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|---------------|---|---|-----|---------------|-------------------------|----------------|--|
| Tab 1 | SB 8 by Simon; Identical to H 06507 Relief of Marcus Button by the Pasco County School Board | | | | | | |
| Tab 2 | SB 444 by Avila (CO-INTRODUCERS) Collins, Yarborough; Identical to H 01237 Human Trafficking Awareness | | | | | | |
| Tab 3 | SB 540 by Collins (CO-INTRODUCERS) Burgess; Similar to CS/H 00447 Disability History and Awareness Instruction | | | | | | |
| 729992 | D | S | RCS | ED, Collins | Delete everything after | 03/31 06:09 PM | |
| Tab 4 | SB 742 by Simon; Similar to CS/H 01145 Workforce Development | | | | | | |
| 828444 | D | S | RCS | ED, Simon | Delete everything after | 03/31 06:11 PM | |
| Tab 5 | SB 822 by Rodriguez; Similar to CS/H 00443 Education | | | | | | |
| 327032 | A | S | RCS | ED, Rodriguez | Delete L.197 - 864: | 03/31 06:11 PM | |
| Tab 6 | SB 1150 by Calatayud; Similar to H 00809 School Social Workers | | | | | | |
| 641302 | A | S | RCS | ED, Calatayud | Delete L.15 - 16: | 03/31 06:11 PM | |
| Tab 7 | SB 1296 by Burgess; Use of Wireless Communications Devices in Schools | | | | | | |
| Tab 8 | SB 1590 by Burgess; Educator Preparation | | | | | | |
| Tab 9 | CS/SB 1692 by CJ, McClain; Similar to H 01539 Material that is Harmful to Minors | | | | | | |
| 738110 | A | S | | ED, McClain | Delete L.32 - 146: | 03/28 01:23 PM | |
| Tab 10 | SB 1702 by Burgess; Compare to CS/H 01115 Education | | | | | | |
| 313094 | D | S | RCS | ED, Burgess | Delete everything after | 03/31 06:11 PM | |
| 400824 | AA | S | RCS | ED, Burgess | btw L.4 - 5: | 03/31 06:11 PM | |
| Tab 11 | SB 1708 by Calatayud (CO-INTRODUCERS) Gruters; Similar to CS/H 01267 Education | | | | | | |
| 113444 | D | S | RCS | ED, Calatayud | Delete everything after | 03/31 06:12 PM | |

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K - 12

Senator Simon, Chair

Senator Calatayud, Vice Chair

MEETING DATE: Monday, March 31, 2025

TIME: 4:00—6:00 p.m.

PLACE: *Pat Thomas Committee Room, 412 Knott Building*

MEMBERS: Senator Simon, Chair; Senator Calatayud, Vice Chair; Senators Berman, Burgess, Collins, Davis, Gaetz, Osgood, and Yarborough

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|--|---|-----------------------------------|
| 1 | SB 8 Simon (Identical H 6507) | <p>Relief of Marcus Button by the Pasco County School Board; Providing for the relief of Marcus Button by the Pasco County School Board; providing an appropriation to compensate Marcus Button for harms and losses he sustained as a result of the negligence of an employee of the Pasco County School Board; providing an appropriation to Robin Button, as the surviving parent and natural guardian of Marcus Button, for harms and losses sustained as a result of the injury to her child, Marcus Button; providing a limitation on the payment of compensation and attorney fees, etc.</p> <p>SM JU 03/19/2025 Favorable ED 03/25/2025 Not Considered ED 03/31/2025 Favorable RC</p> | <p>Favorable Yea 8 Nays 1</p> |
| 2 | SB 444 Avila (Identical H 1237) | <p>Human Trafficking Awareness; Requiring public schools to designate a member of the administrative personnel to provide annual training regarding human trafficking awareness to specified employees; requiring employees who receive such training to submit an acknowledgment to the school; requiring schools to keep the acknowledgments filed electronically, etc.</p> <p>ED 03/31/2025 Favorable AED RC</p> | <p>Favorable Yea 9 Nays 0</p> |
| 3 | SB 540 Collins (Similar CS/H 447) | <p>Disability History and Awareness Instruction; Citing this act as the "Evin B. Hartsell Act"; requiring, rather than authorizing, disability history and awareness instruction; requiring that disability history and awareness instruction include specified material; authorizing a district school board to consult with the Evin B. Hartsell Foundation to further develop material, etc.</p> <p>ED 03/31/2025 Fav/CS AED RC</p> | <p>Fav/CS Yea 9 Nays 0</p> |

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K - 12

Monday, March 31, 2025, 4:00—6:00 p.m.

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|--|--|---------------------------|
| 4 | SB 742 Simon (Similar CS/H 1145, Compare CS/S 140) | Workforce Development; Providing that the Workforce Development Capitalization Incentive Grant Program includes charter schools; revising the number of workforce education programs that each school district and Florida College System institution must offer a money-back guarantee on, etc. ED 03/25/2025 Not Considered ED 03/31/2025 Fav/CS AHE FP | Fav/CS Yea 9 Nays 0 |
| 5 | SB 822 Rodriguez (Similar CS/H 443) | Education; Providing requirements for specified deadlines for charter schools; authorizing a charter school to assign its charter to another governing board under certain circumstances; revising which facilities and land are exempt from specified ad valorem taxes; authorizing high-performing charter schools to assume the charters of certain charter schools; requiring school districts to take specified actions before the disposal of real property, etc. ED 03/31/2025 Fav/CS AED RC | Fav/CS Yea 8 Nays 1 |
| 6 | SB 1150 Calatayud (Similar H 809) | School Social Workers; Providing that persons employed as school social workers are exempt from teacher certification requirements; providing an exception, etc. ED 03/31/2025 Fav/CS CF RC | Fav/CS Yea 9 Nays 0 |
| 7 | SB 1296 Burgess | Use of Wireless Communications Devices in Schools; Requiring the Commissioner of Education to coordinate with school districts selected by the Department of Education to implement a policy for a specified school year prohibiting the use of cell phones while on school grounds or engaged in certain activities off school grounds; requiring the department to provide a report to the Legislature before a specified date; providing requirements for the report, etc. ED 03/31/2025 Favorable CF RC | Favorable Yea 9 Nays 0 |

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K - 12

Monday, March 31, 2025, 4:00—6:00 p.m.

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION | |
|-----|----------------------------------|--|--|---------------------------|
| 8 | SB 1590 | Burgess | Educator Preparation; Establishing the Task Force for Educator Preparation; requiring the Department of Education to provide administrative support for the task force; providing the duties of the task force; providing for expiration of the task force, etc. | Favorable Yea 9 Nays 0 |
| ED | 03/31/2025 Favorable | | | |
| AED | | | | |
| FP | | | | |
| 9 | CS/SB 1692 | Criminal Justice / McClain (Similar H 1539) | Material that is Harmful to Minors; Defining the term "harmful to minors"; revising the list of materials used in a classroom which are subject to the objection process by parents or residents, etc. | Temporarily Postponed |
| CJ | 03/18/2025 Fav/CS | | | |
| ED | 03/31/2025 Temporarily Postponed | | | |
| RC | | | | |
| 10 | SB 1702 | Burgess (Compare CS/H 1115) | Education; Requiring a charter school sponsor to use a standard monitoring tool to monitor and review a charter school; providing that a hope operator must submit a notice of intent to open a school of hope to the sponsoring entity, rather than the school district; requiring the sponsoring entity, rather than the school district, to enter into a performance-based agreement with a hope operator, etc. | Fav/CS Yea 7 Nays 2 |
| ED | 03/25/2025 Not Considered | | | |
| ED | 03/31/2025 Fav/CS | | | |
| AED | | | | |
| RC | | | | |
| 11 | SB 1708 | Calatayud (Similar CS/H 1267) | Education; Providing that specified provisions relating to facilities apply to schools of hope of distinction; revising and providing definitions; providing that schools of hope of distinction have the right to locate or co-locate with other public schools in certain facilities beginning on a specified date; requiring the Department of Education to selectively audit specified surveys from school districts and Florida College System institutions, etc. | Fav/CS Yea 8 Nays 1 |
| ED | 03/31/2025 Fav/CS | | | |
| AED | | | | |
| RC | | | | |

| TAB | OFFICE and APPOINTMENT (HOME CITY) | FOR TERM ENDING | COMMITTEE ACTION |
|-----|------------------------------------|-----------------|------------------|
|-----|------------------------------------|-----------------|------------------|

Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.

COMMITTEE MEETING EXPANDED AGENDA

Education Pre-K - 12

Monday, March 31, 2025, 4:00—6:00 p.m.

| TAB | OFFICE and APPOINTMENT (HOME CITY) | FOR TERM ENDING | COMMITTEE ACTION |
|---|-------------------------------------|--|-----------------------------------|
| Board of Directors, Florida High School Athletic Association | | | |
| 12 | Chambers, Marcus D. (Niceville) | 08/21/2026 | Recommend Confirm Yea 8 Nays 0 |
| State Board of Education | | | |
| 13 | Fogaholi, Daniel P. (Coral Springs) | 12/31/2028 | Recommend Confirm Yea 5 Nays 3 |
| Education Practices Commission | | | |
| 14 | Murphy, Sallie (Quincy) | 09/30/2028 | Recommend Confirm Yea 8 Nays 0 |
| 15 | Wintz, Charlotte (Jacksonville) | 09/30/2026 | Recommend Confirm Yea 8 Nays 0 |
| 16 | Thaxton, Jennifer (Crawfordville) | 09/30/2027 | Recommend Confirm Yea 8 Nays 0 |
| 17 | Stanley, Joseph () | 09/30/2025 | Recommend Confirm Yea 8 Nays 0 |
| 18 | Sheehan, Jamie Harper (Tallahassee) | 02/17/2028 | Recommend Confirm Yea 8 Nays 0 |
| Commission for Independent Education | | | |
| 19 | Battista, Joseph (Lake Mary) | 06/30/2025 | Recommend Confirm Yea 8 Nays 0 |
| 20 | Williams, Burton III (Bradenton) | 06/30/2026 | Recommend Confirm Yea 8 Nays 0 |
| 21 | Cross, Jeff (Orlando) | 06/30/2027 | Recommend Confirm Yea 8 Nays 0 |
| TAB | | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |

Other Related Meeting Documents



THE FLORIDA SENATE

SPECIAL MASTER ON CLAIM BILLS

Location

409 The Capitol

Mailing Address

404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5229

| DATE | COMM | ACTION |
|---------|------|-----------|
| 3/14/25 | SM | Favorable |
| 3/19/25 | JU | Favorable |
| 3/31/25 | ED | Favorable |
| | RC | |

March 14, 2025

The Honorable Ben Albritton
President, The Florida Senate
Suite 409, The Capitol
Tallahassee, Florida 32399-1100

Re: **SB 8**– Senator Simon
HB 6507– Representative Andrade
Relief of Marcus Button by the Pasco County School Board

SPECIAL MASTER'S FINAL REPORT

THIS IS A SETTLED EXCESS JUDGMENT CLAIM FOR \$1.2 MILLION FOR MARCUS BUTTON AND HIS PARENTS, MARK AND ROBIN BUTTON, AGAINST THE DISTRICT SCHOOL BOARD OF PASCO COUNTY, TO COMPENSATE FOR INJURIES SUSTAINED BY THE CLAIMANT, MARCUS BUTTON, IN A MOTOR VEHICLE ACCIDENT RESULTING FROM THE NEGLIGENT OPERATION OF A PASCO COUNTY SCHOOL BUS.

UPDATE TO PRIOR REPORT:

On December 6, 2010, an administrative law judge (ALJ) from the Division of Administrative Hearings, serving as Senate special master, held a de novo hearing on a previous version of this bill, SB 38 (2011). After the hearing, the ALJ issued a report containing findings of fact and conclusions of law consistent with the underlying jury verdict. That report is attached to this report.

Since that time, the Senate President has reassigned the claim to the undersigned to review records and determine whether any changes have occurred since the hearing that, if

SPECIAL MASTER'S FINAL REPORT – SB 8

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known at the hearing, might have significantly altered the findings or recommendation in the previous report.

According to information received, a few such changes have occurred. Claimant Marcus Button's father died on April 19, 2019, and the claimant lives with his mother Robin Button, as his sole caretaker. On February 14, 2024, Marcus Button and Robin Button entered into settlement agreements with the School Board of Pasco County, Florida, in the amount of \$1,000,000 for Marcus Button and \$200,000 for Robin Button to resolve all claims.

Respectfully submitted,

Miguel Oxamendi
Senate Special Master

cc: Secretary of the Senate



THE FLORIDA SENATE
SPECIAL MASTER ON CLAIM BILLS

Location

402 Senate Office Building

Mailing Address

404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5237

| DATE | COMM | ACTION |
|--------|------|------------------|
| 2/1/11 | SM | Fav/1 amendments |
| | | |
| | | |
| | | |

February 1, 2011

The Honorable Mike Haridopolous
President, The Florida Senate
Suite 409, The Capitol
Tallahassee, Florida 32399-1100

Re: **SB 38 (2011)** – Senator Mike Fasano
Relief of Marcus Button

SPECIAL MASTER'S FINAL REPORT

THIS IS A CONTESTED CLAIM BASED ON A JURY
AWARD FOR MARCUS BUTTON AGAINST THE DISTRICT
SCHOOL BOARD OF PASCO COUNTY, TO
COMPENSATE THE CLAIMANT FOR INJURIES
SUSTAINED IN A MOTOR VEHICLE ACCIDENT
RESULTING FROM THE NEGLIGENT OPERATION OF A
PASCO COUNTY SCHOOL BUS.

FINDINGS OF FACT:

On September 22, 2006, the Claimant, Marcus Button, was traveling in the front passenger's seat of a 2005 Dodge Neon, which was being driven by Jessica Juettner, a high school classmate of the Claimant's. The Dodge Neon was owned by Donald Juettner, Ms. Juettner's father.

At approximately 7:50 a.m., the Claimant and Ms. Juettner were headed to school on State Road 54 in Zephyrhills, which is located in Pasco County. As the Claimant and Ms. Juettner traveled east on State Road 54, they approached Meadow Point Boulevard, which runs from north to south and intersects State Road 54 at a right angle. Vehicles heading east and west on State Road 54 are not required to stop at the intersection, as there is no stop sign or traffic light. However,

SPECIAL MASTER'S FINAL REPORT – SB 38 (2011)

February 1, 2011

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vehicles traveling on Meadow Point Boulevard are required to come to rest at a stop sign prior to turning onto State Road 54.

As the Claimant and Ms. Juettner approached the intersection described above, a District School Board of Pasco County ("District") school bus, which was 35 feet long and weighed 27,500 pounds, was headed north on Meadow Point Boulevard. The bus driver, District employee John Kinne, brought the bus to rest at the stop sign posted at the intersection of State Road 54. However, due to the heavy volume of morning traffic, Mr. Kinne moved the bus beyond the stop bar to facilitate a left turn onto State Road 54.

Despite the absence of any visual obstructions, Mr. Kinne failed to notice the Dodge Neon being driven by Ms. Juettner that was approaching the intersection from the west and within the speed limit. Believing that the intersection was clear, Mr. Kinne pulled forward and began to turn left (headed west) onto State Road 54, directly in the path of the Dodge Neon that was only several car lengths away. Tragically, Ms. Juettner's vehicle impacted the side of the bus, which was in the early process of making the turn and was pointing northwest. According to William Fox, an eyewitness positioned directly behind the bus, there was nothing Ms. Juettner could have done to avoid the collision.

Due to height disparity between the two vehicles, the front of the Dodge Neon went underneath the bus. As a result, the windshield and a portion of the Neon's roof were crushed. After this initial impact, the bus continued forward for a short distance, with the rear wheels of the bus striking the passenger's side of the Neon. Photographs of the Dodge Neon reveal significant intrusion on the driver's side of the vehicle, as well as some degree of intrusion on the passenger's side.

The accident was investigated by Trooper Jose Ramos of the Florida Highway Patrol. Trooper Ramos concluded that Mr. Kinne failed to yield to Ms. Juettner's vehicle, and was therefore at fault. Significantly, Trooper Ramos further determined that Ms. Juettner did not contribute to the accident.

Ms. Juettner, who was wearing her seatbelt, was not seriously injured in the collision. However, the Claimant, who

SPECIAL MASTER'S FINAL REPORT – SB 38 (2011)

February 1, 2011

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did not have his seatbelt fastened, sustained significant injuries to his head. Specifically, the Claimant suffered trauma center, where he was hospitalized for nearly a month. The Claimant was then transferred to a rehabilitation center, where he remained for approximately four weeks.

As a result of the accident, the Claimant, who is now 20 years old, continues to suffer from a variety of maladies, which include:

- Impaired judgment and the inability to make simple decisions, such as when it is safe to cross a road. Accordingly, the claimant requires almost constant supervision.
- Substantially impaired vision in one eye. In addition, neither eye can look up or down, and both are permanently dilated.
- No sense of smell.
- A misshapen and asymmetrical head.
- Hallucinations and other mental health issues that require numerous psychiatric medications. At present, the Claimant takes 13 daily medications, ten of which are anti-psychotic drugs. Although there is evidence indicating that the Claimant suffered from minor emotional issues prior to the accident (e.g., fighting and other disruptive behavior at school), his present psychiatric problems are clearly a manifestation of the injuries sustained in the September 22, 2006, traffic accident.
- Memory and cognitive deficits.

According to Dr. Paul Kornberg, a physician specializing in pediatric rehabilitation, the impairments to the Claimant's judgment, memory, and cognitive ability, combined with his psychiatric issues, will make it nearly impossible for the Claimant to find and maintain employment.

LITIGATION HISTORY:

In September 2007, the Claimant filed a negligence action against the District. The matter proceeded to a jury trial in July of 2009, during which the Claimant presented the testimony of multiple witnesses, which included Dr. Kornberg, Dr. John Dabrowski (a neuropsychologist), Brenda Mulder (a certified public accountant and forensic

SPECIAL MASTER'S FINAL REPORT – SB 38 (2011)

February 1, 2011

Page 4

economist), Dr. Mitchell Drucker (a neuroophthalmologist), and a seatbelt expert, Dr. Michael Freeman. The Claimant elicited evidence that his future medical bills would range from \$6.2 million to \$10.8 million.

During its defense, the District presented the testimony of Dr. Robert Martinez, who opined that the Claimant would not need to reside in an assisted living facility. As one of its other significant witnesses, the District called an accident reconstructionist, James Parrish, who testified that Ms. Juettner could have avoided the accident if she had applied her brakes sufficiently.

On July 27, 2009, the jury returned a verdict in favor of the Claimant, in which it determined that the Claimant was permanently and totally disabled and that 65 percent of the responsibility should be apportioned to the District, 20 percent to Ms. Juettner (for failing to slow her vehicle and/or failing to require the Claimant to wear his seatbelt), and 15 percent to the Claimant. The jury further concluded that the Claimant sustained the following damages:

- \$564,294.50 for future medical expenses.
- \$9800.00 for lost earning up to age 18.
- \$467,137.50 for future lost earnings.
- \$324,999.90 for past pain and suffering.
- \$758,333.31 for future pain and suffering.
- Total damages: \$2,124,565.21.

Based on the jury's finding that the District was 65 percent responsible, final judgment was entered for the Claimant against the school board in the amount of \$1,380,967.39. The school board has paid \$163,000 against this award, leaving \$1,217,967.39 unpaid.

A separate judgment for the Claimant's parents was entered against the District in the amount of \$289,396.85, based upon an award for past medical expenses and a loss of consortium. However, during the final hearing before the undersigned, counsel for the Claimant stated that the parents are not seeking any recovery through the claim bill process.

No appeal of the final judgment was taken to the Second District Court of Appeal.

SPECIAL MASTER'S FINAL REPORT – SB 38 (2011)

February 1, 2011

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CLAIMANT'S POSITION:

The Claimant contends that John Kinne, the operator of a bus owned by the District, was negligent by failing to yield to the vehicle in which he was traveling as a passenger. As a result of Mr. Kinne's negligence, the Claimant suffered permanent injuries. The Claimant further argues that:

- The jury should not have apportioned any responsibility to himself or Ms. Juettner.
- The jury erred by determining that future medical expenses totaled only \$564,294.50, where the evidence established that the low range for future medical expenses was \$6,222,038. Although the Claimant's counsel never provided the undersigned with a precise figure, it appears that the Claimant is requesting that Senate Bill 38 direct the District to pay, at the least, \$6,222,038 for future medical expenses, \$9,800 for lost earnings up to age 18, \$467,137.50 for future lost earnings, \$324,999.90 for past pain and suffering, and \$758,333.31 for future pain and suffering. Taking into account the \$163,000 the District has already paid, this would leave \$7,619,308.71 unpaid. The Claimant suggests that that this sum could be payable over a ten year period.

