and academic plans through an online career planning system, and requires parents to be provided information about CTE opportunities and benefits.
- Expands options for students to earn credit through extracurricular participation in career and technical student organizations.
- Expands the CTE credit options to meet high school graduation requirements.

The bill strengthens opportunities for students to engage in work-based learning by:

- Establishing regional education and industry consortia to meet and report to local workforce development boards the most effective ways to grow, retain, and attract talent.
- Requiring each district school board to provide all students enrolled in grades 9 through 12 with at least one work-based learning opportunity, and requiring each school district to host an annual career fair.
- Requiring the Florida Talent Development Council to identify barriers and best practices in the facilitation of work-based learning opportunities.

The bill provides flexibility for district school boards in recruiting CTE teachers. The bill:

- Provides discretion to district school boards to certify instructors to teach CTE programs.
- Requires school boards to award teachers inservice credit toward renewal of a professional certificate for supporting students in extracurricular CTE activities.

The bill authorizes school district career centers to offer associate in applied science and associate in science degrees, beginning July 1, 2024, subject to a specified approval process to the State Board of Education (SBE).

The bill restores to district school boards and state colleges the responsibility for approving workforce education programs that have a statewide curriculum framework developed by the Department of Education.

The bill provides flexibility for the Credentials Review Committee (Committee) in designating credentials of value. The bill:

- Authorizes the Committee to consider both information provided by the Labor Market Statistics Center within the Department of Economic Opportunity related to short-term demand and long-term data of the Labor Market Estimating Conference as factors in the development of the criteria for identifying credentials of value.
- Authorizes the Committee to consider additional evidence to identify credentials of value for agricultural occupations.
- Removes the requirement for the Committee to develop a returned-value performance funding formula for colleges and career centers.

The bill enhances the CAPE Industry Certification Funding List (Funding List), which is used to incent credentials of value for CTE programs. The bill:

- Provides flexibility to CTE programs to choose the courses in which students may earn industry certifications identified in the Funding List.
- Requires the SBE to submit to the Legislature three tiers for postsecondary certifications on the Funding List according to anticipated wages.

The bill provides flexibility in the administration of certain state financial aid and grant programs. The bill:

- Removes the requirement for career centers and state colleges that all programs offered to meet local workforce demand include a money-back guarantee for employment.
- Converts the Open Door Grant Program to a financial aid program for students of a state college or career center to incent current and future workers to enroll in CTE that leads to a credential, certificate, or degree.
- Provides flexibility for the state administration of the Pathways to Career Opportunities Grant Program and removes the limitation that the grant award may only be used for establishing or expanding apprenticeship and preapprenticeship programs.

The bill provides additional directives to the Florida Endowment for Vocational Rehabilitation to support employment and training for persons with disabilities, and extends the repeal date of the endowment.

The bill requires the Office of Program Policy Analysis and Government Accountability to conduct a study of CTE statewide articulation agreements and report to the Legislature by November 1, 2023.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 114-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

HB 265 — High School Equivalency Diplomas

by Reps. Plasencia, Lopez, J., and others (SB 1004 by Senators Torres, Perry, Rodriguez, Thompson, and Osgood)

The bill prohibits a district school board from requiring a student at least 16 years of age to take any course before taking the General Educational Development (GED) exam for a high school equivalency diploma, unless the student fails to achieve a passing score on the GED practice test as established by State Board of Education rule.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 36-0; House 113-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/SB 290 — Public School Student Progression for Students with Disabilities

by Education Pre-K - 12 Committee and Senators Jones and Berman

The bill authorizes a parent to retain his or her child in prekindergarten, in consultation with the individual education plan (IEP) team, if that child has a disability, an IEP, is enrolled in a public school prekindergarten program at the age of four, and is fully funded through the Florida Education Finance Program (FEFP).

The bill requires that a four-year old student with an IEP, who has been retained in a public school prekindergarten program that was fully funded through the FEFP and has demonstrated a substantial deficiency in early literacy skills, must receive instruction in such skills.