RESPONDENT'S POSITION:

The District objects to any payment to the Claimant through a claim bill. The District also contends that:

- The jury should have allocated a greater percentage of responsibility to the Claimant for failing to wear his seatbelt, and to Ms. Juettner for not taking sufficient action to avoid the collision.
- The Claimant is not deserving of the legislature's grace due to his criminal background and marijuana use, all of which preceded the accident in this cause.
- In the event the legislature determines that the passage of a claim bill is appropriate, the outstanding jury award should be payable in equal amounts over a five-year period.

CONCLUSIONS OF LAW:

Mr. Kinne had a duty to operate the bus at all times with consideration for the safety of pedestrians and other drivers. Pedigo v. Smith, 395 So. 2d 615, 616 (Fla. 5th DCA 1981). Specifically, it was Mr. Kinne's duty to observe and yield to Ms. Juettner's vehicle as it approached the intersection. See

SPECIAL MASTER'S FINAL REPORT – SB 38 (2011)

February 1, 2011

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§316.123(2)(a), Fla. Stat. (2006) ("[E]very driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway"). Mr. Kinne breached this duty of care and the breach was the proximate cause of the Claimant's injuries.

The Pasco County School District, as Mr. Kinne's employer, is liable for his negligent act. Hollis v. Sch. Bd. of Leon Cnty., 384 So. 2d 661, 665 (Fla. 1st DCA 1980) "holding that a school board is liable for any negligent act committed by a public school bus driver whom it employs, provided the act is within the scope of the driver's employment); see also Aurbach v. Gallina, 753 So. 2d 60, 62 (Fla. 2000) (holding that the dangerous instrumentality doctrine "imposes strict vicarious liability upon the owner of a motor vehicle who voluntarily entrusts that motor vehicle to an individual whose negligent operation causes damage to another").

The jury's findings regarding damages and the allocation of responsibility were reasonable and should not be disturbed. Although the undersigned does not believe that Ms. Juettner could have avoided the accident (the undersigned rejects the contrary opinion of the school board's accident reconstructionist, whose conclusions were based on the erroneous premise that the school bus was accelerating at the same rate as a passenger vehicle), Ms. Juettner was obliged to require the Claimant to wear his seatbelt. An allocation of 20 percent to Ms. Juettner for her failure to do so was appropriate.

Although the Claimant contends that the jury's award with respect to future medical expenses was against the manifest weight of the evidence, the Claimant could have pursued this issue on appeal. As discussed above, however, neither the Claimant nor the District appealed the final judgment to the Second District Court of Appeal. Accordingly, the undersigned rejects the Claimant's argument that he is entitled to a sum greater than the amount of the excess judgment.

LEGISLATIVE HISTORY:

This is the first claim bill presented to the Senate in this matter.

SPECIAL MASTER'S FINAL REPORT – SB 38 (2011)

February 1, 2011

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ATTORNEYS FEES:

The Claimant's attorneys have agreed to limit their fees to 25 percent of any amount awarded by the Legislature in compliance with section 768.28(8), Florida Statutes. Lobbyist's fees are included with the attorney's fees.

FISCAL IMPACT:

As of June 30, 2010, the balance in the District's General Liability account was \$1,189,800.85. Accordingly, the District's operations would not be adversely affected if this claim bill is approved.

COLLATERAL SOURCES:

The Claimant received \$100,000 from his underinsured motorist coverage, and \$10,000 from Ms. Juettner's insurance carrier. At present, the Claimant is also receiving Social Security Disability Insurance.

SPECIAL ISSUES:

On October 16, 2002, approximately four years prior to the accident giving rise to this matter, the Claimant was arrested for burglary of an unoccupied dwelling, a second degree felony, and petit theft, a first degree misdemeanor. With respect to both charges, The adjudication of guilt was withheld and the Claimant was placed on probation with special conditions. Based on the Claimant's age at the time (12), as well as the underlying facts of the offense, the undersigned rejects the District's argument that these criminal charges should militate against the passage of a claim bill.

Senate Bill 38, as it is presently drafted, erroneously reads that the jury allocated 10 percent of the responsibility to the Claimant. As noted above, the Claimant was found to be 15 percent responsible. Senate Bill 38 also provides that a final judgment of \$875,000 was entered for the Claimant against the District, and that a sum of \$675,000 remains unpaid. Both figures are incorrect, as a final judgment of \$1,380,967.39 was entered for the Claimant against the school board, \$1,217,967.39 of which remains unpaid. Senate Bill 38 should be amended to reflect these corrections.

Although a special needs trust has been created for the Claimant, the bill as drafted does not specify that any funds awarded be placed in trust for the Claimant's care. Accordingly, the undersigned further recommends that the bill be amended before approval to require that such funds be held in trust.

SPECIAL MASTER'S FINAL REPORT – SB 38 (2011)

February 1, 2011

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RECOMMENDATIONS:

For the reasons set forth above, the undersigned recommends that Senate Bill 38 (2011) be reported FAVORABLY, as amended.

Respectfully submitted,

Edward T. Bauer
Senate Special Master

cc: Senator Mike Fasano
R. Philip Twogood, Secretary of the Senate
Counsel of Record

3/31/25

Meeting Date

Education PreK-12
Committee

Name Jeff Hawkes

Phone 813-997-6451

Address 19401 Shumard Oak Drive
Street

Email jeff@corcoranpartners.com

Land O Lakes FL
City

State

34638
Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

*Marcus Button, Robin Button,
and Robin Button as Beneficiary of Estate of Mark Button*

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: **SB 444**

INTRODUCER: Senator Avila

SUBJECT: Human Trafficking Awareness

DATE: March 28, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|-----------------|----------------|------------|------------------|
| 1. <u>Bouck</u> | <u>Bouck</u> | <u>ED</u> | <u>Favorable</u> |
| 2. _____ | _____ | <u>AED</u> | _____ |
| 3. _____ | _____ | <u>RC</u> | _____ |

I. Summary:

SB 444 requires public school personnel to receive human trafficking awareness training. The bill requires a district- or school-based administrator to annually provide training to instructional personnel, school nurses and doctors, and other school personnel who come in regular contact with students. Such personnel must annually acknowledge receipt of training.

The bill requires each school district to develop a comprehensive training curriculum on human trafficking awareness, which must be submitted to the Department of Education for approval.

The training must include:

- The definition of human trafficking and the difference between sex trafficking and labor trafficking.
- Guidance for public school personnel concerning how to identify students who may be victims of human trafficking and in reporting and responding to suspected human trafficking.

The bill is effective July 1, 2025.

II. Present Situation:

Human Trafficking

Human trafficking is a form of modern-day slavery.¹ Human trafficking is a global crime that trades in people of all genders, ages and backgrounds and exploits them for profit. Human trafficking generally takes two forms: sex trafficking in which a commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform such act has not attained 18 years of age; or the recruitment, harboring, transportation, provision or obtaining of a person

¹ Section 787.06(1)(a), F.S.

for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery.²

Traffickers use various techniques to instill fear in victims and to keep them enslaved. Some traffickers keep their victims under lock and key. However, the most frequently used practices are less obvious techniques that include isolating victims from the public and family members; confiscating passports, visas, or other identification documents; using or threatening to use violence toward victims or their families; telling victims that they will be imprisoned or deported for immigration violations if they contact authorities; and controlling the victims' funds by holding the money ostensibly for safekeeping.³

There are approximately 30 million people enslaved throughout the world with 2.5 million located right here in the United States. According to the U.S. Department of Justice, every two minutes a child is trafficked for the purpose of sexual exploitation in the United States.⁴

Department of Children and Families

The Department of Children and Families (DCF) tracks human trafficking allegations in two primary categories:⁵

- Human Trafficking – Commercial Sexual Exploitation of a Child (CSEC): This maltreatment type is used for cases in which the allegations involve commercial sexual exploitation of a child (e.g., adult entertainment clubs, escort services, prostitution, etc.).
- Human Trafficking – Labor: This maltreatment type is used in cases in which the allegations involve issues associated with forced labor, slavery, or servitude that do not appear to be sexual in nature.

In FY 2023-2024, the total number of reports accepted by the Florida Abuse Hotline⁶ alleging one of the human trafficking maltreatments was 2,137 involving 1,592 children. Of the 2,137 accepted reports, 1,965 (91.95 percent) were coded as CSEC and 172 (8.05 percent) reports were for Labor Trafficking.⁷

County-level data reveals that Hillsborough County received the highest number of reports of human trafficking, with 220 reports, followed closely by Miami-Dade and Broward counties, each with 199 reports. Duval County received 148 reports, and Orange County reported 139 cases.⁸

² Immigration and Customs Enforcement, *What is Human Trafficking?* <https://www.ice.gov/features/human-trafficking> (last visited Mar. 25, 2025).

³ Section 787.06(1)(c), F.S.

⁴ Florida Department of Education, *Human Trafficking*, <https://www.fl DOE.org/schools/healthy-schools/human-trafficking.shtml> (last visited Mar. 25, 2025)

⁵ Florida Department of Children and Families, *Human Trafficking of Children Annual Report* (Oct. 1, 2024), available at https://www.myflfamilies.com/sites/default/files/2024-10/Human_Trafficking_Report_2023-24.pdf, at 3.

⁶ The Florida Abuse Hotline is 1-800-962-2873. Florida law requires any individual who suspects that a child has been abused by any person to report that to the Florida Abuse Hotline. Florida Department of Children and Families, *Abuse Hotline*, <https://www.myflfamilies.com/services/abuse/abuse-hotline> (last visited Mar. 25, 2025).

⁷ *Id.*

⁸ Florida Department of Children and Families, *Human Trafficking of Children Annual Report* (Oct. 1, 2024), available at https://www.myflfamilies.com/sites/default/files/2024-10/Human_Trafficking_Report_2023-24.pdf, at 4.

Human Trafficking and Students

Of 22,326 trafficking victims and survivors identified through contacts with the National Human Trafficking Hotline in 2019, at least 5,359 were under age 18. Many underage victims of human trafficking are students in the American school system. No community, school, socioeconomic group, or student demographic is immune. Cases of child trafficking are found in every area of the country—in rural, suburban, and urban settings alike.⁹

Indicators that school staff and administrators should be aware of concerning a potential victim are if a child:¹⁰

- Demonstrates an inability to attend school on a regular basis and/or has unexplained absences.
- Frequently runs away from home.
- Makes references to frequent travel to other cities.
- Exhibits bruises or other signs of physical trauma, withdrawn behavior, depression, anxiety, or fear.
- Lacks control over his or her schedule and/or identification or travel documents.
- Is hungry, malnourished, deprived of sleep, or inappropriately dressed (based on weather conditions or surroundings).
- Shows signs of drug addiction.
- Has coached/rehearsed responses to questions.

Additional signs that may indicate sex trafficking include the child:¹¹

- Demonstrates a sudden change in attire, personal hygiene, relationships, or material possessions.
- Acts uncharacteristically promiscuous and/or makes references to sexual situations or terminology that are beyond age-specific norms.
- Has a “boyfriend” or “girlfriend” who is noticeably older.
- Attempts to conceal recent scars.

Additional signs that may indicate labor trafficking include if the child:¹²

- Expresses need to pay off a debt.
- Expresses concern for family members’ safety if he or she shares too much information.
- Works long hours and receives little or no payment.
- Cares for children not from his or her own family.

Human Trafficking Education in Public Schools

As a part of required comprehensive age-appropriate and developmentally appropriate K-12 instruction students must receive instruction on the prevention of child sexual abuse,

⁹ <https://safesupportivelearning.ed.gov/human-trafficking-americas-schools>

¹⁰ U.S. Department of Education, *Human Trafficking of Children in the United States-A Fact Sheet for Schools*, <https://www.ed.gov/teaching-and-administration/supporting-students/human-trafficking/human-trafficking-of-children-in-the-united-states-a-fact-sheet-for-schools> (last visited Mar. 25, 2025).

¹¹ *Id.*

¹² *Id.*

exploitation, and human trafficking.¹³ For students in grades 6-12, the instruction must also include the various effects of social media including predatory behavior and human trafficking on the Internet.¹⁴

Age-appropriate elements of effective and evidence-based programs and instruction to students in grades K-12 related to child trafficking prevention and awareness and must address, at a minimum, the following topics:¹⁵

- Recognition of signs of human trafficking;
- Awareness of resources, including national, state and local resources;
- Prevention of the abuse of and addiction to alcohol, nicotine, and drugs;
- Information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance; and
- Information on how social media and mobile device applications are used for human trafficking.

The Department of Education (DOE) maintains a human trafficking webpage¹⁶ with information about the human trafficking education; resources on abuse, including sexual abuse, and human trafficking prevention for professional learning purposes; and materials for parents, guardians, and other caretakers of students.

Human Trafficking Training for Educators

According to the U.S. Department of Education (USDOE), schools have several responsibilities regarding child trafficking. To be effective, schools should increase staff awareness and educate staff on the nature of trafficking and on which youth are most vulnerable to it, increase parent and student awareness of the risks and realities of trafficking, and develop district or schoolwide policies and protocols for identifying and supporting trafficking victims. Basic training on trafficking risk factors and indicators should be provided to school personnel, particularly those who work with students in higher-risk groups, or staff who, by virtue of their positions, are most likely to notice red flags. These school staff include school counselors, bus drivers, special education teachers, attendance officers, and school nurses.¹⁷

Several national training modules regarding human trafficking are available, such as:

- The National Center on Safe Supportive Learning Environments, through a contract with the USDOE, provides educators with an introduction to human trafficking prevention. It includes three brief videos that provide information key to identifying potential trafficking, generating appropriate school-level responses, and efforts to prevent trafficking of students. Each video

¹³ Section 1003.42(2)(o)1.g., F.S.

¹⁴ Section 1003.42(2)(o)5.a., F.S.

¹⁵ Rule 6A-1.094124(6)(d), F.A.C.

¹⁶ Florida Department of Education, *Human Trafficking*, <https://www.fl DOE.org/schools/healthy-schools/human-trafficking.shtml> (last visited Mar. 25, 2025).

¹⁷ U.S. Department of Education, *Human Trafficking in America's Schools* (Jan. 2021), available at <https://www.ed.gov/sites/ed/files/documents/human-trafficking/human-trafficking-americas-schools.pdf>, at 15.

includes comments by both content and lived experience subject matter experts, as well as reflection questions for educators to consider individually or as a group.¹⁸

- The Blue Campaign by the Department of Homeland Security (DHS) is a national public awareness campaign designed to educate the public, law enforcement, and other industry partners to recognize the indicators of human trafficking, and how to appropriately respond to possible cases. The Blue Campaign works closely with DHS partners to develop general awareness trainings, as well as specific educational resources to help reduce victimization within vulnerable populations. Blue Campaign's educational awareness objectives consists of two foundational elements, prevention of human trafficking and protection of exploited persons. The training on human trafficking includes general awareness, labor trafficking, and sex trafficking.¹⁹

Required Public School Training Related to Student Health, Safety, and Welfare

Florida teachers, administrator, and staff are required to complete a number of trainings regarding student well-being.

All teachers in grades K-12 must participate in continuing education training provided by DCF on identifying and reporting child abuse and neglect.²⁰

The DOE is required to develop an evidence-based youth mental health awareness and assistance training program to help school personnel identify and understand the signs of emotional disturbance, mental illness, and substance use disorders and provide such personnel with the skills to help a person who is developing or experiencing an emotional disturbance, mental health, or substance use problem. School districts must annually certify that at least 80 percent of school personnel have received this training.²¹

The DOE, in consultation with the Statewide Office for Suicide Prevention and suicide prevention experts, shall develop a list of approved youth suicide awareness and prevention training materials and suicide screening instruments that may be used for training in youth suicide awareness, suicide prevention, and suicide screening for instructional personnel in public schools. A school is designated a "Suicide Prevention Certified School" if it meets certain staff training requirements.²²

Each district school board must adopt a dating violence and abuse policy for school and school events with procedures for responding to such incidents of dating violence or abuse, including accommodations for students experiencing dating violence or abuse. The district school board must provide training for teachers, staff, and school administrators to implement the policy.²³

¹⁸ National Center on Safe Supportive Learning Environments, *Addressing Human Trafficking in Schools, Staff Development Series*, <https://safesupportivelearning.ed.gov/addressing-human-trafficking-americas-schools-staff-development-series> (last visited Mar. 26, 2025).

¹⁹ Department of Homeland Security, *Blue Campaign*, <https://www.dhs.gov/blue-campaign> (last visited Mar. 26, 2025).

²⁰ Section 1012.98(13), F.S.

²¹ Section 1012.584(1) and (5), F.S.

²² Section 1012.583, F.S.

²³ Section 1006.148, F.S.

A district school safety specialist, or designee, must provide for the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security.²⁴ Additionally, each district school board and charter school governing board must adopt an active assailant response plan. Each district school superintendent and charter school principal must annually certify that all school personnel have received training on the active assailant response plan.²⁵

Each athletic coach or sponsor of outdoor-related extracurricular activities must annually complete training in exertional heat illness identification, prevention, and response, including effective administration of cooling zones. A school employee or volunteer with current training in cardiopulmonary resuscitation (CPR) and use of a defibrillator must be present at each athletic event or practice.²⁶

Each school district must provide training to any school personnel authorized to use positive behavior interventions and supports pursuant to school district policy on the use of physical restraint. The training must include risk assessment procedures, safe and appropriate restraint techniques, documentation and reporting requirements, CPR and medical emergencies.²⁷

Each school employee whose duties include regular contact with the student who has an individualized seizure action plan must complete training in the care of students with epilepsy and seizure disorders. The DOE must identify on its website one or more free online training courses.²⁸

III. Effect of Proposed Changes:

SB 444 creates s. 1006.481, F.S., to establish requirements for human trafficking awareness training in public schools.

The bill requires each public school to designate an administrator, which may be a district-based instructional or noninstructional administrator or a school principal or assistant principal to provide annual training regarding human trafficking awareness to the following:

- Instructional personnel, to include classroom teachers, school counselors, social workers, career specialists, school psychologists, librarians and media specialists, learning specialists, and paraprofessionals.
- School nurses and school doctors.
- Other administrative and school personnel who have regular contact with students as determined by the administrator conducting the training.

The human trafficking awareness training must also be provided to new employees in the above positions within 90 days after they begin employment. All employees required to undergo training must submit to the school-designated member of the administrative personnel a signed

²⁴ Section 1006.07(6)(a)2., F.S.

²⁵ Section 1006.07(6)(d), F.S.

²⁶ Section 1006.165(1)(b) and (2)(b), F.S.

²⁷ Section 1003.573(5), F.S.

²⁸ Section 1006.0626, F.S.

and dated acknowledgment of having received the training. The school must keep such acknowledgment filed electronically.

Each school district must develop or procure a comprehensive training curriculum on human trafficking awareness, which must be submitted to the Department of Education for approval. Once approved, the school district must provide this training to the designated administrator. The training must include:

- The definition of human trafficking and the difference between sex trafficking and labor trafficking.
- Guidance specific to the public education sector concerning how to identify students who may be victims of human trafficking.
- Guidance concerning the role of employees of the public school system in reporting and responding to suspected human trafficking.
- A protocol for reporting suspected human trafficking which must require that suspicion of human trafficking of a child be reported to the Department of Children and Families or the Florida Human Trafficking Hotline at either entity's designated telephone number.

The bill is effective July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate impact on school districts to develop or procure training curriculum and provide training to specified school personnel.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill does not specify if charter schools are included in the requirement for public schools to develop and conduct human trafficking awareness training. Charter schools are exempt from most of the Florida statutes, except those regarding student health, safety, and welfare. Also, charter schools are required to comply with youth mental health awareness and assistance training. If the sponsor intends for charter schools to comply with such training, the sponsor may wish to add a specific requirement to s. 1002.33(16)(b), F.S.

VIII. Statutes Affected:

This bill creates section 1006.481 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Avila

39-01350B-25

2025444

A bill to be entitled

An act relating to human trafficking awareness; creating s. 1006.481, F.S.; requiring public schools to designate a member of the administrative personnel to provide annual training regarding human trafficking awareness to specified employees; requiring employees who receive such training to submit an acknowledgment to the school; requiring schools to keep the acknowledgments filed electronically; requiring each school district to provide the curriculum for such training and to submit such curriculum to the Department of Education for approval; providing requirements for the training; providing an effective date.

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

Section 1. Section 1006.481, Florida Statutes, is created to read:

1006.481 Human trafficking awareness training.

(1) Each public school shall designate a member of the administrative personnel as defined in s. 1012.01(3) to provide annual training regarding human trafficking awareness to instructional personnel as defined in s. 1012.01(2), other administrative personnel, school nurses and school doctors as identified in s. 1012.01(6), and any other personnel deemed by the designated administrative personnel member to have regular contact with students. Such training must also be provided for new employees in such positions within 90 days after they begin

Page 1 of 2

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

2025444

39-01350B-25

their employment. Each employee must submit to the school-designated member of the administrative personnel a signed and dated acknowledgment of having received the training. The school shall keep such acknowledgment filed electronically.