The bill also adds retention in a prekindergarten program to the good cause exemptions from mandatory retention. Specifically, the bill allows a student in grade 3, who has a disability and who is below grade-level in English Language Arts despite at least 2 years of intensive instruction, be promoted to grade 4, if the student was previously retained in a prekindergarten program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 113-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 301 — Emergency Response Mapping Data

by PreK-12 Appropriations Subcommittee; Choice and Innovation Subcommittee; and Rep. Alvarez and others (CS/SB 212 by Appropriations Committee on Education and Senators Collins, Avila, Burgess, Calatayud, Harrell, and Book)

The bill creates in the Department of Education (DOE) the School Mapping Data Grant Program (grant program) to provide standard emergency response mapping data for public school buildings in this state, in order to assist local first responders in responding to emergencies in public schools. Each school district, in consultation with local law enforcement and public safety agencies, may apply to receive funds from the grant program to provide school mapping for the school district, including charter schools.

The bill requires the entity producing the emergency response mapping data to provide the data to the applicable county, district school board, and the appropriate local, state, and federal public safety agencies for use in response to emergencies or conducting specified drills. The bill specifies minimum requirements for the emergency mapping data.

The bill appropriates \$14 million to the DOE to administer the grant program.

If approved by the Governor, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 116-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 379 — Technology in K-12 Public Schools

by Choice and Innovation Subcommittee and Rep. Yeager and others (CS/CS/CS/SB 52 by Fiscal Policy Committee; Appropriations Committee on Education; Education Pre-K - 12 Committee; and Senators Burgess, Osgood, Avila, Calatayud, and Garcia)

The bill (Chapter 2023-36, L.O.F.) requires public schools to provide instruction for students in grades 6-12 on the social, emotional, and physical effects of social media. The bill requires the Department of Education to make social media safety instructional material available online and district school boards to notify parents of the material's availability.

The bill specifies that district school boards must provide and adopt an Internet safety policy for student access to the Internet provided by the school district which:

- Limits access by students to only age-appropriate subject matter and materials.
- Protects the safety and security of students when using e-mail and other forms of direct electronic communication.
- Prohibits access to data or information, and other unlawful online activities, by students.
- Prevents access to websites, applications, or software that does not protect against the disclosure, use, or dissemination of students' personal information.

The bill requires each district school board prohibit and prevent students from accessing social media platforms through the use of Internet access provided by the school district, except when expressly directed by a teacher solely for educational purposes.

The bill also requires each school district to prohibit the use of the TikTok platform or any successor platform on Internet access provided by the school district or as a platform to communicate or promote any district school or school activity.

Additionally, the bill prohibits a student from using a wireless communications device during instructional time, except when directed by a teacher for educational purposes, and requires a teacher to designate an area for wireless communications devices during instructional time.

These provisions were approved by the Governor and take effect on July 1, 2023.

Vote: Senate 39-0; House 114-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 389 — Menstrual Hygiene Products in Public Schools

by Education Quality Subcommittee and Rep. Skidmore and others (SB 334 by Senators Book, Polsky, and Berman)

The bill provides that school districts may make menstrual hygiene products available in each school within the district, at no charge. The menstrual hygiene products may be located in the school nurse’s office, other physical school facilities for health services, and in school restrooms, including wheelchair accessible restrooms.

The bill requires each participating school to ensure that students are provided appropriate notice as to the availability and location of the menstrual hygiene products. Advertising, messaging, logos, or text, except for the brand name and manufacturer product information, is prohibited on the menstrual hygiene products and in locations where menstrual hygiene products are available in schools.

The bill encourages participating school districts to partner with nonprofit organizations, nongovernmental organizations, businesses, and other organizations to assist in supplying and maintaining the menstrual hygiene products. Information related to the provider, sponsor, or person or organization making such donations may not be displayed.

The bill defines the term “menstrual hygiene products” to mean tampons and sanitary napkins for use in connection with the menstrual cycle.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 110-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 443 — Education

by Education and Employment Committee; Choice and Innovation Subcommittee; and Rep. Valdes and others (CS/CS/CS/SB 986 by Fiscal Policy Committee; Appropriations Committee on Education; Education Pre-K - 12 Committee; and Senator Burgess)

The bill modifies provisions related to charter schools, the Florida Teachers Classroom Supply Assistance Program, private tutoring, and other education-related areas.

The bill includes a number of provisions related to charter schools that:

- Authorize a charter school to give enrollment preference to students who are the children of a safe-school school officer assigned to the school.
- Authorizes a not-for-profit entity to loan certain assets to other charter schools in the state that are operated by the same entity, provided the loan is repaid within five years.
- Include charter school personnel in certain school district training.
- Require the sponsor to annually provide a report on the services provided to charter schools from the administrative fee.
- Require the sponsor to make timely payments and reimbursement, defined as 60 days, of eligible federal grant funds.
- Require the State Board of Education to adopt rules for a standard charter school monitoring tool.
- Require a charter school to place a student on a progress monitoring plan for at least one semester before dismissing the student when the school limits enrollment based on academic, artistic or other standards.

The bill also:

- Expands the Florida Teachers Classroom Supply Assistance Program to include less-than-full-time teachers.
- Requires the district to post step-by-step instructions on how to provide first aid for choking in each public school cafeteria within the district.
- Provides zoning flexibility for private tutoring facilities of up to 25 students.
- Requires the Department of Children and Families to report every 5 years, beginning December 1, 2024, on training requirements and coursework offered to child care personnel.
- Requires the Department of Education to include, as part of the statewide early learning information system, a way for a parent to find early learning programs online.
- Clarifies that a child care provider must not have 3 or more of the same Class 2 violations within 2 years to apply or maintain its status as a Gold Seal Quality Care Provider.
- Adds priority funding under the Community School Grant Program for expanding a program based on the feeder pattern of an existing community school.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

Vote: Senate 35-4; House 109-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/SB 478 — Early Childhood Music Education Incentive Program

by Appropriations Committee on Education and Senator Perry

The bill converts the Early Childhood Music Education Incentive Pilot Program into a permanent program administered by the Department of Education. The DOE must approve any school district that seeks to participate in the program.

The program is contingent on legislative appropriation to provide school districts with a maximum of \$150 per full-time equivalent student in kindergarten through second grade who is enrolled in a comprehensive music education program.

The bill removes the responsibilities assigned to the University of Florida and Florida International University to evaluate the effectiveness of the pilot program and removes proximity to the University of Florida as a factor in eligibility to participate in the program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 115-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 551 — Required African-American Instruction

by Education Quality Subcommittee and Reps. Benjamin, Fine, and others (SB 804 by Senator Simon)

The bill requires each district school board to annually certify and provide to the Department of Education (DOE) evidence of specified instruction on the history of African Americans.

The bill allows the DOE to seek input from any state or nationally recognized African American educational organization regarding development of standards and curriculum for African American history. The bill authorizes the DOE to contract with any such educational organization to develop training for instructional personnel and grade appropriate classroom resources to support the developed curriculum.

The bill requires each district school board to submit an implementation plan for the required instruction under s. 1003.42(2), F.S., to the Commissioner of Education (commissioner) for review and to post the plan to the school district's website. The plan must include methods of instruction, the qualifications of instructional personnel delivering the instruction, and a description of the instructional materials. The commissioner or DOE must notify a school district if the plan does not satisfy requirements, and allow a minimum of 45 days for revisions to the plan.

The bill authorizes the DOE to exercise oversight enforcement authority for non-compliance.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 116-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 633 — K-12 Education

by Education and Employment Committee; Education Quality Subcommittee; and Reps. Salzman, Hawkins, and others (CS/SB 1236 by Education Pre-K -12 Committee and Senator Wright)

The bill repeals the class size reduction penalty calculation for schools exceeding the class size maximums. However, the bill maintains the requirement that the Department of Education monitors compliance and requires a compliance plan for any school that exceeds class size maximums based on the October student membership survey.

The bill requires that a student whose parent is active duty military personnel and who meets the eligibility criteria for special academic programs offered through public schools must be enrolled in such a program if the student's parent is transferred to the state during the school year.

The bill also provides that a student whose parent is on active military duty and is transferred within the state after the controlled open enrollment window can enroll in any school within the state.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 110-3

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 733 — Middle School and High School Start Times

by Education and Employment Committee and Rep. Temple and others (SB 1112 by Senators Burgess and Jones)

The bill requires district school boards to adopt middle and high school start times beginning with the 2026-2027 school year. By July 1, 2026, middle schools may not begin the instructional day prior to 8:00 a.m., and high schools may not begin prior to 8:30 a.m.