(2) Each school district shall provide to the designated administrative personnel a comprehensive training curriculum for the annual training described in subsection (1). Such curriculum must be submitted to the Department of Education for approval and must include all of the following:

(a) The definition of human trafficking and the difference between sex trafficking and labor trafficking.

(b) Guidance specific to the public education sector concerning how to identify students who may be victims of human trafficking.

(c) Guidance concerning the role of employees of the public school system in reporting and responding to suspected human trafficking.

(d) A protocol for reporting suspected human trafficking which must require that suspicion of human trafficking of a child be reported to the Department of Children and Families or the Florida Human Trafficking Hotline at either entity's designated telephone number.

Section 2. This act shall take effect July 1, 2025.

Page 2 of 2

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3/31/2025

Meeting Date

Senate Committee on
Education Committee PreK-12
Name Lauren Evans + Tazara Fields

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 444

Bill Number or Topic

Amendment Barcode (if applicable)

813-365-2163

Address 1970 Corvallis Ave.

Street

Tallahassee, FL

City

State

32304

Zip

Phone 813-365-2163
Email He13@fsu.edu

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](http://flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

03/31/2025

Meeting Date

Education prek-12

Committee

APPEARANCE RECORDDeliver both copies of this form to
Senate professional staff conducting the meeting

444

Bill Number or Topic

Name Jileah WilderPhone 850-412-1115Address 215 SOUTH monroe STREET
StreetEmail jwilder@beckerlawyers.com

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without
compensation or sponsorship. I am a registered lobbyist,
representing:miami-dade
county public
schools I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (f1senate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 540

INTRODUCER: Education Pre-K - 12 Committee and Senators Collins and Burgess

SUBJECT: Disability History and Awareness Instruction

DATE: April 1, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|-----------------|----------------|------------|---------------|
| 1. <u>Brick</u> | <u>Bouck</u> | <u>ED</u> | <u>Fav/CS</u> |
| 2. _____ | _____ | <u>AED</u> | _____ |
| 3. _____ | _____ | <u>RC</u> | _____ |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 540 designates the act as the "Evin B. Hartsell Act" and amends s. 1003.4205, F.S., relating to disability history and awareness instruction.

The bill directs the Department of Education (DOE) to develop statewide curricula for disability history and awareness for the following grade ranges:

- Kindergarten through grade 3 – an introduction to physical disabilities and bullying;
- Grades 4 through 6 – autism spectrum disorder;
- Grades 7 through 9 – hearing impairments;
- Grades 10 through 12 – learning styles and intellectual disabilities.

The bill authorizes the DOE to consult with the Evin B. Hartsell Foundation to assist in developing the required curricula.

The bill takes effect July 1, 2025.

II. Present Situation:

Disability History and Awareness Instruction

Each district school board may provide disability history and awareness instruction in all K-12 public schools in the district during the first two weeks in October each year. District school

boards that provide this instruction must designate these two weeks as “Disability History and Awareness Weeks.”¹

Content and Scope of Instruction

During this two-week period, students may be provided intensive instruction to expand their knowledge, understanding, and awareness of individuals with disabilities, the history of disability, and the disability rights movement. Disability history may include the events and timelines of the development and evolution of services to, and the civil rights of, individuals with disabilities. Disability history may also include the contributions of specific individuals with disabilities, including the contributions of acknowledged national leaders.²

The instruction may be integrated into the existing school curriculum in ways including, but not limited to, supplementing lesson plans, holding school assemblies, or providing other school-related activities. The instruction may be delivered by qualified school personnel or by knowledgeable guest speakers, with a particular focus on including individuals with disabilities.³

Goals and Intended Outcomes

The goals of disability history and awareness instruction include:⁴

- Better treatment for individuals with disabilities, especially for youth in school, and increased attention to preventing the bullying or harassment of students with disabilities.
- Encouragement to individuals with disabilities to develop increased self-esteem, resulting in more individuals with disabilities gaining pride in being an individual with a disability, obtaining postsecondary education, entering the workforce, and contributing to their communities.
- Reaffirmation of the local, state, and federal commitment to the full inclusion in society of, and the equal opportunity for, all individuals with disabilities.

Evin B. Hartsell Foundation

The Evin B. Hartsell Foundation is a nonprofit organization dedicated to promoting disability awareness, education, and advocacy. The foundation's mission is to inspire the world to understand and appreciate the true value of people with disabilities, just like Evin did.⁵

The foundation offers educational initiatives aimed at increasing public understanding of disability history. The foundation also develops curriculum materials and educator training resources to support disability awareness instruction in schools.⁶

In collaboration with the University of South Florida, the foundation established the Evin B. Hartsell Endowed Memorial Scholarship, which supports students participating in the

¹ Section 1003.4205(1), F.S.

² Section 1003.4205(2)(a), F.S.

³ Section 1003.4205(2)(b), F.S.

⁴ Section 1003.4205(3), F.S.

⁵ Evin B. Hartsell Foundation, *About*, <https://evinbhartsell.com/about/> (last visited Mar. 19, 2025).

⁶ Evin B. Hartsell Foundation, *Education and Awareness*, <https://evinbhartsell.com/education-awareness/> (last visited Mar. 19, 2025).

Interdisciplinary Training Program of the Florida Center for Inclusive Communities. This scholarship prioritizes students pursuing degrees in social work, psychology, or counseling, with preference given to individuals with disabilities, U.S. military veterans, and students with a GPA of 3.0 or higher.⁷

III. Effect of Proposed Changes:

CS/SB 540 designates the act as the "Evin B. Hartsell Act" and amends s. 1003.4205, F.S., relating to disability history and awareness instruction.

The bill directs the Department of Education (DOE) to develop statewide curricula for disability history and awareness for the following grade ranges:

- Kindergarten through grade 3 – an introduction to physical disabilities and bullying;
- Grades 4 through 6 – autism spectrum disorder;
- Grades 7 through 9 – hearing impairments;
- Grades 10 through 12 – learning styles and intellectual disabilities.

The bill authorizes the DOE to consult with the Evin B. Hartsell Foundation to assist in developing the required curricula.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

⁷ University of South Florida, *Evin B. Hartsell Foundation Gift Establishes Endowed Memorial Scholarship*, Dec. 14, 2021, <https://www.usf.edu/cbcs/news/2021/hartsell-gift.aspx> (last visited Mar. 19, 2025).

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.4205 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K -12 on March 31, 2025:

- Removes the bill's requirement that all K-12 public schools provide disability history and awareness instruction during a designated two-week period in October, and instead maintains current law, under which each district school board may choose whether to offer the instruction.
- Removes the requirement that district school boards implement grade-specific instructional content and instead directs the Department of Education to develop statewide curricula for four specified grade ranges.
- Specifies the content to be included in the Department-developed curricula by grade range as follows:
 - For kindergarten through grade 3, instruction must address physical disabilities and bullying;
 - For grades 4 through 6, instruction must address autism spectrum disorder;
 - For grades 7 through 9, instruction must address hearing impairments; and
 - For grades 10 through 12, instruction must address learning styles and intellectual disabilities.
- Authorizes the Department of Education to consult with the Evin B. Hartsell Foundation in developing the required curricula.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 03/31/2025 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education Pre-K - 12 (Collins) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

5 Section 1. This act may be cited as the "Evin B. Hartsell
6 Act."

7 Section 2. Paragraph (a) of subsection (2) of section
8 1003.4205, Florida Statutes, is amended to read:

9 1003.4205 Disability history and awareness instruction.—

10 (2) (a) During this 2-week period, students may be provided



729992

11 intensive instruction to expand their knowledge, understanding,
12 and awareness of individuals with disabilities, the history of
13 disability, and the disability rights movement. Disability
14 history may include the events and timelines of the development
15 and evolution of services to, and the civil rights of,
16 individuals with disabilities. Disability history may also
17 include the contributions of specific individuals with
18 disabilities, including the contributions of acknowledged
19 national leaders.

20 1. The Department of Education shall develop the following
21 curricula for the grade levels specified:

22 a. For kindergarten through grade 3, an introduction to
23 physical disabilities and bullying.

24 b. For grades 4 through 6, autism spectrum disorder.

25 c. For grades 7 through 9, hearing impairments.

26 d. For grades 10 through 12, learning styles and
27 intellectual disabilities.

28 2. The department may consult with the Evin B. Hartsell
29 Foundation to further develop the curricula in subparagraph 1.

30 Section 3. This act shall take effect July 1, 2025.

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

33 And the title is amended as follows:

34 Delete everything before the enacting clause
35 and insert:

36 A bill to be entitled

37 An act relating to disability history and awareness

38 instruction; providing a short title; amending s.

39 1003.4205, F.S.; requiring the Department of Education



40 to develop specified curricula; authorizing the
41 department to consult with the Evin B. Hartsell
42 Foundation to further develop such curricula;
43 providing an effective date.

By Senator Collins

14-00597B-25

2025540

1 A bill to be entitled

2 An act relating to disability history and awareness
 3 instruction; providing a short title; amending s.
 4 1003.4205, F.S.; requiring, rather than authorizing,
 5 disability history and awareness instruction;
 6 requiring that disability history and awareness
 7 instruction include specified material; authorizing a
 8 district school board to consult with the Evin B.
 9 Hartsell Foundation to further develop material;
 10 providing an effective date.

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

12 Section 1. This act may be cited as the "Evin B. Hartsell
 13 Act."

14 Section 2. Paragraph (a) of subsection (2) of section
 15 1003.4205, Florida Statutes, is amended to read:

16 1003.4205 Disability history and awareness instruction.—
 17 (2) (a) During this 2-week period, students ~~must~~ may be
 18 provided intensive instruction to expand their knowledge,
 19 understanding, and awareness of individuals with disabilities,
 20 the history of disability, and the disability rights movement.
 21 Disability history may include the events and timelines of the
 22 development and evolution of services to, and the civil rights
 23 of, individuals with disabilities. Disability history may also
 24 include the contributions of specific individuals with
 25 disabilities, including the contributions of acknowledged
 26 national leaders.

27 1. Instruction must include the following material:

28 Page 1 of 3

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

14-00597B-25

2025540

30 a. For grades K-3:

31 (I) Conversations on bullying. Such conversations may
 32 address what students should do if they are being bullied, what
 33 they should do if they see someone being bullied, why bullying
 34 is not the victim's fault, what different types of bullying look
 35 like, the possibility that a friend could be a bully, or the
 36 school's antibullying policy.

37 (II) Activities to teach about physical disabilities. Such
 38 activities may include having students take turns using a
 39 wheelchair, having students try to complete tasks using only one
 40 hand, or having students try to complete tasks with a blindfold
 41 while other students act as guides.

42 b. For grades 4-6:

43 (I) Information about autism spectrum disorder.
 44 (II) Activities that demonstrate what life with an autism
 45 spectrum disorder is like. Such activities may include requiring
 46 students to attempt to communicate with one another without
 47 speaking.

48 c. For grades 7-9:

49 (I) Information about hearing impairments.
 50 (II) Activities that demonstrate what life with hearing
 51 impairment is like. Such activities may include requiring
 52 students to wear ear plugs and attempt to listen as the teacher
 53 reads aloud while noise plays in the background or requiring
 54 students to attempt to read one another's lips.

55 d. For grades 10-12:

56 (I) Information on different types of learning and
 57 intellectual disabilities.
 58 (II) Activities that demonstrate what life with a learning

Page 2 of 3

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59 or intellectual disability is like. Such activities may include
60 requiring students to read sentences written backwards.

61 2. A district school board may consult with the Evin B.
62 Hartsell Foundation to further develop the curricula in
63 subparagraph 1.

64 Section 3. This act shall take effect July 1, 2025.

3-31-2025

Meeting Date
Pre K-12 Education

Committee

Name **Melisa Hartsell**

Address **Evin B. Hartsell Foundation Inc.**
Street

City _____ State _____ Zip _____

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 742

INTRODUCER: Education Pre-K - 12 Committee and Senator Simon

SUBJECT: Workforce Education

DATE: April 1, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|-----------------|----------------|------------|---------------|
| 1. <u>Brick</u> | <u>Bouck</u> | <u>ED</u> | <u>Fav/CS</u> |
| 2. _____ | _____ | <u>AHE</u> | _____ |
| 3. _____ | _____ | <u>FP</u> | _____ |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 742 allows charter schools to directly access funding through the Workforce Development Capitalization Incentive Grant Program. This funding may be used to cover some or all costs associated with the creation or expansion of career and technical education programs that lead to industry certifications included on the CAPE Industry Certification Funding List.

Additionally, the bill increases from three to six the number of programs for which each career center and Florida College System institution must offer a money-back guarantee.

The bill takes effect July 1, 2025.

II. Present Situation:

Workforce Development Capitalization Incentive Grant Program

The Workforce Development Capitalization Incentive Grant Program (CAP Grant) provides grants to school districts and Florida College System (FCS) institutions to support the creation or expansion of career and technical education programs leading to industry certifications included on the CAPE Industry Certification Funding List.¹ These programs may serve secondary students

¹ The CAPE Industry Certification Funding List (Funding List) is the list of industry certifications and certificates adopted by the State Board of Education for implementation of the Florida Career and Professional Education (CAPE) Act.

or postsecondary students, provided the postsecondary career and technical education program also serves secondary students.²

Grant funds may be used for instructional equipment, laboratory equipment, supplies, personnel, student services, or other expenses related to the establishment or expansion of career and technical education programs serving secondary students. Expansion may include increasing program enrollment or adding new areas of specialization. However, grant funds may not be used for recurring instructional costs or institutions' indirect costs.³

The Department of Education (DOE) administers the program, and the State Board of Education is authorized to adopt rules for its administration. When ranking applications, the State Board of Education must consider the statewide geographic dispersion of grant funds and prioritize applications from education agencies that maximize workforce development funding by offering high-performing, high-demand programs.⁴

In both 2023⁵ and 2024,⁶ the Legislature provided \$100 million for the CAP Grant.

Money-back Guarantee Program

The Money-back Guarantee Program aims to help individuals achieve self-sufficiency by requiring each school district and FCS institution to refund tuition costs for students who fail to secure employment in their trained field within six months of successfully completing an eligible workforce education program. These programs must prepare students for in-demand, middle- to high-wage occupations.⁷

Each school district and FCS institution must offer a money-back guarantee for at least three programs and establish student eligibility criteria, which may include:⁸

- Student attendance.
- Program performance.
- Career Service or Career Day attendance.
- Internship or work-study participation.
- Job search documentation.
- Development of a career plan with the institution's career services department.

The DOE is required to submit an annual report on the Money-back Guarantee Program. By November 1 of each year, the DOE must report performance results for each participating school

Certifications and certificates identified on the Funding List are assigned additional full-time equivalent (FTE) membership funding. Rule 6A-6.0576, F.A.C.

² Section 1011.801, F.S.

³ Section 1011.801(1), F.S.

⁴ Section 1011.801(2), F.S.

⁵ Section 51, ch. 2023-81, L.O.F.

⁶ Specific Appropriation 120, s. 2, ch. 2024-231, L.O.F.

⁷ Section 1011.803(1), F.S.

⁸ Section 1011.803(2), F.S.

district, FCS institution, and program to the Governor, the President of the Senate, and the Speaker of the House of Representatives.⁹

Two school districts do not meet the three-program requirement because they only operate two qualifying programs under the Money-back Guarantee Program.¹⁰ A total of 3,872 students have enrolled in an eligible program, including 790 students at FCS institutions and 3,082 students at school districts. To date, no students have requested refunds for any program.¹¹

Work Search Requirements under Reemployment Assistance Law

To receive reemployment assistance benefits, an individual must be able to work and available for work during each week of claimed unemployment.¹² To be considered “available for work,” a claimant must be actively seeking employment, which is defined as engaging in systematic and sustained efforts to find work, including contacting at least five prospective employers each week.¹³

Alternatively, a claimant may satisfy this requirement by reporting in person to a one-stop career center to meet with a center representative and access reemployment services. The center must maintain records of the services provided and make them available to the department upon request.¹⁴

The law further provides that a claimant’s job search documentation may not include the same prospective employer at the same location for three consecutive weeks, unless the employer has indicated that it is hiring again since the initial contact.¹⁵

For claimants residing in small counties, as defined in Section 120.52(19), Florida Statutes, the minimum number of required employer contacts is reduced to three per week.¹⁶ Union members may satisfy the work search requirement by reporting daily to their union hiring hall, if that is their customary method of seeking work.¹⁷

III. Effect of Proposed Changes:

CS/SB 742 amends s. 1011.801, F.S., to allow charter schools to directly access funding through the Workforce Development Capitalization Incentive Grant Program. This funding may be used to cover costs associated with the creation or expansion of career and technical education programs that lead to industry certifications included on the CAPE Industry Certification Funding List.

⁹ Section 1011.803(4), F.S.

¹⁰ The school districts offering two money-back guarantee programs are Baker, Brevard, DeSoto, Dixie and Sumter County Schools. Florida Department of Education, *2024 Money Back Guarantee Program Report* (November 2024), at 11.

¹¹ Florida Department of Education, *2024 Money Back Guarantee Program Report* (November 2024), at 4.

¹² Section 443.091(1)(d), F.S.

¹³ Section 443.091(1)(d), F.S.

¹⁴ Section 443.091(1)(d), F.S.

¹⁵ Section 443.091(1)(d), F.S.

¹⁶ Section 443.091(1)(d)6., F.S.

¹⁷ Section 443.091(1)(d)4., F.S.

The bill also amends s. 1011.803, F.S., relating to the Money-back Guarantee Program, to:

- Require each school district and Florida College System (FCS) institution to increase the number of programs for which a money-back guarantee is offered from three to six by July 1, 2026, and to notify the State Board of Education of the additional programs.
- Clarify that enrollment in a qualifying program constitutes enrollment in the money-back guarantee program.
- Provide that eligibility criteria related to job search documentation and internship or work-study participation may not exceed the work search requirements under Reemployment Assistance Law.

The bill also expands the Department of Education's annual reporting requirement to include the eligibility criteria for tuition reimbursement by school district, FCS institution, and program, in addition to performance results.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

While the bill does not directly appropriate funds, requiring additional programs under the Money-back Guarantee Program may result in increased costs for school districts and FCS institutions.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1011.801 and 1011.803.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K -12 on March 31, 2025:

The committee substitute:

- Includes a conforming change to clarify charter school eligibility provided in the bill for the Workforce Development Capitalization Incentive Grant Program.
- Replaces the bill's immediate increase from three to six required programs with a phased approach, requiring an additional three programs to be added by July 1, 2026, bringing the total to six programs at that time and:
 - Requires notification to the State Board of Education of the three additional programs.
 - Specifies that enrollment in a qualifying program constitutes enrollment in the money-back guarantee program.
- Caps eligibility criteria for job search documentation and internship/work-study participation by requiring they not exceed the work search requirements in s. 443.091, F.S. (which governs reemployment assistance).
- Expands the Department of Education's existing annual report (due Nov. 1) to include not just performance results, but also the eligibility criteria for tuition reimbursement by school district, FCS institution, and program.
- Includes a title change to an act related to "workforce education."

B. Amendments:

None.



LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 03/31/2025 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education Pre-K - 12 (Simon) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

5 Section 1. Section 1011.801, Florida Statutes, is amended
6 to read:

7 1011.801 Workforce Development Capitalization Incentive
8 Grant Program.—The Legislature recognizes that the need for
9 school districts, charter schools, and Florida College System
10 institutions to be able to respond to emerging local or



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11 statewide economic development needs is critical to the
12 workforce development system. The Workforce Development
13 Capitalization Incentive Grant Program is created to provide
14 grants to school districts, charter schools, and Florida College
15 System institutions to fund some or all of the costs associated
16 with the creation or expansion of career and technical education
17 programs that lead to industry certifications included on the
18 CAPE Industry Certification Funding List. The programs may serve
19 secondary students or postsecondary students if the
20 postsecondary career and technical education program also serves
21 secondary students.

22 (1) Funds awarded for a workforce development
23 capitalization incentive grant may be used for instructional
24 equipment, laboratory equipment, supplies, personnel, student
25 services, or other expenses associated with the creation or
26 expansion of a career and technical education program that
27 serves secondary students. Expansion of a program may include
28 either the expansion of enrollments in a program or expansion
29 into new areas of specialization within a program. No grant
30 funds may be used for recurring instructional costs or for
31 institutions' indirect costs.

32 (2) The Department of Education shall administer the
33 program. The State Board of Education may adopt rules for
34 program administration. The State Board of Education shall
35 consider the statewide geographic dispersion of grant funds in
36 ranking the applications and shall give priority to applications
37 from education agencies that are making maximum use of their
38 workforce development funding by offering high-performing, high-
39 demand programs.