The bill requires each district school board to inform its community, including parents, students, teachers, school administrators, athletic coaches and other stakeholders about the health and safety impacts of sleep deprivation on middle and high school students and the benefits of the later school start times. Each district school board must discuss with such groups local strategies to successfully implement the later start times.

The bill requires charter schools to comply with the specified start times, while providing an exemption for a charter school-in-the-workplace.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 38-2; House 92-20

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

HB 795 — Private Instructional Personnel

by Rep. Tant and others (SB 514 by Senators Hooper and Perry)

The bill removes the requirement that a Registered Behavior Technician (RBT) be employed by an enrolled Medicaid provider to provide Applied Behavior Analyst services in a K-12 public school. Instead, the RBT must be employed by a certified behavior analyst or a professional licensed under chapter 490, the “Psychological Services Act” or chapter 491, Clinical, Counseling, and Psychotherapy Services, of the Florida Statutes.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 115-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

HB 891 — Year-round School Pilot Program

by Rep. Williams and others (SB 1564 by Senator Stewart)

The bill establishes the Year-round School Pilot Program (program) to enable the Department of Education (DOE) to assist school districts in establishing a year-round school program within at least one elementary school in the district to study issues, benefits, and scheduling options. The program begins in the 2024-2025 school year for a period of four years.

The bill requires the DOE to create an application process for school districts that must include certain data elements. The Commissioner of Education (commissioner) must select five school districts to participate in the program representing a variety of demographics, which includes an urban, suburban, and rural school district.

The bill outlines elements to be included in the program, including the type of year-round program implemented and specific data needed for evaluation of the program.

The bill requires the commissioner to, upon completion of the program, provide a report to the Legislature and the Governor which includes data on participation, benefits of the program, barriers to implementation, and recommendations to statewide adoption.

The bill authorizes the State Board of Education to adopt rules to administer the program.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 107-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 1035 — K-12 Teachers

by Civil Justice Subcommittee and Rep. Gonzalez Pittman and others (SB 244 by Senators Calatayud and Perry)

The bill (Chapter 2023-38, L.O.F.) expands opportunities for teacher recruitment and retention, and clarifies teachers' rights. Specifically in the areas of teacher recruitment and retention, the bill:

- Authorizes state-approved teacher preparation programs to be eligible for the “buy-one-get-one” tuition and fee waiver for qualified students.
- Establishes the Dual Enrollment Educator Scholarship Program to assist Florida public high school teachers in obtaining the graduate degree and credentials necessary to provide dual enrollment coursework on the high school campus.
- Establishes the Teacher Apprenticeship Program as an alternative pathway for individuals to enter the teaching profession, and authorizes a five-year temporary apprenticeship certificate.
- Waives teacher certification initial exam and certification fees for a specified retired first responder.
- Establishes the Heroes in the Classroom Bonus Program to provide a one-time sign-on bonus to retired first responders and veterans who become a full-time classroom teacher, with specified service duties.
- Requires the Commissioner of Education to conduct a comprehensive review of all federal, state, and local teacher training requirements by December 31, 2023, and provide recommendations to the Legislature.
- Requires a principal to impose consequences on a student only after determining the student has violated the student code of conduct, and requires the principal to notify the teacher of any action taken.

The bill creates ch. 1015, F.S., to catalog a number of teachers' rights that are currently guaranteed in law regarding employment, continuing education, controlling the classroom, directing classroom instruction, and receiving timely assessment data. The bill authorizes the Office of Inspector General to investigate allegations or reports of suspected violations of a student's, parent's, or teacher's rights.

In addition, the bill creates a new pathway via special magistrate for objections by teachers who believe the school district has directed him or her to violate state law or rule and provides a rebuttable presumption that a specified action by a teacher or other staff member was necessary to restore or maintain safety.

These provisions were approved by the Governor and take effect on July 1, 2023.

Vote: Senate 35-4; House 92-22

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 1069 — Education

by Education and Employment Committee; Education Quality Subcommittee; and Reps. McClain, Anderson, and others (CS/SB 1320 by Education Pre-K -12 Committee and Senators Yarborough and Perry)

The bill includes provisions designed to protect children in public schools. The bill includes requirements for age-appropriate and developmentally appropriate instruction for all students in prekindergarten through grade 12. The bill:

- Includes requirements for specific terminology and instruction relative to health and reproductive education in schools and requires that all materials used for such instruction be approved by the Department of Education.
- Extends the prohibition on classroom instruction on sexual orientation or gender identity to prekindergarten through grade 8.

The bill prohibits district school boards from imposing or enforcing requirements that personnel or students be referenced with pronouns that do not correspond with biological sex as defined in the bill, subject to specified exceptions.

The bill enhances the process for transparency and review of library and classroom materials available to students in public schools and the process for parents to limit student access to materials and make objections to materials. The bill requires the suspension of materials alleged to contain pornography or obscene depictions of sexual conduct, as identified in current law, pending resolution of an objection to the material. A district school board must also discontinue the use of any material the board does not allow a parent to read aloud.

The bill requires that meetings of committees to resolve objections must be noticed and open to the public, and provides an appeals process through a special magistrate.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 27-12; House 77-35

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 1125 — Interstate Education Compacts

by Education Quality Subcommittee and Reps. Smith, Hunschofsky and others (SB 1446 by Senator Wright)

The bill adopts the Interstate Teacher Mobility Compact (ITMC or Compact) model legislation into Florida Statute. The ITMC establishes a regulatory framework to allow teachers with an eligible license held in a Compact member state to be granted an equivalent license in another Compact member state, lowering barriers to teacher mobility and getting teachers back into the classroom more seamlessly.

Teachers holding a Compact-eligible license can apply for licensure in another member state and receive the closest equivalent license without submitting additional materials, taking state-specific exams, or completing additional coursework.

The Compact includes special exceptions for some populations to support equitable access. The Compact specifies that:

- Due to the mobility patterns of military spouses, the barriers to receiving a professional, rather than temporary or provisional, license are much higher; therefore teachers meeting the definition of an eligible military spouse may use a temporary or provisional license for the purposes of the Compact.
- Career and technical education teaching licenses often do not require a bachelor's degree as a requirement for licensure; the Compact allows these licenses to be considered eligible without that requirement.

The ITMC legislation is comprised of 13 articles, which, in part:

- Specify that the Compact does not remove the authority of the receiving state to regulate licensure and endorsements, which may also require teachers under the Compact to meet licensure renewal requirements for that state.
- Require a teacher to undergo a criminal background check in the receiving state.
- Create the ITMC Commission, composed of representatives of the member states, to administer the Compact; its rules are binding to member states.
- Require the ITMC Commission to facilitate the exchange of information, which does not alter the ownership of the data by member states.
- Establish procedures for disciplinary actions for member states that fail to comply with the requirements of the Compact.
- Specify that the provisions of the Compact supersede other state laws that are in conflict.

In addition, the bill updates citations to federal law within the Interstate Compact on Educational Opportunity for Military Children.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 40-0; House 116-0

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 1127 — Pub. Rec. and Meetings/Interstate Teacher Mobility Compact
by Ethics, Elections and Open Government Subcommittee and Reps. Smith, Hunschofsky, and
others (SB 1448 by Senator Wright)

The bill creates an exemption from public records requirements for records held by the Commissioner of Education (commissioner) or Department of Education regarding the investigation and discipline of teachers in other Interstate Teacher Mobility Compact (ITMC or Compact) member states. This public records exemption is aligned to the existing public records exemption for Florida's teacher investigation and discipline records. As set forth in the ITMC, the bill requires that before disclosing any disciplinary or investigatory information received from another member state, the disclosing state must communicate its intention and purpose for such disclosure to the member state that originally provided that information.

The bill creates an exemption from public meetings requirements for any meeting or portion of a meeting of the ITMC Commission or executive committee which discuss information specified in law.

The bill provides that public records and public meeting exemptions are a public necessity because without these protections for records received by the commissioner or DOE, or for ITMC Commission meetings, Florida would be unable to participate in the ITMC.