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40 Section 2. Subsections (2) and (4) of section 1011.803,
41 Florida Statutes, are amended to read:

42 1011.803 Money-back Guarantee Program.—

43 (2) Each school district and Florida College System
44 institution shall establish a money-back guarantee program to:

45 (a) Offer a money-back guarantee on at least three
46 programs. However, by July 1, 2026, each school district and
47 Florida College System institution must offer a money-back
48 guarantee on at least three additional programs and notify the
49 State Board of Education of such programs.

50 (b) Establish student eligibility criteria for the
51 reimbursement of tuition under the money-back guarantee program
52 that includes:

- 53 1. Student attendance.
- 54 2. Student program performance.
- 55 3. Career Service or Career Day attendance.
- 56 4. Participation in internship or work-study programs.
- 57 5. Job search documentation.
- 58 6. Development of a student career plan with the
59 institution's career services department.

60
61 Enrollment in a program established pursuant to this subsection
62 constitutes enrollment in the money-back guarantee program.

63 Eligibility criteria for the reimbursement of tuition
64 established by the school district or Florida College System
65 institution pursuant to subparagraphs 4. and 5. may not exceed
66 the work search requirements under s. 443.091.

67 (4) By November 1 of each year, the Department of Education
68 shall report performance results and eligibility criteria for



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69 the reimbursement of tuition by school district, Florida College
70 System institution, and program to the Governor, the President
71 of the Senate, and the Speaker of the House of Representatives.

72 Section 3. This act shall take effect July 1, 2025.

73

74 | ===== T I T L E A M E N D M E N T =====

75 | And the title is amended as follows:

76 Delete everything before the enacting clause
77 and insert:

78 | A bill to be entitled

An act relating to workforce education; amending s. 1011.801, F.S.; providing that charter schools are eligible for the Workforce Development Capitalization Incentive Grant Program; amending s. 1011.803, F.S.; revising the number of programs school districts and Florida College System institutions must offer money-back guarantees for through the money-back guarantee program by a specified date; requiring school districts and Florida College System institutions to report such programs to the State Board of Education; providing requirements for specified student eligibility criteria for tuition reimbursement under the program; revising reporting requirements; providing an effective date.

By Senator Simon

3-01773-25

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

(1) Funds awarded for a workforce development

Page 1 of 2

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30 capitalization incentive grant may be used for instructional
31 equipment, laboratory equipment, supplies, personnel, student
32 services, or other expenses associated with the creation or
33 expansion of a career and technical education program that
34 serves secondary students. Expansion of a program may include
35 either the expansion of enrollments in a program or expansion
36 into new areas of specialization within a program. No grant
37 funds may be used for recurring instructional costs or for
38 institutions' indirect costs.

47 Section 2. Paragraph (a) of subsection (2) of section
48 1011.803, Florida Statutes, is amended to read:

49 1011.803 Money-back Guarantee Program.—

50 (2) Each school district and Florida College System
51 institution shall establish a money-back guarantee program to:
52 (a) Offer a money-back guarantee on at least six ~~three~~
53 programs.

54 Section 3. This act shall take effect July 1, 2025.

Page 2 of 2

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

The Florida Senate

APPEARANCE RECORD

3/31/25

Meeting Date

PreK-12 Ed

Committee

Name Shan GoffAddress 215 S Monroe Street

Street

TallFl32301

City

State

Zip

Phone 850-544-6128Email Shan@excelined.orgSpeaking: For Against Information**OR**Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing:Foundation for Florida's Future I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 822

INTRODUCER: Education Pre-K - 12 Committee and Senator Rodriguez

SUBJECT: Education

DATE: April 1, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|--------------------|----------------|------------|---------------|
| 1. <u>Sabitsch</u> | <u>Bouck</u> | <u>ED</u> | <u>Fav/CS</u> |
| 2. _____ | _____ | <u>AED</u> | _____ |
| 3. _____ | _____ | <u>RC</u> | _____ |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 822 modifies numerous provisions related to charter schools, high performing charter schools and disposal of real property by school districts. Specifically, the bill:

- Limits the administrative deadlines a sponsor can impose on a charter school.
- Allows a charter school to adopt its own code of student conduct with certain restrictions.
- Modifies priority enrollment provisions for eligible charter school students related to prekindergarten participation.
- Requires charter schools to comply with parental notification requirements related to student well-being.
- Allows charter schools meeting certain conditions to increase enrollment capacity to more than what is specified in the charter without exceeding the capacity of the facility and requiring notice to the sponsor.
- Requires that access to the sponsor's student information system as allowed by law be provided to the charter school or its contractor and specifies the performance data to be accessed.
- Requires that the Department of Education provide student performance data to the charter school and its contractor as allowed by law.
- Adds a prohibition for the landlord or other associated individuals of a charter school to serve on a governing board of that charter school.
- Allows a high-performing charter school to assume the charter of an existing charter school in the same school district under certain circumstances.

The bill takes effect on July 1, 2025.

II. Present Situation:

Florida's Charter Schools

Charter schools are tuition-free public schools created through an agreement or “charter” that provides flexibility relative to regulations for traditional public schools. During the 2022-2023 school year, 382,367 students were enrolled in 726 charter schools in 46 school districts.¹ In general, charter schools are exempt for most Florida laws that govern public schools. The specific regulations that charter schools must comply with are named in law.² Charter school governing board members are provided with requirements regarding standards of conduct and financial disclosure.³

Charter schools are open to all students residing within the district; however, charter schools are allowed to target students within specific age groups or grade levels, students considered at-risk of dropping out or failing, students wishing to enroll in a charter school-in-the-workplace or charter school-in-a-municipality, students residing within a reasonable distance of the school, students who meet reasonable academic, artistic or other eligibility standards established by the charter school, or students articulating from one charter school to another.⁴

Charter schools are created when an individual, a group of parents or teachers, a business, a municipality, or a legal entity applies to the school district; the school district approves the application; the applicants form a governing board that negotiates a contract with the district school board; and the applicants and district school board agree upon a charter or contract. The district school board then becomes the sponsor of the charter school. The negotiated contract outlines the expectations of both parties regarding the school's academic and financial performance.⁵

Charter schools are required to employ or contract with employees who have undergone background screening that is the same as required for school district employees.⁶ Members of the governing board of a charter school are also required to undergo similar background screening.

A charter school must be organized as, or be operated by, a nonprofit organization. The charter school may serve at-risk students, or offer a specialized curriculum or core academic program, provide early intervention programs, or serve exceptional education students.⁷ Charter schools

¹ Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida's Charter Schools* (October 2023), available at <https://www.fl DOE.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

² Section 1002.33(16), F.S.

³ Section 1002.33(26), F.S.

⁴ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(10), F.S.

⁵ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(6), F.S.

⁶ Section 1002.33(12)(g), F.S.

⁷ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(6), F.S.

are permitted to give preference for enrollment to certain student populations that include students who are:⁸

- Siblings of a student enrolled in the charter school.
- Children of a member of the governing board of the charter school.
- Children of an employee of the charter school.
- Children of specific residents or employees related to a charter school-in-the-workplace or a charter school-in-a-municipality.
- Students who have successfully completed, during the previous year, a voluntary prekindergarten (VPK) education program provided by the charter school, the charter school's governing board, or a VPK provider that has a written agreement with the governing board.
- Children of an active duty member of any branch of the United States Armed Forces.
- Students who attended or are assigned to failing schools.
- Children of a safe-school officer at the school.
- Students who transfer from a classical school in this state to a charter classical school in this state.

All charter applicants must prepare and submit an application on a model application form prepared by the Department of Education (DOE), which:⁹

- Demonstrates how the school will use the guiding principles.
- Provides a detailed curriculum.
- Contains goals and objectives for improving student learning.
- Describes the separate reading curricula and differentiated strategies.
- Contains an annual financial plan.

A school board is required to review all charter school applications and, within 90 days of receipt, approve or deny the application.¹⁰

A charter school may be sponsored by any of the following:¹¹

- A district school board.
- A state university approved to sponsor certain lab schools.
- A state university approved by the DOE.
- Florida College System institution approved by the DOE.

Each charter school sponsor is provided with duties specified in law.¹² The charter school sponsor is tasked with performing the following:

- Monitor and review the charter school in its progress toward the goals established in the charter.

⁸ Section 1002.33(10)(d), F.S.

⁹ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(6), F.S.

¹⁰ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Feb. 11, 2025). See also s. 1002.33(6), F.S.

¹¹ Section 1002.33(5), F.S.

¹² Section 1002.33(5)(b), F.S.

- Monitor the revenues and expenditures of the charter school and perform the duties related to deteriorating financial conditions of charter schools.
- Approve a charter before the applicant has identified space, equipment, or personnel, when necessary.
- Ensure that the charter is innovative and consistent with the state education goals established in Florida law.
- Ensure that the charter school participates in the state's education accountability system and report any shortcoming to the DOE.¹³

Charter school sponsors are also subject to additional provisions, specifically the sponsor:¹⁴

- Cannot apply its policies to a charter school unless mutually agreed to by both the sponsor and the charter school.
- Is not liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of an officer, employee, agent, or governing body of the charter school.
- Is not liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.
- By monitoring the charter school that does not constitute the basis for a private cause of action.
- Cannot impose additional reporting requirements on a charter school except when the charter school has been identified as having a deteriorating financial condition or a financial emergency.
- Is required to submit an annual report to the DOE in a web-based format determined by the DOE.

The charter agreement is a written agreement that sets forth the terms and conditions for the operation of a charter school, including a virtual charter school, by the sponsor and the applicant. The sponsor and the governing board of the charter school are required to use the standard charter contract or standard virtual charter contract. The charter must be signed by the governing board of the charter school and the sponsor, following a public hearing.¹⁵ The charter agreement is required to include or address the following elements:

- The school's mission, the types of students to be served, and, for a virtual charter school, the types of students the school intends to serve who reside outside of the sponsoring school district.
- The ages and grades to be served.
- The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance.
- Ensure that reading is a primary focus. The curriculum and instructional strategies for reading must be consistent with the state's academic standards and grounded in scientifically based reading research.
- Ensure that mathematics is a focus of the curriculum.

¹³ Section 1002.33(5)(b), F.S.

¹⁴ *Id.*

¹⁵ Section 1002.33(7), F.S.

- Facilitate the integration of technology within traditional classroom instruction.
- The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used.
- The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school.
- A method for determining that a student has satisfied the requirements for graduation.
- A method for resolving conflicts between the governing board of the charter school and the sponsor.
- Admissions procedures and dismissal procedures, including the school's code of student conduct.
- The ways by which the school will achieve a racial/ethnic balance that reflects the community it serves.
- The financial and administrative management of the school.
- The asset and liability projections of the charter school.
- A description of procedures to reduce the impact of losses; plans to ensure the safety and security of students and staff; and the way the school will be insured.
- The term of the charter.
- The facilities to be used and their location.
- The qualifications of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff.
- The governance structure of the school.
- A timetable for implementing the charter.
- In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school.
- Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decision-making authority.
- Implementation of the activities of a charter school determined to be a high-performing charter school.¹⁶

High Performing Charter Schools

A high-performing charter school is a school that has met each of the following criteria:¹⁷

- Received at least two school grades of "A" and no school grade below "B" for the last three years or received at least two consecutive school grades of "A" in the most recent two school years.
- Received an unqualified opinion on each annual audit in the most recent three years for which such audits are available

¹⁶ Section 1002.33(7), F.S.

¹⁷ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 26, 2025). See also s. 1002.331, F.S.

- Has not received a financial audit that revealed one or more of the financial emergency conditions set described in Florida law¹⁸ in the most three recent fiscal years for which audits are available or for initial eligibility, for the most recent two fiscal years if the charter school has earned two consecutive grades of “A.”¹⁹

High performance charter schools are allowed additional considerations that include:²⁰

- Increasing the school’s student enrollment once per school year to more than the capacity identified in the charter but limited to the capacity of the facility.
- Expanding grade levels within kindergarten through grade 12 to add grade levels not already served.
- Submitting a quarterly, rather than a monthly, financial statement to the sponsor.
- Consolidation under a single charter the charters of multiple high-performing charter schools operated in the same school district by the charter schools’ governing board.
- Receiving a modification of its charter to a term of 15 years or a 15-year charter renewal.

Student Code of Conduct

Each district school board is required to adopt a code of student conduct for elementary schools and a code of student conduct for middle and high schools.²¹ The school district is required to distribute the codes to all teachers, school personnel, students, and parents, at the beginning of every school year. The code of conduct is required to be made available in the student handbook or a similar publication. Each code is required to include the following elements:²²

- Consistent policies and specific grounds for disciplinary action for the possession or use of alcohol.
- Procedures to be followed for acts requiring discipline, including corporal punishment.
- Responsibilities and rights of students with regard to attendance, respect for persons and property, knowledge and observation of rules of conduct, the right to learn, free speech and student publications, assembly, privacy, and participation in school programs and activities.
- Responsibilities of each student with regard to appropriate dress, respect for self and others.
- Notice that illegal use, possession, or sale of controlled substances is grounds for disciplinary action by the school and can result in criminal penalties being imposed.
- Notice regarding use of a wireless communications device.
- Notice regarding the possession of a firearm or weapon.
- Notice regarding violence against any district school board personnel,
- Notice regarding violation of district school board transportation policies.
- Notice regarding violation of the district school board sexual harassment policy.
- Policies regarding the assignment of violent or disruptive students to an alternative educational program and referral to mental health services.
- Notice regarding a student having made a threat or false report involving school or school personnel’s property, school transportation, or a school-sponsored activity.

¹⁸ Section 208.503, F.S.

¹⁹ *Id.*

²⁰ Section 1002.331(2), F.S.

²¹ Section 1006.07(2), F.S.

²² Section 1006.07(2)(a)-(o), F.S.

- Criteria for recommending to law enforcement participation in a prearrest delinquency citation program as an alternative to expulsion or arrest.
- Criteria for assigning a student who commits a petty act of misconduct to a school-based intervention program.

Charter schools are not subject to the district school board adopted policies for code of conduct.²³

III. Effect of Proposed Changes:

CS/SB 822 modifies numerous provisions related to charter schools including administrative, enrollment, control of students, student safety, facilities, and high-performing charter schools. The bill modifies s. 1002.33, F.S., which:

- Prohibits a charter school sponsor from imposing upon a charter school administrative deadlines that are earlier than the sponsor's own corresponding deadlines for similar reports or submissions. The bill prohibits any deadline imposed upon a charter school for financial audits or other administrative requirements that is earlier than 15 days before the sponsor's own deadline for similar submissions to the Department of Education (DOE).
- Allows a charter school meeting certain criteria to increase its student enrollment to more than the capacity identified in the charter, as long as the increase does not exceed the facility capacity, including new or expanded facilities. The bill requires the charter school to notify its sponsor by March 1 if the school intends to increase enrollment capacity in the following school year and is required to specify the amount of increase..
- Allows a charter school governing board to adopt its own code of student conduct, which the sponsor may review and offer recommendations. The code of student conduct must meet or exceed the minimum standards in the sponsor's code of student conduct. If a provision of the code of student conduct is more stringent than the sponsor's code of student conduct it must align with the mission of the charter school. The bill requires that any complaint or appeal related to the code of student conduct has to be resolved by the charter school's governing board using the board's established procedures and must be in compliance with applicable law and rules.
- Removes the reference for priority enrollment in charter schools that specifically referred to Voluntary Prekindergarten (VPK) and allows for any child completing a prekindergarten program that meets certain conditions to have a priority.
- Requires charter schools to comply with s. 1001.42(8)(c), F.S., regarding procedures for notification of a student's parents related to a student's mental, emotional, or physical well-being.
- Requires that the sponsor and the DOE ensure that student data, including student assessment data, are promptly and efficiently shared with charter schools, including a charter school's contractor. The sponsor or the DOE must comply with law that may limit sharing or providing data.
- Adds a requirement that a landlord of a charter school or his or her spouse or an officer, director, or employee of an entity that is a landlord of a charter school or his or her spouse may not be a member of a governing board of a charter school unless the charter school was established as a charter school-in-a-municipality.

²³ Section 1002.33(16), F.S.

The bill modifies s. 1002.331, F.S., to allow a high performing charter school to assume the charter of an existing charter school within the same school district in which the high-performing charter school operates. The request to be assumed is required to be initiated by the school being assumed and is required to be in writing to the high performing charter school.

The bill takes effect on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill does not impact state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.33 and 1002.331.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Education Pre-K – 12 on March 31, 2025:**

The committee substitute maintained numerous provisions from the bill related to charter schools, with some modifications, related to the authority of a charter school to increase its enrollment subject to facility capacity, priorities for prekindergarten enrollment, district and Department of Education sharing of data with charter schools or their contractors, and charter school charters being assumed by high performing charter schools. Additionally, the committee substitute removed provisions in the bill that:

- Allowed a charter school to assign its charter to a not-for-profit board of another charter school.
- Allowed for a charter school to conduct background screening independent of the sponsor's screening procedures.
- Allowed charter schools to use land owned by specified entities and that met certain criteria without rezoning or change in land use designation.
- Clarified provisions in law related to conduct and financial disclosure for certain charter school transactions.
- Provided legislative intent concerning real property and set requirements regarding disposal of real property by school districts. Provided certain rights to charter schools regarding real property being disposed of by a school district.

B. Amendments:

None.



LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 03/31/2025 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education Pre-K - 12 (Rodriguez) recommended the following:

1 **Senate Amendment (with directory and title amendments)**

2

3 Delete lines 197 - 864

4 and insert:

5 (9) CHARTER SCHOOL REQUIREMENTS.—

6 (s) A charter school governing board may adopt its own code
7 of student conduct. The code of student conduct must meet or
8 exceed the minimum standards set forth in the sponsor's code of
9 student conduct. Any provision of the code of student conduct
10 which is more stringent than the sponsor's code of student



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11 conduct must align with the mission of the charter school. The
12 sponsor may review the code and offer recommendations. Any
13 complaint or appeal related to the code of student conduct must
14 be resolved by the charter school's governing board using the
15 board's established procedures and must be in compliance with
16 applicable law and rules.

17 (10) ELIGIBLE STUDENTS.—

18 (d) A charter school may give enrollment preference to the
19 following student populations:

20 1. Students who are siblings of a student enrolled in the
21 charter school.

22 2. Students who are the children of a member of the
23 governing board of the charter school.

24 3. Students who are the children of an employee of the
25 charter school.

26 4. Students who are the children of:

27 a. An employee of the business partner of a charter school-
28 in-the-workplace established under paragraph (15) (b) or a
29 resident of the municipality in which such charter school is
30 located; or

31 b. A resident or employee of a municipality that operates a
32 charter school-in-a-municipality pursuant to paragraph (15) (c)
33 or allows a charter school to use a school facility or portion
34 of land provided by the municipality for the operation of the
35 charter school.

36 5. Students who have successfully completed, during the
37 previous year, a ~~voluntary~~ prekindergarten education program
38 ~~under ss. 1002.51-1002.79~~ provided by the charter school, the
39 charter school's governing board, or a ~~voluntary~~ prekindergarten



40 provider that has a written agreement with the governing board.

41 6. Students who are the children of an active duty member
42 of any branch of the United States Armed Forces.

43 7. Students who attended or are assigned to failing schools
44 pursuant to s. 1002.38(2).

45 8. Students who are the children of a safe-school officer,
46 as defined in s. 1006.12, at the school.

47 9. Students who transfer from a classical school in this
48 state to a charter classical school in this state. For purposes
49 of this subparagraph, the term "classical school" means a
50 traditional public school or charter school that implements a
51 classical education model that emphasizes the development of
52 students in the principles of moral character and civic virtue
53 through a well-rounded education in the liberal arts and
54 sciences which is based on the classical trivium stages of
55 grammar, logic, and rhetoric.

56 (h) The capacity of the charter school shall be determined
57 annually by the governing board, in conjunction with the
58 sponsor, of the charter school in consideration of the factors
59 identified in this subsection and subsection (18) unless the
60 charter school is designated as a high-performing charter school
61 pursuant to s. 1002.331. A sponsor may not require a charter
62 school to waive the provisions of s. 1002.331 or require a
63 student enrollment cap that prohibits a high-performing charter
64 school from increasing enrollment in accordance with s.
65 1002.331(2) as a condition of approval or renewal of a charter.

66 (16) EXEMPTION FROM STATUTES.—

67 (b) Additionally, a charter school shall be in compliance
68 with the following statutes:



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69 1. Section 286.011, relating to public meetings and
70 records, public inspection, and criminal and civil penalties.

71 2. Chapter 119, relating to public records.

72 3. Section 1003.03, relating to the maximum class size,
73 except that the calculation for compliance pursuant to s.
74 1003.03 shall be the average at the school level.