This bill is subject to the Open Government Sunset Review Act and stands repealed on October 2, 2028, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on the same date that CS/HB 1125 takes effect.

Vote: Senate 40-0; House 115-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 1259 — Education

by Appropriations Committee; Education and Employment Committee; and Rep. Canady and others (CS/CS/SB 1328 by Appropriations Committee; Education Pre-K -12 Committee; and Senator Hutson)

The bill clarifies that charter school capital outlay funding must consist of state funds when said funds are appropriated in the General Appropriations Act (GAA) and revenue resulting from discretionary capital outlay millage authorized in statute. The bill removes the specified state funding threshold.

The bill revises the calculation methodology the Department of Education (DOE) uses to allocate state funds appropriated in the GAA to eligible charter schools. The bill specifies that state funds must be allocated on the basis of unweighted full-time equivalent (FTE) students and removes the additional FTE weight for students that are eligible for free and reduced lunch and students with disabilities.

The bill removes the state funding threshold from the calculation methodology used by the DOE to determine the amount of the discretionary capital outlay millage revenue a school district must distribute to each eligible charter school. To reduce the initial burden on school districts and provide for a transition to the required sharing of the \$1.5 millage revenue, the bill provides a 5-year glide path whereby school districts share the following percentages of the calculated amount:

- For Fiscal Year 2023-2024 – 20 percent.
- For Fiscal Year 2024-2025 – 40 percent.
- For Fiscal Year 2025-2026 – 60 percent.
- For Fiscal Year 2026-2027 – 80 percent.
- For Fiscal Year 2027-2028, and each fiscal year thereafter – 100 percent.

The bill adds reasons a charter school would not be eligible to receive capital outlay funds, if:

- The school is a developmental research (laboratory) school that receives state funding for capital improvement purposes.
- A member of the governing board, or his or her family member, has an interest in or is an employee of the lessor of the charter school property, unless the charter is a charter school-in-the workplace or a charter school-in-a-municipality.

The bill requires a charter school to attest in writing to the DOE, that, if the charter school is nonrenewed or terminated, any unencumbered funds and all equipment and property purchased with the public funds must revert to the district school board. Also, the bill requires purchases, lease-purchases, or leases by a charter school using charter capital outlay funds to be at the appraised value, defined as the fair market value to be determined by an independent, Florida-licensed, qualified appraiser selected by the charter school governing board.

Additionally, the bill clarifies that the calculation of each school district's enrollment for purposes of calculating the proportionate share of the school capital outlay surtax must be based on capital outlay full-time equivalent enrollment (COFTE), rather than the total school district enrollment.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 29-11; House 82-31

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/CS/HB 1537 — Education

by Education and Employment Committee; Appropriations Committee; Education Quality Subcommittee; and Reps. Rizo, Daniels, and others (CS/CS/SB 1430 by Fiscal Policy Committee; Appropriations Committee on Education; and Senator Avila)

The bill (Chapter 2023-39, L.O.F.) improves the overall quality of Florida’s teacher preparation programs by streamlining programs, program requirements, and expanding upon the uniform core curricula, and modifies educator certification requirements. Specifically, the bill:

- Requires a system-wide shift from professional development to professional learning by defining the requirements for professional learning and requires the Department of Education (DOE) to create a web-based marketplace of high-quality programs.
- Expands eligibility for temporary certification to candidates who are currently enrolled in state-approved teacher preparation programs and who meet certain requirements.
- Re-establishes the general knowledge test requirement for all applicants for a professional certificate, but narrows the individuals who must demonstrate mastery of professional preparation and education competence.
- Authorizes a charter school governing board to adopt rules to allow for the issuance of an adjunct teaching certificate.

The bill modifies instruction and student progression by:

- Requiring instruction on Asian American and Pacific Islander history with specified topics.
- Expanding the practical arts credit option for high school graduation to any career and technical education course.
- Requiring each school district to annually review and confirm that all reproductive health and disease information and associated links available on the district school board website are accurate and up-to-date.
- Requiring the Governor to annually proclaim September 11 as “9/11 Heroes Day.” On this day, public schools are required to receive at least 45 minutes of instruction on associated topics.

The bill modifies assessment, acceleration, and accountability provisions, which:

- Authorize school districts to select the Classic Learning Test (CLT) for an annual districtwide administration for certain students, and allows students to earn a concordant score on the CLT to meet initial eligibility requirements for the Bright Futures Scholarship Program (Bright Futures).
- Adds a measure to the school grades formula specific to performance on the grade 3 English Language Arts assessment.
- Maintains current concordant and comparative scores to meet statewide assessment graduation requirements for the class of 2023.

- Establishes advanced courses developed by public postsecondary institutions as an additional acceleration option, and requires the DOE and Board of Governors issue a report on the effectiveness of acceleration courses.

The bill modifies provisions related to students to:

- Authorize a student to have and use standard headache medication at school.
- Establish guidelines for searches of students' personal belongings.
- Add a rebuttal provision within school district zero tolerance policies that a student's specified actions were necessary for student safety.

The bill also:

- Allows Bright Futures students to combine volunteer and paid work hours to meet initial eligibility requirements.
- Authorizes additional enforcement mechanisms for the Commission for Independent Education (commission) at the DOE, and expands fair consumer practices and minimum standards for licensure of private, postsecondary institutions under the jurisdiction of the commission. The bill also requires each licensed institution to be accredited prior to approval to offer a nursing program.
- Modifies charter capital outlay funding eligibility requirements relating to school grades.
- Creates the Year-round School Pilot Program, established for a period of four years.

The bill provides a nonrecurring appropriation from the General Revenue Fund to the DOE of:

- \$5.8 million to be used for the procurement of a statewide transparency tool to support the implementation of specified instructional and library materials requirements.
- \$1 million to be used for the procurement of bleeding control kits for placement in Florida public schools.

These provisions were approved by the Governor and take effect July 1, 2023, except as otherwise expressly provided.

Vote: Senate 40-0; House 112-3

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/HB 1597 — Florida Virtual School

by Choice and Innovation Subcommittee and Rep. Gossett-Seidman and others (CS/SB 926 by Education Pre-K -12 Committee and Senators Rodriguez and Jones)

The bill provides additional support to military children who are out-of-state due to the duty station of their military parent or guardian. The bill establishes a process by which a parent or guardian can request flexibility in assessment administration to permit a student to participate in statewide, standardized assessments while out-of-state.

The bill defines “child of a military family residing outside this state eligible for flexibility in assessment administration” to mean a Florida Virtual School (FLVS) full-time student of a military family residing outside of Florida who is prevented by his or her parent’s or guardian’s out-of-state military duty station’s location from participating in a Florida-based FLVS secure and proctored exam.

The bill requires that the flexibility in assessment administration must allow an eligible student to participate in statewide, standardized assessments administered securely by a licensed, certified instructor or education services officer test administrator at his or her parent’s or guardian’s current military duty station. The administrator of the assessment must complete the training adopted in State Board of Education (SBE) rule.

The request for flexibility in assessment administration must be made in writing by the student’s parent or guardian to the FLVS within a specified timeframe. The FLVS must make a recommendation regarding granting or denying the request to the Department of Education (DOE), which makes a final determination on the request.

The FLVS must maintain data regarding the number of requests for flexibility in assessment administration made, the number of requests for flexibility in assessment administration granted, and data regarding student performance on statewide, standardized assessments, and make such data available to the Legislature upon request.

The bill requires the SBE to adopt rules governing the flexibility in assessment administration process established by the bill.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 116-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/SB 7020 — OGSR/Mobile Suspicious Activity Reporting Tool

by Governmental Oversight and Accountability Committee; Education Pre-K - 12 Committee;
and Senator Collins

The bill saves from repeal the current exemption from public records disclosure requirements relating to the identity of the reporting party and any other information received through the mobile suspicious activity reporting tool and held by the Florida Department of Law Enforcement, law enforcement agencies, or school officials.