75 4. Section 1012.22(1)(c), relating to compensation and
76 salary schedules.

77 5. Section 1012.33(5), relating to workforce reductions.

78 6. Section 1012.335, relating to contracts with
79 instructional personnel hired on or after July 1, 2011.

80 7. Section 1012.34, relating to the substantive
81 requirements for performance evaluations for instructional
82 personnel and school administrators.

83 8. Section 1006.12, relating to safe-school officers.

84 9. Section 1006.07(7), relating to threat management teams.

85 10. Section 1006.07(9), relating to School Environmental
86 Safety Incident Reporting.

87 11. Section 1006.07(10), relating to reporting of
88 involuntary examinations.

89 12. Section 1006.1493, relating to the Florida Safe Schools
90 Assessment Tool.

91 13. Section 1006.07(6)(d), relating to adopting an active
92 assailant response plan.

93 14. Section 943.082(4)(b), relating to the mobile
94 suspicious activity reporting tool.

95 15. Section 1012.584, relating to youth mental health
96 awareness and assistance training.

97 16. Section 1001.42(4)(f)2., relating to middle school and



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98 high school start times. A charter school-in-the-workplace is
99 exempt from this requirement.

100 17. Section 1001.42(8)(c), relating to student welfare.

101 (18) FACILITIES.-

102 (h) A charter school that is not implementing a school
103 improvement plan pursuant to paragraph (9)(n) or a corrective
104 action plan pursuant to s. 1002.345 may increase its student
105 enrollment to more than the capacity identified in the charter,
106 but student enrollment may not exceed the capacity of the
107 facility at the time the enrollment increase will take effect.
108 Facility capacity for purposes of expansion must include any
109 improvements to an existing facility or any new facility in
110 which the student of the charter school will enroll. A charter
111 school must notify its sponsor in writing by March 1 if it
112 intends to increase enrollment for the following school year.
113 The written notice must specify the amount of the enrollment
114 increase.

115 (20) SERVICES.-

116 (a)1. A sponsor shall provide certain administrative and
117 educational services to charter schools. These services shall
118 include contract management services; full-time equivalent and
119 data reporting services; exceptional student education
120 administration services; services related to eligibility and
121 reporting duties required to ensure that school lunch services
122 under the National School Lunch Program, consistent with the
123 needs of the charter school, are provided by the sponsor at the
124 request of the charter school, that any funds due to the charter
125 school under the National School Lunch Program be paid to the
126 charter school as soon as the charter school begins serving food



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127 under the National School Lunch Program, and that the charter
128 school is paid at the same time and in the same manner under the
129 National School Lunch Program as other public schools serviced
130 by the sponsor or the school district; test administration
131 services, including payment of the costs of state-required or
132 district-required student assessments; processing of teacher
133 certificate data services; and information services, including
134 equal access to the sponsor's student information systems that
135 are used by public schools in the district in which the charter
136 school is located or by schools in the sponsor's portfolio of
137 charter schools if the sponsor is not a school district. Access
138 to the sponsor's student information system must be provided to
139 the charter school and its contractor, unless prohibited by
140 general or federal law. Student performance data for each
141 student in a charter school, including, but not limited to,
142 statewide FCAT scores, standardized test scores, coordinated
143 screening and progress monitoring student results, previous
144 public school student report cards, and student performance
145 measures, shall be provided by the sponsor to a charter school
146 in the same manner provided to other public schools in the
147 district or by schools in the sponsor's portfolio of charter
148 schools if the sponsor is not a school district. The department
149 shall provide student performance data to a charter school and
150 its contractor, unless prohibited by general or federal law.

151 2. A sponsor shall provide training to charter schools on
152 systems the sponsor will require the charter school to use.

153 3. A sponsor may withhold an administrative fee for the
154 provision of such services which shall be a percentage of the
155 available funds defined in paragraph (17) (b) calculated based on



156 weighted full-time equivalent students. If the charter school
157 serves 75 percent or more exceptional education students as
158 defined in s. 1003.01(9), the percentage shall be calculated
159 based on unweighted full-time equivalent students. The
160 administrative fee shall be calculated as follows:

161 a. Up to 5 percent for:

162 (I) Enrollment of up to and including 250 students in a
163 charter school as defined in this section.

164 (II) Enrollment of up to and including 500 students within
165 a charter school system which meets all of the following:

166 (A) Includes conversion charter schools and nonconversion
167 charter schools.

168 (B) Has all of its schools located in the same county.

169 (C) Has a total enrollment exceeding the total enrollment
170 of at least one school district in this state.

171 (D) Has the same governing board for all of its schools.

172 (E) Does not contract with a for-profit service provider
173 for management of school operations.

174 (III) Enrollment of up to and including 250 students in a
175 virtual charter school.

176 b. Up to 2 percent for enrollment of up to and including
177 250 students in a high-performing charter school as defined in
178 s. 1002.331.

179 c. Up to 2 percent for enrollment of up to and including
180 250 students in an exceptional student education center that
181 meets the requirements of the rules adopted by the State Board
182 of Education pursuant to s. 1008.3415(3).

183 4. A sponsor may not charge charter schools any additional
184 fees or surcharges for administrative and educational services



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185 in addition to the maximum percentage of administrative fees
186 withheld pursuant to this paragraph. A sponsor may not charge or
187 withhold any administrative fee against a charter school for any
188 funds specifically allocated by the Legislature for teacher
189 compensation.

190 5. A sponsor shall provide to the department by September
191 15 of each year the total amount of funding withheld from
192 charter schools pursuant to this subsection for the prior fiscal
193 year. The department must include the information in the report
194 required under sub-sub-subparagraph (5)(b)1.k.(III).

195 6. A sponsor shall annually provide a report to its charter
196 schools on what services are being rendered from the sponsor's
197 portion of the administrative fee. The report must include the
198 listed services and be submitted to the department by September
199 15 of each year.

200 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—
201 (d) A landlord of a charter school or his or her spouse or
202 an officer, director, or employee of an entity that is a
203 landlord of a charter school or his or her spouse may not be a
204 member of a governing board of a charter school unless the
205 charter school was established pursuant to paragraph (15)(c).

206 Section 2. Subsection (2) of section 1002.331, Florida
207 Statutes, is amended to read:

208 1002.331 High-performing charter schools.—

209 (2) A high-performing charter school is authorized to:

210 (a) Increase its student enrollment once per school year to
211 more than the capacity identified in the charter, but student
212 enrollment may not exceed the capacity of the facility at the
213 time the enrollment increase will take effect. Facility capacity



214 for purposes of expansion must shall include any improvements to
215 an existing facility or any new facility in which the students
216 of the high-performing charter school will enroll.

217 (b) Expand grade levels within kindergarten through grade
218 12 to add grade levels not already served if any annual
219 enrollment increase resulting from grade level expansion is
220 within the limit established in paragraph (a).

221 (c) Submit a quarterly, rather than a monthly, financial
222 statement to the sponsor pursuant to s. 1002.33(9)(g).

223 (d) Consolidate under a single charter the charters of
224 multiple high-performing charter schools operated in the same
225 school district by the charter schools' governing board
226 regardless of the renewal cycle.

227 (e) Receive a modification of its charter to a term of 15
228 years or a 15-year charter renewal. The charter may be modified
229 or renewed for a shorter term at the option of the high-
230 performing charter school. The charter must be consistent with
231 s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual
232 review by the sponsor, and may be terminated during its term
233 pursuant to s. 1002.33(8).

234 (f) Assume the charter of an existing charter school within
235 the same school district in which it operates. Any request to
236 assume a charter must be initiated by a school in a written
237 format to the high-performing charter school.

239 A high-performing charter school shall notify its sponsor in
240 writing by March 1 if it intends to increase enrollment or
241 expand grade levels the following school year. The written
242 notice shall specify the amount of the enrollment increase and



243 the grade levels that will be added, as applicable. If a charter
244 school notifies the sponsor of its intent to expand, the sponsor
245 shall modify the charter within 90 days to include the new
246 enrollment maximum and may not make any other changes. The
247 sponsor may deny a request to increase the enrollment of a high-
248 performing charter school if the commissioner has declassified
249 the charter school as high-performing. If a high-performing
250 charter school requests to consolidate multiple charters or to
251 assume an existing charter, the sponsor has ~~shall have~~ 40 days
252 after receipt of that request to provide an initial draft
253 charter to the charter school. The sponsor and charter school
254 shall have 50 days thereafter to negotiate and notice the
255 charter contract for final approval by the sponsor.

256

257 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

258 And the directory clause is amended as follows:

259 Delete lines 48 - 53

260 and insert:

261 paragraphs (d) and (h) of subsection (10), paragraph (b) of
262 subsection (16), and paragraph (a) of subsection (20) of section
263 1002.33, Florida Statutes, are amended, and paragraph (s) is
264 added to subsection (9), paragraph (h) is added to subsection
265 (18), and paragraph (d) is added to subsection (26) of

266

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

268 And the title is amended as follows:

269 Delete lines 4 - 43

270 and insert:

271 for charter schools; authorizing a charter school



272 governing board to adopt its own code of student
273 conduct; providing requirements for the code of
274 student conduct; providing that charter schools are
275 not exempt from a specified statute; authorizing a
276 charter school to increase its student enrollment
277 beyond the capacity identified in the charter under
278 certain conditions; requiring a charter school to
279 notify its sponsor in writing by a specified date, and
280 to include specified information, if it plans to
281 increase enrollment; revising services a sponsor must
282 provide to a charter school; requiring the Department
283 of Education to provide student performance data to a
284 charter school and its contractor; providing an
285 exception; prohibiting specified individuals from
286 being on a charter school governing board; providing
287 an exception; amending s. 1002.331, F.S.; authorizing
288 a high-performing charter school to assume the charter
289 of an existing charter school within the same school
290 district; providing an effective date.

By Senator Rodriguez

40-00853A-25

2025822

A bill to be entitled

An act relating to education; amending s. 1002.33, F.S.; providing requirements for specified deadlines for charter schools; prohibiting a sponsor from imposing certain limitations on charter school enrollment; authorizing a charter school to increase its enrollment capacity under certain circumstances; providing requirements for such charter school's facilities; authorizing a charter school to assign its charter to another governing board under certain circumstances; providing requirements for such assignment; authorizing charter school governing boards to adopt their own codes of student conduct; providing requirements for such codes; providing requirements for the resolution of complaints or appeals relating to such codes; revising the criteria for a charter school to give enrollment preferences or limit the enrollment process to certain students; revising provisions relating to the background screenings of charter school employees and governing board members; requiring charter schools to be in compliance with specified provisions relating to student welfare; revising which facilities and land are exempt from specified ad valorem taxes; providing sponsor and Department of Education requirements for the sharing of specified data with charter schools, including educational service providers; providing that certain provisions only apply to certain relationships and transactions with for-profit

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businesses; prohibiting certain persons from serving as members of a charter school governing board; providing an exception; amending s. 1002.331, F.S.; authorizing high-performing charter schools to assume the charters of certain charter schools; amending s. 1013.28, F.S.; providing legislative intent; requiring school districts to take specified actions before the disposal of real property; providing that charter schools within a school district have a right of first refusal for such real property; providing school district requirements before the finalization of any disposal of real property; prohibiting school districts from such disposal before meeting certain requirements; providing an effective date.

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

Section 1. Paragraphs (b) and (c) of subsection (5), subsection (7), paragraph (d) of subsection (10), paragraph (g) of subsection (12), paragraphs (b) and (c) of subsection (16), paragraph (c) of subsection (18), paragraph (a) of subsection (20), and paragraph (a) of subsection (26) of section 1002.33, Florida Statutes, are amended, and paragraph (s) is added to subsection (9) and paragraph (d) is added to subsection (26) of that section, to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) Sponsor duties.—

1.a. The sponsor shall monitor and review the charter

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59 school in its progress toward the goals established in the
 60 charter.

61 b. The sponsor shall monitor the revenues and expenditures
 62 of the charter school and perform the duties provided in s.
 63 1002.345.

64 c. The sponsor may approve a charter for a charter school
 65 before the applicant has identified space, equipment, or
 66 personnel, if the applicant indicates approval is necessary for
 67 it to raise working funds.

68 d. The sponsor may not apply its policies to a charter
 69 school unless mutually agreed to by both the sponsor and the
 70 charter school. If the sponsor subsequently amends any agreed-
 71 upon sponsor policy, the version of the policy in effect at the
 72 time of the execution of the charter, or any subsequent
 73 modification thereof, shall remain in effect and the sponsor may
 74 not hold the charter school responsible for any provision of a
 75 newly revised policy until the revised policy is mutually agreed
 76 upon.

77 e. The sponsor shall ensure that the charter is innovative
 78 and consistent with the state education goals established by s.
 79 1000.03(5).

80 f. The sponsor shall ensure that the charter school
 81 participates in the state's education accountability system. If
 82 a charter school falls short of performance measures included in
 83 the approved charter, the sponsor shall report such shortcomings
 84 to the Department of Education.

85 g. The sponsor is not liable for civil damages under state
 86 law for personal injury, property damage, or death resulting
 87 from an act or omission of an officer, employee, agent, or

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88 governing body of the charter school.

89 h. The sponsor is not liable for civil damages under state
 90 law for any employment actions taken by an officer, employee,
 91 agent, or governing body of the charter school.

92 i. The sponsor's duties to monitor the charter school do
 93 not constitute the basis for a private cause of action.

94 j. The sponsor may not impose additional reporting
 95 requirements on a charter school as long as the charter school
 96 has not been identified as having a deteriorating financial
 97 condition or financial emergency pursuant to s. 1002.345.

98 k. The sponsor may not impose upon a charter school
 99 administrative deadlines that are earlier than the sponsor's own
 100 corresponding deadlines for similar reports or submissions. Any
 101 deadline imposed upon a charter school for financial audits or
 102 other administrative requirements may not be earlier than 15
 103 days before the sponsor's own deadline for similar submissions
 104 to the department.

105 l.k. The sponsor shall submit an annual report to the
 106 Department of Education in a web-based format to be determined
 107 by the department.

108 (I) The report must ~~shall~~ include the following
 109 information:

110 (A) The number of applications received during the school
 111 year and up to August 1 and each applicant's contact
 112 information.

113 (B) The date each application was approved, denied, or
 114 withdrawn.

115 (C) The date each final contract was executed.

116 (II) Annually, by November 1, the sponsor shall submit to

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117 the department the information for the applications submitted
 118 the previous year.

119 (III) The department shall compile an annual report, by
 120 sponsor, and post the report on its website by January 15 of
 121 each year.

122 2. Immunity for the sponsor of a charter school under
 123 subparagraph 1. applies only with respect to acts or omissions
 124 not under the sponsor's direct authority as described in this
 125 section.

126 3. This paragraph does not waive a sponsor's sovereign
 127 immunity.

128 4. A Florida College System institution may work with the
 129 school district or school districts in its designated service
 130 area to develop charter schools that offer secondary education.
 131 These charter schools must include an option for students to
 132 receive an associate degree upon high school graduation. If a
 133 Florida College System institution operates an approved teacher
 134 preparation program under s. 1004.04 or s. 1004.85, the
 135 institution may operate charter schools that serve students in
 136 kindergarten through grade 12 in any school district within the
 137 service area of the institution. District school boards shall
 138 cooperate with and assist the Florida College System institution
 139 on the charter application. Florida College System institution
 140 applications for charter schools are not subject to the time
 141 deadlines outlined in subsection (6) and may be approved by the
 142 district school board at any time during the year. Florida
 143 College System institutions may not report FTE for any students
 144 participating under this subparagraph who receive FTE funding
 145 through the Florida Education Finance Program.

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146 5. For purposes of assisting the development of a charter
 147 school, a school district may enter into nonexclusive interlocal
 148 agreements with federal and state agencies, counties,
 149 municipalities, and other governmental entities that operate
 150 within the geographical borders of the school district to act on
 151 behalf of such governmental entities in the inspection,
 152 issuance, and other necessary activities for all necessary
 153 permits, licenses, and other permissions that a charter school
 154 needs in order for development, construction, or operation. A
 155 charter school may use, but may not be required to use, a school
 156 district for these services. The interlocal agreement must
 157 include, but need not be limited to, the identification of fees
 158 that charter schools will be charged for such services. The fees
 159 must consist of the governmental entity's fees plus a fee for
 160 the school district to recover no more than actual costs for
 161 providing such services. These services and fees are not
 162 included within the services to be provided pursuant to
 163 subsection (20). Notwithstanding any other provision of law, an
 164 interlocal agreement or ordinance that imposes a greater
 165 regulatory burden on charter schools than school districts or
 166 that prohibits or limits the creation of a charter school is
 167 void and unenforceable. An interlocal agreement entered into by
 168 a school district for the development of only its own schools,
 169 including provisions relating to the extension of
 170 infrastructure, may be used by charter schools.

171 6. The board of trustees of a sponsoring state university
 172 or Florida College System institution under paragraph (a) is the
 173 local educational agency for all charter schools it sponsors for
 174 purposes of receiving federal funds and accepts full

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175 responsibility for all local educational agency requirements and
 176 the schools for which it will perform local educational agency
 177 responsibilities. A student enrolled in a charter school that is
 178 sponsored by a state university or Florida College System
 179 institution may not be included in the calculation of the school
 180 district's grade under s. 1008.34(5) for the school district in
 181 which he or she resides.

182 (c) *Sponsor accountability.*—

183 1. The department shall, in collaboration with charter
 184 school sponsors and charter school operators, develop a sponsor
 185 evaluation framework that must address, at a minimum:

186 a. The sponsor's strategic vision for charter school
 187 authorization and the sponsor's progress toward that vision.

188 b. The alignment of the sponsor's policies and practices to
 189 best practices for charter school authorization.

190 c. The academic and financial performance of all operating
 191 charter schools overseen by the sponsor.

192 d. The status of charter schools authorized by the sponsor,
 193 including approved, operating, and closed schools.

194 2. The department shall compile the results by sponsor and
 195 include the results in the report required under sub-sub-
 196 subparagraph (b)1.l.(III) (b)1.k.(III).

197 (7) *CHARTER.*—The terms and conditions for the operation of
 198 a charter school, including a virtual charter school, must shall
 199 be set forth by the sponsor and the applicant in a written
 200 contractual agreement, called a charter. The sponsor and the
 201 governing board of the charter school or virtual charter school
 202 shall use the standard charter contract or standard virtual
 203 charter contract, respectively, pursuant to subsection (21),

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204 which shall incorporate the approved application and any addenda
 205 approved with the application. Any term or condition of a
 206 proposed charter contract or proposed virtual charter contract
 207 that differs from the standard charter or virtual charter
 208 contract adopted by rule of the State Board of Education is
 209 shall be presumed a limitation on charter school flexibility.
 210 The sponsor may not impose unreasonable rules or regulations
 211 that violate the intent of giving charter schools greater
 212 flexibility to meet educational goals. Limitations on student
 213 enrollment which are less than the documented facility capacity
 214 are unreasonable and may not be imposed. The charter shall be
 215 signed by the governing board of the charter school and the
 216 sponsor, following a public hearing to ensure community input.

217 (a) The charter shall address and criteria for approval of
 218 the charter shall be based on:

219 1. The school's mission, the types of students to be
 220 served, and, for a virtual charter school, the types of students
 221 the school intends to serve who reside outside of the sponsoring
 222 school district, and the ages and grades to be included.

223 2. The focus of the curriculum, the instructional methods
 224 to be used, any distinctive instructional techniques to be
 225 employed, and identification and acquisition of appropriate
 226 technologies needed to improve educational and administrative
 227 performance which include a means for promoting safe, ethical,
 228 and appropriate uses of technology which comply with legal and
 229 professional standards.

230 a. The charter shall ensure that reading is a primary focus
 231 of the curriculum and that resources are provided to identify
 232 and provide specialized instruction for students who are reading

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233 below grade level. The curriculum and instructional strategies
 234 for reading must be consistent with the state's academic
 235 standards and grounded in scientifically based reading research.
 236 Reading instructional strategies for foundational skills shall
 237 include phonics instruction for decoding and encoding as the
 238 primary instructional strategy for word reading. Instructional
 239 strategies may not employ the three-cueing system model of
 240 reading or visual memory as a basis for teaching word reading.
 241 Such strategies may include visual information and strategies
 242 that improve background and experiential knowledge, add context,
 243 and increase oral language and vocabulary to support
 244 comprehension, but may not be used to teach word reading.

245 b. The charter shall ensure that mathematics is a focus of
 246 the curriculum and that resources are provided to identify and
 247 provide specialized instruction for students who are performing
 248 below grade level.

249 c. In order to provide students with access to diverse
 250 instructional delivery models, to facilitate the integration of
 251 technology within traditional classroom instruction, and to
 252 provide students with the skills they need to compete in the
 253 21st century economy, the Legislature encourages instructional
 254 methods for blended learning courses consisting of both
 255 traditional classroom and online instructional techniques.
 256 Charter schools may implement blended learning courses which
 257 combine traditional classroom instruction and virtual
 258 instruction. Students in a blended learning course must be full-
 259 time students of the charter school pursuant to s.
 260 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
 261 1012.55 who provide virtual instruction for blended learning

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262 courses may be employees of the charter school or may be under
 263 contract to provide instructional services to charter school
 264 students. At a minimum, such instructional personnel must hold
 265 an active state or school district adjunct certification under
 266 s. 1012.57 for the subject area of the blended learning course.
 267 The funding and performance accountability requirements for
 268 blended learning courses are the same as those for traditional
 269 courses.

270 3. The current incoming baseline standard of student
 271 academic achievement, the outcomes to be achieved, and the
 272 method of measurement that will be used. The criteria listed in
 273 this subparagraph shall include a detailed description of:

274 a. How the baseline student academic achievement levels and
 275 prior rates of academic progress will be established.
 276 b. How these baseline rates will be compared to rates of
 277 academic progress achieved by these same students while
 278 attending the charter school.
 279 c. To the extent possible, how these rates of progress will
 280 be evaluated and compared with rates of progress of other
 281 closely comparable student populations.

282
 283 A district school board is required to provide academic student
 284 performance data to charter schools for each of their students
 285 coming from the district school system, as well as rates of
 286 academic progress of comparable student populations in the
 287 district school system.

288 4. The methods used to identify the educational strengths
 289 and needs of students and how well educational goals and
 290 performance standards are met by students attending the charter

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291 school. The methods ~~must~~ shall provide a means for the charter
 292 school to ensure accountability to its constituents by analyzing
 293 student performance data and by evaluating the effectiveness and
 294 efficiency of its major educational programs. Students in
 295 charter schools shall, at a minimum, participate in the
 296 statewide assessment program created under s. 1008.22.

297 5. In secondary charter schools, a method for determining
 298 that a student has satisfied the requirements for graduation in
 299 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

300 6. A method for resolving conflicts between the governing
 301 board of the charter school and the sponsor.

302 7. The admissions procedures and dismissal procedures,
 303 including the school's code of student conduct. Admission or
 304 dismissal must not be based on a student's academic performance,
 305 except as authorized under subparagraph (10)(e)5.

306 8. The ways by which the school will achieve a
 307 racial/ethnic balance reflective of the community it serves or
 308 within the racial/ethnic range of other nearby public schools or
 309 school districts.

310 9. The financial and administrative management of the
 311 school, including a reasonable demonstration of the professional
 312 experience or competence of those individuals or organizations
 313 applying to operate the charter school or those hired or
 314 retained to perform such professional services and the
 315 description of clearly delineated responsibilities and the
 316 policies and practices needed to effectively manage the charter
 317 school. A description of internal audit procedures and
 318 establishment of controls to ensure that financial resources are
 319 properly managed must be included. Both public sector and

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320 private sector professional experience shall be equally valid in
 321 such a consideration.

322 10. The asset and liability projections required in the
 323 application which are incorporated into the charter and shall be
 324 compared with information provided in the annual report of the
 325 charter school.

326 11. A description of procedures that identify various risks
 327 and provide for a comprehensive approach to reduce the impact of
 328 losses; plans to ensure the safety and security of students and
 329 staff; plans to identify, minimize, and protect others from
 330 violent or disruptive student behavior; and the manner in which
 331 the school will be insured, including whether or not the school
 332 will be required to have liability insurance, and, if so, the
 333 terms and conditions thereof and the amounts of coverage.

334 12. The term of the charter which shall provide for
 335 cancellation of the charter if insufficient progress has been
 336 made in attaining the student achievement objectives of the
 337 charter and if it is not likely that such objectives can be
 338 achieved before expiration of the charter. The initial term of a
 339 charter shall be for 5 years, excluding 2 planning years. In
 340 order to facilitate access to long-term financial resources for
 341 charter school construction, charter schools that are operated
 342 by a municipality or other public entity as provided by law are
 343 eligible for up to a 15-year charter, subject to approval by the
 344 sponsor. A charter lab school is eligible for a charter for a
 345 term of up to 15 years. In addition, to facilitate access to
 346 long-term financial resources for charter school construction,
 347 charter schools that are operated by a private, not-for-profit,
 348 s. 501(c)(3) status corporation are eligible for up to a 15-year

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349 charter, subject to approval by the sponsor. Such long-term
 350 charters remain subject to annual review and may be terminated
 351 during the term of the charter, but only according to the
 352 provisions set forth in subsection (8).

353 13. The facilities to be used and their location. The
 354 sponsor may not require a charter school to have a certificate
 355 of occupancy or a temporary certificate of occupancy for such a
 356 facility earlier than 15 calendar days before the first day of
 357 school. A charter school is authorized to increase its student
 358 enrollment to more than the capacity identified in the charter,
 359 but such enrollment may not exceed the capacity of the facility
 360 at the time the enrollment increase will take effect. For
 361 purposes of a charter school's expansion, a facility's capacity
 362 includes any improvements to an existing facility or any new
 363 facility that will be used by the students of the charter
 364 school. The sponsor may not require facility capacity
 365 documentation earlier than 15 calendar days before the first day
 366 of school. The sponsor may not impose a limitation on the
 367 charter school's student enrollment which is less than the
 368 facility capacity.

369 14. The qualifications to be required of the teachers and
 370 the potential strategies used to recruit, hire, train, and
 371 retain qualified staff to achieve best value.

372 15. The governance structure of the school, including the
 373 status of the charter school as a public or private employer as
 374 required in paragraph (12)(i).

375 16. A timetable for implementing the charter which
 376 addresses the implementation of each element thereof and the
 377 date by which the charter shall be awarded in order to meet this

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378 timetable.

379 17. In the case of an existing public school that is being
 380 converted to charter status, alternative arrangements for
 381 current students who choose not to attend the charter school and
 382 for current teachers who choose not to teach in the charter
 383 school after conversion in accordance with the existing
 384 collective bargaining agreement or district school board rule in
 385 the absence of a collective bargaining agreement. However,
 386 alternative arrangements ~~are~~ shall not be required for current
 387 teachers who choose not to teach in a charter lab school, except
 388 as authorized by the employment policies of the state university
 389 which grants the charter to the lab school.

390 18. Full disclosure of the identity of all relatives
 391 employed by the charter school who are related to the charter
 392 school owner, president, chairperson of the governing board of
 393 directors, superintendent, governing board member, principal,
 394 assistant principal, or any other person employed by the charter
 395 school who has equivalent decisionmaking authority. For the
 396 purpose of this subparagraph, the term "relative" means father,
 397 mother, son, daughter, brother, sister, uncle, aunt, first
 398 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 399 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 400 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 401 stepsister, half brother, or half sister.

402 19. Implementation of the activities authorized under s.
 403 1002.331 by the charter school when it satisfies the eligibility
 404 requirements for a high-performing charter school. A high-
 405 performing charter school shall notify its sponsor in writing by
 406 March 1 if it intends to increase enrollment or expand grade

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407 levels the following school year. The written notice must shall
 408 specify the amount of the enrollment increase and the grade
 409 levels that will be added, as applicable.

410 (b) The sponsor has 30 days after approval of the
 411 application to provide an initial proposed charter contract to
 412 the charter school. The applicant and the sponsor have 40 days
 413 thereafter to negotiate and notice the charter contract for
 414 final approval by the sponsor unless both parties agree to an
 415 extension. The proposed charter contract must shall be provided
 416 to the charter school at least 7 calendar days before the date
 417 of the meeting at which the charter is scheduled to be voted
 418 upon by the sponsor. The Department of Education shall provide
 419 mediation services for any dispute regarding this section
 420 subsequent to the approval of a charter application and for any
 421 dispute relating to the approved charter, except a dispute
 422 regarding a charter school application denial. If either the
 423 charter school or the sponsor indicates in writing that the
 424 party does not desire to settle any dispute arising under this
 425 section through mediation procedures offered by the Department
 426 of Education, a charter school may immediately appeal any formal
 427 or informal decision by the sponsor to an administrative law
 428 judge appointed by the Division of Administrative Hearings. If
 429 the Commissioner of Education determines that the dispute cannot
 430 be settled through mediation, the dispute may also be appealed
 431 to an administrative law judge appointed by the Division of
 432 Administrative Hearings. The administrative law judge has final
 433 order authority to rule on issues of equitable treatment of the
 434 charter school as a public school, whether proposed provisions
 435 of the charter violate the intended flexibility granted charter

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436 schools by statute, or any other matter regarding this section,
 437 except a dispute regarding charter school application denial, a
 438 charter termination, or a charter nonrenewal. The administrative
 439 law judge shall award the prevailing party reasonable attorney
 440 fees and costs incurred during the mediation process,
 441 administrative proceeding, and any appeals, to be paid by the
 442 party against whom the administrative law judge rules.

443 (c)1. A charter may be renewed provided that a program
 444 review demonstrates that the criteria in paragraph (a) have been
 445 successfully accomplished and that none of the grounds for
 446 nonrenewal established by paragraph (8)(a) have been expressly
 447 found. The charter of a charter school that meets these
 448 requirements and has received a school grade lower than a "B"
 449 pursuant to s. 1008.34 in the most recently graded school year
 450 must be renewed for no less than a 5-year term except as
 451 provided in paragraph (9)(n). In order to facilitate long-term
 452 financing for charter school construction, charter schools
 453 operating for a minimum of 3 years and demonstrating exemplary
 454 academic programming and fiscal management are eligible for a
 455 15-year charter renewal. Such long-term charter is subject to
 456 annual review and may be terminated during the term of the
 457 charter.

458 2. The 15-year charter renewal that may be granted pursuant
 459 to subparagraph 1. must be granted to a charter school that has
 460 received a school grade of "A" or "B" pursuant to s. 1008.34 in
 461 the most recently graded school year and that is not in a state
 462 of financial emergency or deficit position as defined by this
 463 section. Such long-term charter is subject to annual review and
 464 may be terminated during the term of the charter pursuant to

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465 subsection (8).

466 (d) A charter may be modified during its term upon the
467 recommendation of the sponsor or the charter school's governing
468 board and the approval of both parties to the agreement. Changes
469 to curriculum which are consistent with state standards are
470 ~~shall~~ be deemed approved unless the sponsor and the Department
471 of Education determine in writing that the curriculum is
472 inconsistent with state standards. Modification during any term
473 may include, but is not limited to, consolidation of multiple
474 charters into a single charter if the charters are operated
475 under the same governing board, regardless of the renewal cycle.
476 A charter school that is not subject to a school improvement
477 plan and that closes as part of a consolidation must ~~shall~~ be
478 reported by the sponsor as a consolidation. A request for
479 consolidation of multiple charters must be approved or denied
480 within 60 days after the submission of the request. If the
481 request is denied, the sponsor must ~~shall~~ notify the charter
482 school's governing board of the denial and provide the specific
483 reasons, in reasonable detail, for the denial of the request for
484 consolidation within 10 days. A charter school may assign its
485 charter to the governing board of another charter if the
486 governing board is a nonprofit entity or otherwise meets the
487 requirements of paragraph (12)(i). A sponsor may require the
488 proposed governing board to provide information required by
489 subparagraph (6)(a) 6. and may deny a request for the assignment
490 of a charter if the sponsor demonstrates by clear and convincing
491 evidence that the proposed governing board does not meet the
492 requirements of this subsection.

493 (e) A charter may be terminated by a charter school's

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494 governing board through voluntary closure. The decision to cease
495 operations must be determined at a public meeting. The governing
496 board shall notify the parents and sponsor of the public meeting
497 in writing before the public meeting. The governing board must
498 notify the sponsor, parents of enrolled students, and the
499 department in writing within 24 hours after the public meeting
500 of its determination. The notice must ~~shall~~ state the charter
501 school's intent to continue operations or the reason for the
502 closure and acknowledge that the governing board agrees to
503 follow the procedures for dissolution and reversion of public
504 funds pursuant to paragraphs (8)(d)-(f) and (9)(o).

505 (f) A charter may include a provision requiring the charter
506 school to be held responsible for all costs associated with, but
507 not limited to, mediation, damages, and attorney fees incurred
508 by the district in connection with complaints to the Office of
509 Civil Rights or the Equal Employment Opportunity Commission.

510 (9) CHARTER SCHOOL REQUIREMENTS.—

511 (s) A charter school governing board may adopt its own code
512 of student conduct. The code of student conduct must meet or
513 exceed the minimum standards set forth in the sponsor's code of
514 student conduct. Any provision of the code of student conduct
515 which is more stringent than the sponsor's code of student
516 conduct must align with the mission of the charter school. The
517 sponsor may review the code and offer recommendations. Any
518 complaint or appeal related to the code of student conduct must
519 be resolved by the charter school's governing board using the
520 board's established procedures and must be in compliance with
521 applicable law and rules.

522 (10) ELIGIBLE STUDENTS.—

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523 (d) A charter school may give enrollment preference to the
 524 following student populations:
 525 1. Students who are siblings of a student enrolled in the
 526 charter school.
 527 2. Students who are the children of a member of the
 528 governing board of the charter school.
 529 3. Students who are the children of an employee of the
 530 charter school.
 531 4. Students who are the children of:
 532 a. An employee of the business partner of a charter school-
 533 in-the-workplace established under paragraph (15)(b) or a
 534 resident of the municipality in which such charter school is
 535 located; or
 536 b. A resident or employee of a municipality that operates a
 537 charter school-in-a-municipality pursuant to paragraph (15)(c)
 538 or allows a charter school to use a school facility or portion
 539 of land provided by the municipality for the operation of the
 540 charter school.
 541 5. Students who have successfully completed, during the
 542 previous year, a ~~voluntary~~ prekindergarten education program
 543 under s. 402.3025 or ss. 1002.51-1002.79 provided by the charter
 544 school, the charter school's governing board, or a ~~voluntary~~
 545 prekindergarten provider that has a written agreement with the
 546 governing board.
 547 6. Students who are the children of an active duty member
 548 of any branch of the United States Armed Forces.
 549 7. Students who attended or are assigned to failing schools
 550 pursuant to s. 1002.38(2).
 551 8. Students who are the children of a safe-school officer,

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552 as defined in s. 1006.12, at the school.
 553 9. Students who transfer from a classical school in this
 554 state to a charter classical school in this state. For purposes
 555 of this subparagraph, the term "classical school" means a
 556 traditional public school or charter school that implements a
 557 classical education model that emphasizes the development of
 558 students in the principles of moral character and civic virtue
 559 through a well-rounded education in the liberal arts and
 560 sciences which is based on the classical trivium stages of
 561 grammar, logic, and rhetoric.
 562 (12) EMPLOYEES OF CHARTER SCHOOLS.-
 563 (g)1. A charter school shall employ or contract with
 564 employees and governing board members who have undergone
 565 background screening as provided in s. 1012.32. Such background
 566 screening must have been conducted through the sponsor or
 567 through fingerprinting at a Department of Law Enforcement-
 568 approved provider. The sponsor must accept fingerprints taken by
 569 a provider approved by the Department of Law Enforcement.
 570 Employees and members of a governing board who serve in more
 571 than one county have the option to undergo fingerprinting
 572 through the Department of Law Enforcement at the charter
 573 school's expense Members of the governing board of the charter
 574 school shall also undergo background screening in a manner
 575 similar to that provided in s. 1012.32. An individual may not be
 576 employed as an employee or contract personnel of a charter
 577 school or serve as a member of a charter school governing board
 578 if the individual is on the disqualification list maintained by
 579 the department pursuant to s. 1001.10(4)(b).
 580 2. A charter school shall prohibit educational support

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581 employees, instructional personnel, and school administrators,
 582 as defined in s. 1012.01, from employment in any position that
 583 requires direct contact with students if the employees,
 584 personnel, or administrators are ineligible for such employment
 585 under s. 1012.315 or have been terminated or have resigned in
 586 lieu of termination for sexual misconduct with a student. If the
 587 prohibited conduct occurs while employed, a charter school must
 588 report the individual and the disqualifying circumstances to the
 589 department for inclusion on the disqualification list maintained
 590 pursuant to s. 1001.10(4)(b).

591 3. The governing board of a charter school shall adopt
 592 policies establishing standards of ethical conduct for
 593 educational support employees, instructional personnel, and
 594 school administrators. The policies must require all educational
 595 support employees, instructional personnel, and school
 596 administrators, as defined in s. 1012.01, to complete training
 597 on the standards; establish the duty of educational support
 598 employees, instructional personnel, and school administrators to
 599 report, and procedures for reporting, alleged misconduct that
 600 affects the health, safety, or welfare of a student; and include
 601 an explanation of the liability protections provided under ss.
 602 39.203 and 768.095. A charter school, or any of its employees,
 603 may not enter into a confidentiality agreement regarding
 604 terminated or dismissed educational support employees,
 605 instructional personnel, or school administrators, or employees,
 606 personnel, or administrators who resign in lieu of termination,
 607 based in whole or in part on misconduct that affects the health,
 608 safety, or welfare of a student, and may not provide employees,
 609 personnel, or administrators with employment references or

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610 discuss the employees', personnel's, or administrators'
 611 performance with prospective employers in another educational
 612 setting, without disclosing the employees', personnel's, or
 613 administrators' misconduct. Any part of an agreement or contract
 614 that has the purpose or effect of concealing misconduct by
 615 educational support employees, instructional personnel, or
 616 school administrators which affects the health, safety, or
 617 welfare of a student is void, is contrary to public policy, and
 618 may not be enforced.

619 4. Before employing an individual in any position that
 620 requires direct contact with students, a charter school shall
 621 conduct employment history checks of each individual through use
 622 of the educator screening tools described in s. 1001.10(5), and
 623 document the findings. If unable to contact a previous employer,
 624 the charter school must document efforts to contact the
 625 employer.

626 5. The sponsor of a charter school that knowingly fails to
 627 comply with this paragraph shall terminate the charter under
 628 subsection (8).

629 (16) EXEMPTION FROM STATUTES.—

630 (b) Additionally, a charter school shall be in compliance
 631 with the following statutes:

632 1. Section 286.011, relating to public meetings and
 633 records, public inspection, and criminal and civil penalties.

634 2. Chapter 119, relating to public records.

635 3. Section 1003.03, relating to the maximum class size,
 636 except that the calculation for compliance pursuant to s.
 637 1003.03 shall be the average at the school level.

638 4. Section 1012.22(1)(c), relating to compensation and

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639 salary schedules.

640 5. Section 1012.33(5), relating to workforce reductions.

641 6. Section 1012.335, relating to contracts with

642 instructional personnel hired on or after July 1, 2011.

643 7. Section 1012.34, relating to the substantive

644 requirements for performance evaluations for instructional

645 personnel and school administrators.

646 8. Section 1006.12, relating to safe-school officers.

647 9. Section 1006.07(7), relating to threat management teams.

648 10. Section 1006.07(9), relating to School Environmental

649 Safety Incident Reporting.

650 11. Section 1006.07(10), relating to reporting of

651 involuntary examinations.

652 12. Section 1006.1493, relating to the Florida Safe Schools

653 Assessment Tool.

654 13. Section 1006.07(6)(d), relating to adopting an active

655 assailant response plan.

656 14. Section 943.082(4)(b), relating to the mobile

657 suspicious activity reporting tool.

658 15. Section 1012.584, relating to youth mental health

659 awareness and assistance training.

660 16. Section 1001.42(4)(f)2., relating to middle school and

661 high school start times. A charter school-in-the-workplace is

662 exempt from this requirement.

663 17. Section 1001.42(8)(c), relating to student welfare.

664 (c) For purposes of subparagraphs (b)4.-7. and 17.:

665 1. The duties assigned to a district school superintendent

666 apply to charter school administrative personnel, as defined in

667 s. 1012.01(3)(a) and (b), and the charter school governing board

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668 shall designate at least one administrative person to be

669 responsible for such duties.

670 2. The duties assigned to a district school board apply to

671 a charter school governing board.

672 3. A charter school may hire instructional personnel and

673 other employees on an at-will basis.

674 4. Notwithstanding any provision to the contrary,

675 instructional personnel and other employees on contract may be

676 suspended or dismissed any time during the term of the contract

677 without cause.

678 (18) FACILITIES.—

679 (c) Any facility, or portion thereof, used to house a

680 charter school whose charter has been approved by the sponsor

681 and the governing board, pursuant to subsection (7), is exempt

682 from ad valorem taxes pursuant to s. 196.1983. Any facility or

683 land owned by a library, community service, museum, performing

684 arts, theater, cinema, or church facility; any facility or land

685 owned by a Florida College System institution or university; any

686 similar public institutional facilities or land; and any

687 facility recently used to house a school or child care facility

688 licensed under s. 402.305 may provide space to charter schools

689 within their facilities or their land under their preexisting

690 zoning and land use designations without obtaining a special

691 exception, rezoning, or a land use change.