The bill expands the exemption to make confidential and exempt from public records disclosure requirements the identity of the reporting party received through the mobile suspicious activity reporting tool and held by the Florida Department of Education (DOE), and to make exempt from public records disclosure requirements any other information received through the mobile suspicious activity reporting tool and held by the Florida DOE. This exemption includes records already held by the DOE.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 38-0; House 118-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

**SB 7022 — OGSR/Marjory Stoneman Douglas High School Public Safety
Commission/Safe-school Officers**

by Education Pre-K - 12 Committee and Senator Collins

The bill saves from repeal two exemptions from public records and public meetings requirements. The bill saves from repeal the exemption from public meeting requirements relating to any portion of a meeting of the Marjory Stoneman Douglas High School Public Safety Commission at which exempt or confidential and exempt information is discussed.

The bill also saves from repeal the exemption from public records disclosure requirements relating to any information held by a law enforcement agency, school district, or charter school that would identify whether a particular individual has been appointed as a safe-school officer.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2023.

Vote: Senate 38-0; House 117-0

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K -12

CS/CS/HB 7039 — Student Outcomes

by Education and Employment Committee; PreK-12 Appropriations Subcommittee; Education Quality Subcommittee; and Rep. Trabulsky and others (SB 1424 by Senator Calatayud)

The bill aims to improve student outcomes by providing specific strategies to support students who are struggling in literacy and mathematics from prekindergarten through grade 5.

The bill modifies supports to improve student literacy. Specifically, the bill directs the statewide focus for literacy instruction in all public schools to employ the science of reading and requires phonics instruction as the primary instructional strategy for word reading, rather than the three-cueing model. The bill also:

- Provides \$8 million in nonrecurring funds from the General Revenue Fund to the Department of Education (DOE) to implement the provisions of the bill.
- Provides \$150 million in nonrecurring funds from the General Revenue Fund to the DOE to assist school districts in implementing the provisions of the bill, which requires a needs assessment to convert from a three-cueing model of reading instruction.
- Authorizes funds from the supplemental academic instruction allocation to be used for evidence-based mathematics interventions extending outside of the school day.
- Authorizes reading interventions funded through the evidence-based reading allocation to be applied before, during, and after the school day.
- Requires the school district reading plan include the assignment of highly effective teachers and reading coaches in kindergarten through grade 2.
- Requires a school charter to include information on the mathematics curriculum and supports for students struggling in mathematics.
- Requires curricula for professional educator preparation to be based on the science of reading and requires the district professional development certification program to include scientifically researched and evidence-based reading instructional strategies grounded in the science of reading.
- Requires in-service points for reading instruction included in the process for renewal of professional certificates be grounded in the science of reading, and services by independent entities contracted by school districts for professional development of foundational skills for reading be grounded in the science of reading.
- Requires instructional materials for foundational reading skills to be based on the science of reading with primary focus on phonics instruction.

The bill addresses student literacy beginning in the Voluntary Prekindergarten Education (VPK) Program. The bill:

- Requires that the performance standards for the VPK program address emergent literacy skills that are grounded in the science of reading and include foundational background knowledge to correlate with the content students will encounter in grades K-12.
- Requires a VPK provider's curriculum to develop student background knowledge through a content-rich and sequential knowledge-building early literacy curriculum.

The bill also modifies the New Worlds Reading Initiative. The bill requires the administrator of the initiative, in conjunction with the Just Read, Florida! Office, to develop an online repository of digital science of reading materials and resources. The bill also renames the New World Reading Scholarship Accounts to the New World Scholarship Accounts and extends the program to include:

- Free books for prekindergarten students meeting certain criteria.
- Supports for students with a deficiency in mathematics or having demonstrated characteristics of dyscalculia.

The bill adds to provisions relating to public school student progression for students with substantial deficiencies in reading or that have characteristics of dyslexia, to include students with substantial deficiencies in mathematics and characteristics of dyscalculia. Specifically, the bill:

- Requires a student with a substantial mathematics deficiency to be covered by a federally required student plan to address the deficiency.
- Requires certain elements related to an identified reading or mathematics deficiency to be included in an individualized progress monitoring plan, which requires strategies to be provided to parents to support the student.
- Requires the DOE to provide vetted and state-approved reading and intervention programs.
- Authorizes district school boards to allocate remedial and supplementary instructional resources for deficiencies in mathematics as well as in reading.
- Requires timely notification to parents of students with deficiencies in mathematics as well as reading.
- Adds requirements for intensive interventions for retained third grade students and previously retained third grade students.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 39-0; House 111-0