692 (20) SERVICES.—

693 (a) 1. A sponsor shall provide certain administrative and

694 educational services to charter schools. These services shall

695 include contract management services; full-time equivalent and

696 data reporting services; exceptional student education

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697 administration services; services related to eligibility and
 698 reporting duties required to ensure that school lunch services
 699 under the National School Lunch Program, consistent with the
 700 needs of the charter school, are provided by the sponsor at the
 701 request of the charter school, that any funds due to the charter
 702 school under the National School Lunch Program be paid to the
 703 charter school as soon as the charter school begins serving food
 704 under the National School Lunch Program, and that the charter
 705 school is paid at the same time and in the same manner under the
 706 National School Lunch Program as other public schools serviced
 707 by the sponsor or the school district; test administration
 708 services, including payment of the costs of state-required or
 709 district-required student assessments; processing of teacher
 710 certificate data services; and information services, including
 711 equal access to the sponsor's student information systems that
 712 are used by public schools in the district in which the charter
 713 school is located or by schools in the sponsor's portfolio of
 714 charter schools if the sponsor is not a school district. Student
 715 performance data for each student in a charter school,
 716 including, but not limited to, FCAT scores, standardized test
 717 scores, previous public school student report cards, and student
 718 performance measures, shall be provided by the sponsor to a
 719 charter school in the same manner provided to other public
 720 schools in the district or by schools in the sponsor's portfolio
 721 of charter schools if the sponsor is not a school district. The
 722 sponsor and the department shall ensure that student data,
 723 including student assessment data, are promptly and efficiently
 724 shared with charter schools, including a charter school's
 725 educational service provider. Such data must be shared

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726 programmatically. A sponsor or the department may not delay or
 727 deny the sharing of student data with charter schools, including
 728 a charter school's educational service provider, unless required
 729 by general or federal law.
 730 2. A sponsor shall provide training to charter schools on
 731 systems the sponsor will require the charter school to use.
 732 3. A sponsor may withhold an administrative fee for the
 733 provision of such services which is ~~shall~~ be a percentage of the
 734 available funds defined in paragraph (17) (b) calculated based on
 735 weighted full-time equivalent students. If the charter school
 736 serves 75 percent or more exceptional education students as
 737 defined in s. 1003.01(9), the percentage must ~~shall~~ be
 738 calculated based on unweighted full-time equivalent students.
 739 The administrative fee must ~~shall~~ be calculated as follows:
 740 a. Up to 5 percent for:
 741 (I) Enrollment of up to and including 250 students in a
 742 charter school as defined in this section.
 743 (II) Enrollment of up to and including 500 students within
 744 a charter school system which meets all of the following:
 745 (A) Includes conversion charter schools and nonconversion
 746 charter schools.
 747 (B) Has all of its schools located in the same county.
 748 (C) Has a total enrollment exceeding the total enrollment
 749 of at least one school district in this state.
 750 (D) Has the same governing board for all of its schools.
 751 (E) Does not contract with a for-profit service provider
 752 for management of school operations.
 753 (III) Enrollment of up to and including 250 students in a
 754 virtual charter school.

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755 b. Up to 2 percent for enrollment of up to and including
 756 250 students in a high-performing charter school as defined in
 757 s. 1002.331.

758 c. Up to 2 percent for enrollment of up to and including
 759 250 students in an exceptional student education center that
 760 meets the requirements of the rules adopted by the State Board
 761 of Education pursuant to s. 1008.3415(3).

762 4. A sponsor may not charge charter schools any additional
 763 fees or surcharges for administrative and educational services
 764 in addition to the maximum percentage of administrative fees
 765 withheld pursuant to this paragraph. A sponsor may not charge or
 766 withhold any administrative fee against a charter school for any
 767 funds specifically allocated by the Legislature for teacher
 768 compensation.

769 5. A sponsor shall provide to the department by September
 770 15 of each year the total amount of funding withheld from
 771 charter schools pursuant to this subsection for the prior fiscal
 772 year. The department must include the information in the report
 773 required under sub-sub-subparagraph (5)(b)1.k.(III).

774 6. A sponsor shall annually provide a report to its charter
 775 schools on what services are being rendered from the sponsor's
 776 portion of the administrative fee. The report must include the
 777 listed services and be submitted to the department by September
 778 15 of each year.

779 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

780 (a) A member of a governing board of a charter school,
 781 including a charter school operated by a private entity, is
 782 subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3) to
 783 the extent that such statutes concern employment and contractual

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784 relationships with for-profit businesses or transactions between
 785 the charter school and for-profit businesses.

786 (d) A landlord of a charter school or his or her spouse or
 787 an officer, director, or employee of an entity that is a
 788 landlord of a charter school or his or her spouse may not be a
 789 member of a governing board of a charter school unless the
 790 charter school was established pursuant to paragraph (15)(c).

791 Section 2. Subsection (2) of section 1002.331, Florida
 792 Statutes, is amended to read:

793 1002.331 High-performing charter schools.—
 794 (2) A high-performing charter school is authorized to:
 795 (a) Increase its student enrollment once per school year to
 796 more than the capacity identified in the charter, but student
 797 enrollment may not exceed the capacity of the facility at the
 798 time the enrollment increase will take effect. Facility capacity
 799 for purposes of expansion must shall include any improvements to
 800 an existing facility or any new facility in which the students
 801 of the high-performing charter school will enroll.

802 (b) Expand grade levels within kindergarten through grade
 803 12 to add grade levels not already served if any annual
 804 enrollment increase resulting from grade level expansion is
 805 within the limit established in paragraph (a).

806 (c) Submit a quarterly, rather than a monthly, financial
 807 statement to the sponsor pursuant to s. 1002.33(9)(g).

808 (d) Consolidate under a single charter the charters of
 809 multiple high-performing charter schools operated in the same
 810 school district by the charter schools' governing board
 811 regardless of the renewal cycle.

812 (e) Receive a modification of its charter to a term of 15

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813 years or a 15-year charter renewal. The charter may be modified
 814 or renewed for a shorter term at the option of the high-
 815 performing charter school. The charter must be consistent with
 816 s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual
 817 review by the sponsor, and may be terminated during its term
 818 pursuant to s. 1002.33(8).

819 (f) Assume the charter of an existing charter school within
 820 the same school district in which it operates.

821
 822 A high-performing charter school shall notify its sponsor in
 823 writing by March 1 if it intends to increase enrollment or
 824 expand grade levels the following school year. The written
 825 notice must shall specify the amount of the enrollment increase
 826 and the grade levels that will be added, as applicable. If a
 827 charter school notifies the sponsor of its intent to expand, the
 828 sponsor must shall modify the charter within 90 days to include
 829 the new enrollment maximum and may not make any other changes.
 830 The sponsor may deny a request to increase the enrollment of a
 831 high-performing charter school if the commissioner has
 832 declassified the charter school as high-performing. If a high-
 833 performing charter school requests to consolidate multiple
 834 charters or to assume an existing charter, the sponsor has shall
 835 have 40 days after receipt of that request to provide an initial
 836 draft charter to the charter school. The sponsor and charter
 837 school shall have 50 days thereafter to negotiate and notice the
 838 charter contract for final approval by the sponsor.

839 Section 3. Present paragraph (b) of subsection (1) of
 840 section 1013.28, Florida Statutes, is redesignated as paragraph
 841 (c), and a new paragraph (b) is added to that subsection, to

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842 read:
 843 1013.28 Disposal of property.—
 844 (1) REAL PROPERTY.—
 845 (b)1. It is the intent of the Legislature to prioritize the
 846 continued use of real property for public education purposes in
 847 alignment with the state's goal of supporting and expanding
 848 educational opportunities.

849 2. Before the disposal of any real property, including
 850 school facilities, by sale, transfer, lease, or disposal by a
 851 school district, the school district shall provide written
 852 notice to each charter school operating within the school
 853 district of the intent to dispose of such property. Charter
 854 schools within the school district shall be granted a right of
 855 first refusal for the purchase, lease, or use of the property
 856 for educational purposes. The school district may not finalize
 857 any transaction involving the disposal of property until each
 858 charter school within the school district has been given a
 859 reasonable opportunity to express interest in and submit an
 860 offer to the school district for such property to ensure the
 861 continuity of educational services within the community.

862 3. The school district may not engage in the disposal of
 863 real property without first meeting the requirements of this
 864 paragraph.

865 Section 4. This act shall take effect July 1, 2025.

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The Florida Senate

3.31.25

Meeting Date

Prek- R

Committee

Name

Andrcina Figueroa

Phone

786.586.7001

Address

8700 SW 150th Ter

Email

ADFe ADFconsulting.com

Street

Palmetto Bay

FL

33176

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing:

Academica

 I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (f1senate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

APPEARANCE RECORD

822

Bill Number or Topic

327032

Amendment Barcode (if applicable)

The Florida Senate

3/3/25

Meeting Date

Pre K-12 Ed

Committee

Name Shan Goff

Address 215 S. Monroe St
Street

Tall

Fl

32201

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Foundation for Florida's Future

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3/31/2025

Meeting Date

Education

Committee

Name Ken Kriepmann (K-riep-mann) Phone 850-345-7062
Address 2655 Bending Way Email Ken@cardinalconsultingse.com
Street Tallahassee State Fl Zip 32308
City

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

5B822

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Florida Charter School Alliance

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

March 31, 2025

Meeting Date

Education Pre-K-12

Committee

Name Amanda Stewart

Address 21748 SR 54, Suite 101
Street

Lutz

City

FL

State

33541

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

FLORIDA CONSORIUM OF PUBLIC CHARTER SCHOOLS

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

3 31. 25

The Florida Senate

822

Meeting Date

Prek-12

Bill Number or Topic

Committee

Name Andreina Figueiro

Phone

Amendment Barcode (if applicable)

786-5867001

Address 8700 SW 150th ST
Street

Email ADFC ADFConsulting.com

City Palmetto Bay

State

Zip 33174

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Academica

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 1150

INTRODUCER: Education Pre-K – 12 Committee and Senator Calatayud

SUBJECT: School Social Workers

DATE: April 1, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|-------------|----------------|-----------|---------------|
| 1. Palazesi | Bouck | ED | <u>Fav/CS</u> |
| 2. | | CF | |
| 3. | | RC | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1150 provides an exemption to a person who is employed as a school social worker from the demonstration of mastery of general knowledge and subject area knowledge requirements for educator certification..

The bill is effective on July 1, 2025.

II. Present Situation:

Licensure of Social Workers in Florida

In Florida, the social work profession is under the oversight of the Florida Department of Health, specifically the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling (CSW Board).¹ The CSW Board was legislatively established to ensure that every clinical social worker, marriage and family therapist, and mental health counselor practicing in this state meet minimum requirements for safe practice. The CSW Board is responsible for licensing, monitoring, disciplining and educating clinical social workers, marriage and family therapists, and mental health counselors to assure competency and safety to practice in Florida.²

¹ Section 491.004, F.S.

² Florida Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling, *Home Page*, <https://floridasmentalhealthprofessions.gov/>, (last visited March 26, 2025).

The CSW Board offers three licenses for social workers: registered clinical social worker intern³, licensed clinical social worker by examination⁴, and certified master social worker⁵. All three licenses require, among other requirements, a master's degree in social work from a Council on Social Work Education accredited school of social work showing graduate level coursework.

Educator Certification

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.⁶ Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in other instructional capacity must be certified.⁷ The purpose of certification is to require school-based personnel to "possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.⁸

The DOE issues three main types of educator certificates:

- Professional Certificate: The professional certificate is Florida's highest type of full-time educator certification.⁹ The professional certificate is valid for five years and is renewable.¹⁰
- Temporary Certificate: The temporary certificate covers employment in full-time positions for which educator certification is required.¹¹ Generally, a temporary certificate is valid for five years and is nonrenewable.¹²
- Athletic Coaching Certificate: The athletic coaching certificate covers full-time and part-time employment as a public school's athletic coach.¹³ The DOE issues two types of athletic coaching certificates – one is valid for 5 years and may be issued for subsequent 5-year

³ Florida Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling, *Registered Clinical social worker intern*, <https://floridasmentalhealthprofessions.gov/licensing/registered-clinical-social-worker-intern/>, (last visited March 26, 2025).

⁴ Florida Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling, *Licensed Clinical Social Worker*, <https://floridasmentalhealthprofessions.gov/licensing/licensed-clinical-social-worker/>, (last visited March 26, 2025).

⁵ Florida Board of Clinical Social Work, Marriage & Family Therapy and Mental Health Counseling, *Certified Master Social Worker*, <https://floridasmentalhealthprofessions.gov/licensing/certified-master-social-worker/>, (last visited March 26, 2025).

⁶ Sections 1012.55(1) and 1002.33(12)(f), F.S.

⁷ Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

⁸ Section 1012.54, F.S.; *see* Rule 6A-4.001(1), F.A.C.

⁹ Rule 6A-4.004(5), F.A.C.

¹⁰ Section 1012.56(7)(a), F.S.; *see* Rule 6A-4.0051(3)(d), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). The DOE also issues a nonrenewable 5-year professional certificate that allows an applicant with a bachelor's degree in the area of speech-language impairment to complete a master's degree in speech-language impairment. Section 1012.56(7)(c), F.S.; Rule 6A-4.004(6), F.A.C.

¹¹ Rule 6A-4.004(1)(a)2., F.A.C.

¹² Section 1012.56(7)(f), F.S. (validity period is expressed in school fiscal years); Rule 6A-4.004(1)(a), F.A.C. The veteran's pathway to educator certification authorizes a 5-year nonrenewable temporary certificate. Section 1012.56(7)(b)2., F.S. The DOE also issues a nonrenewable temporary certificate, which is valid for 2 years in the area of speech-language impairment. Section 1012.56(7)(c), F.S.

¹³ Section 1012.55(2)(a), F.S.

periods while the other is valid for 3 years and may be issued only once.¹⁴ The 5-year certificate requires satisfaction of certain specialization requirements established in rule.¹⁵

Professional Certificate Requirements

To be eligible for a professional certificate, a person must:¹⁶

- Be at least 18 years of age;
- Sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- Earn a bachelor's or higher degree from an accredited institution of higher learning¹⁷ or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor's or higher degree;¹⁸
- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant's disqualification from certification or employment;
- Be of good moral character;
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher;
- Demonstrate mastery of general knowledge;¹⁹
- Demonstrate mastery of subject area knowledge;²⁰ and
- Demonstrate mastery of professional preparation and education competence, if the person serves as a classroom teacher or school administrator.²¹

Demonstrating Mastery of General Knowledge

Mastery of general knowledge may be demonstrated through any of the following methods:

- Achieving a passing score on the General Knowledge Test;²²
- Achieving passing scores established in SBE rule on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and

¹⁴ Rule 6A-4.004(7), F.A.C. (validity periods expressed in school fiscal years).

¹⁵ See Rule 6A-4.0282, F.A.C.

¹⁶ Section 1012.56(2)(a)-(i), F.S.

¹⁷ Section 1012.56(2)(c), F.S.; Rule 6A-4.003(1), F.A.C. (approved accrediting agencies); *see also* 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *Institutional Accrediting Agencies*, <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-602> (last visited March 26, 2025).

¹⁸ Section 1012.56(2)(c), F.S.; Rule 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). For initial certification, an applicant must attain at least a 2.5 overall grade point average on a 4.0 scale in the applicant's major field of study. Section 1012.56(2)(c), F.S.

¹⁹ Section 1012.56(2)(g) and (3), F.S.; DOE, *General Knowledge*, <http://www.fl DOE.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited March 26, 2025).

²⁰ Section 1012.56(2)(h) and (5), F.S.

²¹ Section 1012.56(2)(i) and (6), F.S.; DOE, *Professional Preparation and Education Competence*, <http://www.fl DOE.org/teaching/certification/general-cert-requirements/professional-preparation-edu-competenc.shtml> (last visited March 26, 2025).

²² Section 1012.56(3)(a), F.S. The General Knowledge Test is part of the Florida Teacher Certification Examinations and is administered as four subtests: Reading, English Language Skills, Essay, and Mathematics. Rule 6A-4.0021(7), F.A.C.; *see also* DOE, *Competencies and Skills Required for Teacher Certification in Florida*, s. 82 (27th ed., 2022), <https://www.fl DOE.org/core/fileparse.php/7479/ur1t/FTCE27thEdition22Rule.pdf> (competencies and skills measured by General Knowledge Test).

quantitative reasoning skills (*e.g.*, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination);²³

- providing documentation of a valid professional standard teaching certificate issued by another U.S. state or territory,²⁴ by the National Board for Professional Teaching Standards (NBPTS),²⁵ or by the American Board for Certification of Teacher Excellence (ABCTE);²⁶
- completing two semesters of successful, part-time or full-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution identified by the DOE as having a quality program;²⁷ and
- documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.²⁸

Demonstrating Mastery of Subject Area Knowledge

Mastery of subject area knowledge may be demonstrated through any of the following methods:

- Bachelor's Degree Level (for certification in a subject area for which SBE rule requires a bachelor's or higher degree):
 - If a Florida subject area examination has been developed, achieving a passing score on the Florida-developed subject area examination specified in SBE rule²⁹ or documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified in SBE rule.³⁰
 - If a Florida subject area examination has not been developed, achieving a passing score on a standardized examination specified in SBE rule, including passing scores on both the oral proficiency and written proficiency examinations administered by the American Council on the Teaching of Foreign Languages³¹ or successful completion of a United

²³ Section 1012.56(3)(e), F.S. The passing scores to be identified in state board rule must be at approximately the same level of rigor as is required to pass the General Knowledge Test. Rule 6A-4.002(4), F.A.C.

²⁴ Section 1012.56(3)(b), F.S.; *see* Rules 6A-4.002(1)(i) and 6A-4.003, F.A.C. (flush-left provisions following Rule 6A-4.003(2)(e), F.A.C.). Section 1012.56(3)(b), F.S. specifies that a valid professional standard teaching certificate issued by *another state* is an acceptable means of demonstrating mastery of general knowledge. The DOE also recognizes certificates issued by U.S. territories. *See* DOE, *General Knowledge*, <http://www.fl DOE.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited March 26, 2025).

²⁵ Section 1012.56(3)(c), F.S.; *see* Rule 6A-4.002(1)(j), F.A.C.; *see also* National Board for Professional Teaching Standards, <https://www.nbpts.org/> (last visited March 26, 2025).

²⁶ Section 1012.56(3)(c), F.S.; *see* Rule 6A-4.002(1)(j), F.A.C.

²⁷ Section 1012.56(3)(d), F.S.; *see also* Rule 6A-4.003(1)-(2), F.A.C. (approval of accredited and nonaccredited institutions of higher learning).

²⁸ Section 1012.56(3)(f), F.S.

²⁹ Section 1012.56(5)(a), F.S. The Florida Teacher Certification Examinations include 39 subject area tests. DOE, *Test Information Guides*, http://www.fl.nesinc.com/FL_TIGS.asp (last visited March 26, 2025); *see also* DOE, *Competencies and Skills Required for Teacher Certification in Florida*, ss. 1-63 (27th ed., 2022), available at <https://www.fl DOE.org/core/fileparse.php/7479/urll/FTCE27thEdition22Rule.pdf>; *see also* Rule 6A-4.0021(9), F.A.C. (scoring of subject area tests).

³⁰ Section 1012.56(5)(i), F.S.

³¹ Section 1012.56(5)(b), F.S.; Rule 6A-4.0243(1)(e), F.A.C.; *see* American Council on the Teaching of Foreign Languages (ACTFL), *Assessments*, <https://www.actfl.org/assessments> (last visited March 26, 2025); Language Testing International (ACTFL Language Testing Office), *ACTFL*, <https://tms.languagetesting.com> (last visited March 26, 2025).

States Defense Language Institute Foreign Language Center program or a passing score on the Defense Language Proficiency Test.³²

- For certification in any other subject area for which there is no Florida subject area test or standardized examination specified in state board rule (e.g., Dance), completing the required bachelor's or higher degree and content courses specified in SBE rule³³ and verification of subject area competence by the district school superintendent or, for a state-supported or private school, the school's chief administrative officer.³⁴
- Master's Degree Level (for certification in a subject area for which SBE rule requires a master's or higher degree): Completing the required master's or higher degree and content courses specified in SBE rule and achieving a passing score on the corresponding Florida-developed subject area test or standardized examination specified in SBE rule.³⁵
- Out-of-State Certification: Providing documentation of a valid professional standard teaching certificate issued for a subject area by another U.S. state or territory or by NBPTS or ABCTE, if the certificate is comparable to the Florida professional certificate issued for the same subject area.³⁶

Demonstrating Mastery of Professional Preparation and Education Competence

Acceptable means of demonstrating mastery of professional preparation and education competence are any one of the following:³⁷

- Successful completion of an approved teacher preparation program at a Florida postsecondary educational institution and a passing score on the professional education competency examination required by SBE rule.
- Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by SBE rule.
- Documentation of a valid professional standard teaching certificate issued by another state.
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the SBE.
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or accredited private college or university and achievement of a passing score on the professional education competency examination required by SBE rule.
- Successful completion of professional preparation courses as specified in SBE rule, successful completion of a professional education competence program, and documentation of three years of being rated effective or highly effective while holding a temporary certificate.
- Successful completion of a professional learning certification program.

³² Section 1012.56(5)(g)-(h), F.S.

³³ See, e.g., Rule 6A-4.0123, F.A.C. (specialization requirements for certification in dance); see also DOE, *Florida Certificate Subjects*, <http://www.fl DOE.org/teaching/certification/certificate-subjects/> (March 26, 2025).

³⁴ Section 1012.56(5)(c), F.S.; Rule 6A-4.002(4), F.A.C.

³⁵ Section 1012.56(5)(d), F.S.; see DOE, *Florida Certificate Subjects*, <http://www.fl DOE.org/teaching/certification/certificate-subjects/> (last visited March 26, 2025).

³⁶ Section 1012.56(5)(e), F.S., and (f), F.S.; Rule 6A-4.002(1)(i)-(j), F.A.C.; DOE, *NBPTS Certificate Subjects and Corresponding Subjects in Florida*, <http://www.fl DOE.org/teaching/certification/pathways-routes/nbpts-certificate-subjects-correspondi.shtml> (last visited March 26, 2025).

³⁷ Section 1012.56(6)(a)-(h), F.S.

- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination required by SBE rule.

Educator Certification Examination Fees

The DOE sets registration fees for the various exams required for educator certification, including initial registration and retakes.³⁸ For the general knowledge exam, the initial registration fee is \$130.00 for the full battery of 4 subjects. An individual is able to retake the general knowledge exam by subtest with the retake registration fees being the following:³⁹

- One subtest - \$32.50;
- Two subtests - \$60.00;
- Three subtests - \$97.50;
- Full battery retake - \$130.00.

For subject area examinations and the professional educational test, the initial and retake registration fee is \$150.00. For subject area exams with subparts, the \$150.00 fee is divided evenly among the subparts for retakes.⁴⁰

Current law and rule provide for several fee waivers including the Military Testing Fee Waiver,⁴¹ Retired First Responder Fee Waiver,⁴² and Exceptional Student Education K–12/Elementary Education K–6 Waivers.⁴³

Restricted Professional Certificate

In addition to the professional certification described above, the DOE issues restricted professional certificates, a renewable type of certificate valid for 5 school years. To receive a restricted professional certificate an applicant must:

- Complete the application adopted in SBE rule;
- Satisfy all of the statutory eligibility criteria for a professional educator certification except for the mastery of general knowledge component; and
- Serve as instructional personnel, who is not a classroom teacher, in one of the following fields:
 - Educational Media Specialist;
 - School Counseling;
 - School Psychologist;
 - School Social Work; or
 - Speech-Language Impaired.⁴⁴

An applicant who meets these requirements must only be assigned to non-classroom instructional positions for which they are certified.⁴⁵

³⁸ See Rule 6A-4.0021, F.A.C.

³⁹ Rule 6A-4.0021(4)(b), F.A.C.

⁴⁰ Rule 6A-4.0021(4)(b)-(e), F.A.C.

⁴¹ Section 1012.59(3)(a)-(c), F.S. and Rule 6A-4.0021(13), F.A.C.

⁴² Section 1012.59(3)(d), F.S. and Rule 6A-4.0021(14), F.A.C.

⁴³ Section 1012.59(4), F.S. and Rule 6A-4.0021(15), F.A.C.

⁴⁴ Rule 6A-4.004(9)(a), F.S.

⁴⁵ Rule 6A-4.004(9)(b), F.S.

Educator Certification Specializations

An individual holding an educator certification from the DOE may apply for an additional coverage⁴⁶ or endorsement⁴⁷ indicating advanced education or experience in a particular subject, area, or field.⁴⁸ The DOE offers a specialization for certification in school social worker that can be earned in under two plans:

- Plan One. A master's or higher degree with a graduate major in social work that includes 300 hours or more of field placement in a K-12 school setting from a program accredited by the National Council on Social Work Education or accredited by an entity approved by DOE in rule; or
- Plan Two. A master's or higher degree with a graduate major in social work that includes 300 hours or more of field placement with diverse individuals in a community setting other than a prekindergarten, an elementary or a secondary school.⁴⁹

Background Screening Requirements

Individuals who work in or provide services to school districts, charter schools, alternative schools, and private schools participating in state school choice scholarship programs⁵⁰ must undergo a fingerprint based background screening before being permitted access to school grounds.⁵¹ The individuals who must undergo background screening fall under three personnel classifications: instructional and noninstructional personnel;⁵² noninstructional school district employees and contracted personnel;⁵³ and noninstructional contractors.⁵⁴ Candidates for educator certification must also undergo background screening.⁵⁵

The background screening requirements for each personnel classification vary depending upon the individual's duties, whether or not the individual is a school district employee, and the degree of contact the individual has with students.⁵⁶ Because they are more likely to have direct contact with students, candidates for educator certification, instructional and noninstructional personnel, and noninstructional school district employees and contracted personnel must be screened

⁴⁶ The term "coverage" as used in Florida State Board of Education rules for educator certification purposes shall be defined as the designation on a Florida educator's certificate which indicates the area in which an individual has a content knowledge base. The term "coverage" shall be used synonymously with the terms "subject," "area," or "field."

⁴⁷ The term "endorsement" as used in Florida State Board of Education rules for educator certification purposes shall be defined as a rider on a Florida educator's certificate with a designated coverage. An endorsement shown on a certificate with a coverage signifies a pedagogical knowledge base which targets particular levels, stages of development, or circumstances.

⁴⁸ Rule 6A-4.002(1)(e)-(f), F.A.C.

⁴⁹ Rule 6A-4.035, F.A.C.

⁵⁰ The background screenings conducted by such private schools are conducted through the VECHS.

⁵¹ Sections 1002.421, 1012.32(2), 1012.465(2), and 1012.467(2)(a), F.S.

⁵² Instructional and noninstructional personnel are individuals who are hired or contracted to fill positions that require direct contact with students in any public school. Section 1012.32(2), F.S.

⁵³ Noninstructional school district employees and contracted personnel are individuals who are permitted access to school grounds when students are present; who have direct contact with students; or who have access to, or control of, school funds. Section 1012.465(1), F.S.

⁵⁴ Noninstructional contractors are vendors or contractors who are not school district employees, are permitted access to school grounds when students are present, and have little or no direct contact with students. Section 1012.467(1), F.S.

⁵⁵ Sections 1012.315, 1012.32(2), and 1012.56, F.S.

⁵⁶ See ss. 1012.32(2), 1012.465(2), and 1012.467(2), F.S.

against a distinct list of 52 disqualifying offenses applicable to employment with public schools and school districts.⁵⁷

III. Effect of Proposed Changes:

CS/SB 1150 amends section 1012.55, F.S., to exempt school social workers from the demonstration of mastery of general knowledge and subject area knowledge requirements for educator certification.

The bill is effective on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not have a fiscal impact on state revenues or expenditures.

⁵⁷ Sections 1012.315, 1012.32, and 1012.465, F.S.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1012.55 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K-12 on March 31, 2025:

The committee substitute exempts school social workers from the demonstration of mastery of general knowledge and subject area knowledge requirements for educator certification, rather than exempting such individuals from nearly all educator certification requirements.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 03/31/2025 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education Pre-K - 12 (Calatayud) recommended the following:

1 **Senate Amendment (with title amendment)**

2

3 Delete lines 15 - 16

4 and insert:

5 shall be exempt from the educator certification requirements in
6 s. 1012.56(2)(g) and (h).

7

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

9 And the title is amended as follows:

10 Delete lines 4 - 5



11 and insert:
12 school social workers are exempt from certain teacher
13 certification requirements;

By Senator Calatayud

38-01384-25

20251150

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

10 Section 1. Present subsection (5) of section 1012.55,
11 Florida Statutes, is redesignated as subsection (6), and a new
12 subsection (5) is added to that section, to read:

13 1012.55 Positions for which certificates required.—
14 (5) A person who is employed as a school social worker
15 shall be exempt from requirements for teacher certification
16 except for the background screening pursuant to s. 1012.32

17 Section 2. This act shall take effect July 1, 2025.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: SB 1296

INTRODUCER: Senator Burgess

SUBJECT: Use of Wireless Communications Devices in Schools

DATE: March 28, 2025 **REVISED:**

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|------------------|----------------|-----------|------------------|
| 1. <u>Jahnke</u> | <u>Bouck</u> | <u>ED</u> | Favorable |
| 2. _____ | _____ | <u>CF</u> | _____ |
| 3. _____ | _____ | <u>RC</u> | _____ |

I. Summary:

SB 1296 requires the Commissioner of Education to work with six selected school districts that currently implement a policy or will implement a policy during the 2025–2026 school year that prohibits student use of cell phones and personal electronic devices throughout the school day, both on and off school grounds during school-related activities.

The bill requires the Department of Education to submit a report evaluating the policy's impact on student achievement and behavior and providing a model policy for statewide use. The bill also outlines exceptions for device use and requires student conduct guidelines for policy violations.

The bill takes effect July 1, 2025.

II. Present Situation:

Wireless Communications Device Use in Florida Public Schools

In 2023,¹ the Legislature required each district school board to adopt rules prohibiting student use of wireless communications devices during instructional time. The prohibition does not apply when device use is expressly directed by a teacher solely for educational purposes. Additionally, the rules must prohibit student access to social media platforms through internet access provided by the school district, with exceptions for instructional use. These rules must be included in each district's code of student conduct and published on the district's website.²

¹ Ch. 2023-36, Laws of Fla.

² See ss. 1006.07(2)(f) and 1003.02(1)(g), F.S.

District School Boards

District school boards are responsible for the general supervision and control of students enrolled in public schools.³ Each board must adopt rules for the control, attendance, discipline, in-school suspension, suspension, and expulsion of students, as well as maintain a code of student conduct.⁴ Students may possess wireless communications devices while on school property or attending school functions. However, school boards have the authority to adopt rules governing the use of such devices through their codes of student conduct.⁵

The implementation of policies concerning wireless communications devices is left to the discretion of each district. As a result, local policies vary. Some districts prohibit student device use for the entire school day, while others allow limited use during non-instructional periods, such as lunch or between class periods.

Principals and Teachers

School principals are responsible for enforcing the student code of conduct and maintaining school safety and discipline. Principals may take disciplinary action consistent with board policies, including those governing the inappropriate use of wireless communications devices.⁶

Teachers have the authority to manage student behavior and establish rules of conduct within their classrooms.⁷ Within the framework of the district's code of conduct, teachers may designate specific locations or procedures for storing devices during instructional time to minimize distractions and maintain an orderly learning environment.⁸

III. Effect of Proposed Changes:

SB 1296 requires the Commissioner of Education to coordinate with six selected school districts representing two small, two medium, and two large counties that currently implement a policy, or will implement a policy during the 2025–2026 school year that prohibits students from using cell phones and other personal electronic devices during the entire school day. This prohibition applies both on school grounds and while students are engaged in school-sponsored activities off campus during the school day.

The Department of Education must submit a report to the President of the Senate and the Speaker of the House of Representatives by December 1, 2026. The report must:

- Summarize the effect of each district policy on student achievement and behavior.
- Include a model policy that school districts and charter schools may adopt.

The bill further requires that the report and model policy account for circumstances under which the use of cell phones or other electronic devices during the school day by students may be authorized, including:

³ Section 1003.02(1), F.S.

⁴ Section 1006.07(2), F.S.

⁵ Section 1006.07(2)(f), F.S.

⁶ Section 1006.09(1), F.S.

⁷ Section 1003.32(1)(a), F.S.

⁸ Section 1006.07(2)(f), F.S.

- For students with disabilities or English Language Learners (ELLs) who rely on such devices to access curriculum or other required activities.
- For health-related reasons, emergency medical issues, or disaster situations.
- On school buses before or after school hours.
- During extracurricular activities occurring outside of the school day.

The bill requires the report to also include student code of conduct provisions for violations of the policy, including, but not limited to, the following:

- Illegal behaviors involving device use that may warrant law enforcement involvement.
- Use of devices to bully, harass, or threaten other students.
- Use of devices to cheat or violate school academic integrity policies.
- Use of devices to capture or display any picture or video of any student during medical issues or misconduct.

The bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Burgess

23-01525A-25

20251296

A bill to be entitled

An act relating to use of wireless communications devices in schools; requiring the Commissioner of Education to coordinate with school districts selected by the Department of Education to implement a policy for a specified school year prohibiting the use of cell phones while on school grounds or engaged in certain activities off school grounds; requiring the department to provide a report to the Legislature before a specified date; providing requirements for the report; requiring that the report include a model policy that school districts and charter schools may adopt; requiring that the report and model policy address the authorized use of cell phones and electronic devices during the school day by certain students; requiring that the report include specified student code of conduct provisions; providing an effective date.

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

Section 1. (1) The Commissioner of Education shall coordinate with six districts selected by the Department of Education which represent two small, two medium, and two large counties that currently, or will in the 2025-2026 school year, implement a policy that prohibits the use of cell phones and other personal electronic devices by students during the entire school day, while on school grounds, or while engaged in school activities off school grounds during the school day. The

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23-01525A-25

department shall provide a report to the President of the Senate and the Speaker of the House of Representatives before December 1, 2026, summarizing the effect of each district policy on student achievement and behavior. The report must also include a model policy that school districts and charter schools may adopt.

(2) The report and model policy must address the authorized use of cell phones or other electronic devices during the school day by students:

(a) With disabilities or who are English Language Learners who may need such electronic devices to access curriculum or other required activities.

(b) When necessary for health reasons, for emergency medical issues, or for natural or man-made disasters.

(c) On school buses, before or after school hours.

(d) Engaged in extracurricular activities outside of the school day.

(3) The report must also include student code of conduct provisions for violations of the policy restricting the use of cell phones and other electronic devices, including, but not limited to, which:

(a) Constitutes illegal behavior and may result in a referral to law enforcement.

(b) Facilitates bullying, harassing, or threatening other students.

(c) Facilitates cheating or otherwise violating a school's policy for academic integrity.

(d) Captures or displays any picture or video of any student during a medical issue or engaged in misconduct.

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Section 2. This act shall take effect July 1, 2025.

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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: **SB 1590**

INTRODUCER: Senator Burgess

SUBJECT: Educator Preparation

DATE: **March 28, 2025**

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|------------------|----------------|------------|------------------|
| 1. <u>Jahnke</u> | <u>Bouck</u> | <u>ED</u> | Favorable |
| 2. _____ | _____ | <u>AED</u> | _____ |
| 3. _____ | _____ | <u>FP</u> | _____ |

I. Summary:

SB 1590 establishes the Task Force for Educator Preparation to review and make recommendations for revising Florida's teacher training, certification, and professional learning systems. The intent of the task force is to modernize these systems by 2028 in order to better prepare educators for the challenges of 21st-century classrooms.

The task force will include representatives from state universities, private colleges, educator preparation institutes (EPIs), school districts, charter schools, and the Department of Education (DOE). It is charged with evaluating the effectiveness of teacher training programs, including alternative certification pathways and teacher apprenticeship models; analyzing current certification standards and procedures; and reviewing ongoing professional learning, including mentorship and collaboration with preparation programs.

The DOE is required to provide administrative support to the task force, which must submit a final report with recommendations to the Governor and legislative leaders by December 1, 2025, after which the task force will expire.

The bill takes effect upon becoming law.

II. Present Situation:

Teacher Preparation Programs

Teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve the state education goals.¹ State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school

¹ Section 1004.04(1)(b), F.S.

districts, and private providers by which candidates for educator certification can, depending on the type of program, demonstrate mastery of general knowledge, professional preparation and education competence, and/or subject area knowledge for purposes of attaining an educator certificate.²

There are various state-approved teacher preparation programs that individuals may use to receive the training needed to attain an educator certificate, including:³

- Initial Teacher Preparation programs in public and private colleges and universities requiring candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Program completers qualify for a professional educator certificate⁴
- Educator Preparation Institutes (EPIs) offering alternative certification programs by postsecondary institutions and qualified private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge, and mastery of professional preparation and education competence.
- District professional learning certification and education competency programs. Such programs are cohesive competency-based professional preparation certification programs offered by school districts, charter schools, and charter management districts by which the instructional staff can satisfy the mastery of professional preparation and education competence requirements.⁵ In addition to completing the district program, candidates must demonstrate mastery of general knowledge⁶ and subject area knowledge.⁷

Teacher preparation program courses are prohibited from distorting significant historical events or including a curriculum or instruction that teaches identity politics, violates the Florida Educational Equity Act,⁸ or is based on theories that systemic racism, sexism, oppression, and privilege are inherent in the institutions of the United States and were created to maintain social, political, and economic inequities. Teacher Preparation courses must afford candidates the opportunity to think critically, achieve mastery of academic program content, learn instructional strategies, and demonstrate competence.⁹

² See Florida Department of Education, *Florida's Coordinated System of Professional Learning*, <https://www.fl DOE.org/teaching/professional-dev/> (last visited Mar. 27, 2025). See also Rule 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

³ Florida Department of Education, *Educator Preparation*, <http://www.fl DOE.org/teaching/preparation> (last visited Mar. 27, 2025). See also Rule 6A-5.066, F.A.C.

⁴ Rule 6A-5.066(1)(r), F.A.C.

⁵ Section 1012.56(8)(a), F.S. Florida Department of Education. *State-Approved Educator Preparation Programs, Approved Add-on Programs*, <https://www.fl DOE.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.shtml> (last visited Mar. 27, 2025).

⁶ See Florida Department of Education, *General Knowledge*, <https://www.fl DOE.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Mar. 27, 2025).

⁷ Florida Department of Education, *Subject Area Knowledge*, <https://www.fl DOE.org/teaching/certification/general-cert-requirements/subject-area-knowledge.shtml> (last visited Mar. 27, 2025).

⁸ Section 1000.05, F.S.

⁹ Section 1004.04(2)(e), F.S.

Initial Teacher Preparation Program

Each candidate enrolled in a teacher preparation program must receive instruction and be assessed on the uniform core curricula in his or her area of program concentration during course work and field experiences. A candidate for certification in a coverage area that includes reading instruction or interventions in kindergarten through grade six must successfully complete all competencies for a reading endorsement.¹⁰

The SBE must establish, in rule, uniform core curricula for each state-approved teacher preparation program including, but not limited to:¹¹

- Candidate instruction and assessment in the Florida Educator Accomplished Practices (FEAP)¹² across content areas;
- The use of state-adopted content standards to guide curricula and instruction;¹³
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students;¹⁴
- Content literacy and mathematical practices;
- Strategies appropriate for instruction of English language learners;
- Strategies appropriate for instruction of students with disabilities;
- Strategies to differentiate instruction based on student needs;
- Strategies and practices to support evidence-based content aligned to state standards and grading practices;
- Strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support;
- Strategies to support the use of technology in education and distance learning; and
- Strategies and practices to support effective, research-based assessment and grading practices aligned to the state's academic standards.

In addition, before program completion, each candidate must demonstrate his or her ability to positively impact student learning growth in the candidate's area(s) of program concentration during a prekindergarten through grade 12 field experience and must pass each portion of the Florida Teacher Certification Examination required for a professional certificate in the area(s) of program concentration.¹⁵

¹⁰ Section 1004.04(2)(c), F.S.

¹¹ Section 1004.04(2)(b)1.-10., F.S.

¹² Florida Department of Education, *Professional Development The Florida Educator Accomplished Practices (FEAP)*, <https://www.fl DOE.org/teaching/professional-dev/the-fl-educator-accomplished-practices.shtml> (last visited Mar. 27, 2025).

¹³ The State Board of Education has adopted the state academic standards, which establish the core content of the curricula taught in the state and specify the core content knowledge and skills that K -12 public school students are expected to acquire. Rule 6A-1.09401(1), F.A.C.; s. 1003.41(1), F.S.

¹⁴ The Just Read, Florida! Office must assist teacher preparation programs and EPIS with this requirement. Section 1001.215(11), F.S.

¹⁵ Section 1004.04(2)(d), F.S.

Educator Preparation Institutes

Postsecondary institutions that are accredited or approved by the Department of Education (DOE) to award degrees and credits for educator certification may seek approval from the DOE to create EPIs for the purpose of providing all or any of the following:¹⁶

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

A private provider that has a proven history of delivering high-quality educator preparation may also seek approval to offer a competency-based certification program. The DOE approval must be based upon evidence provided from other state recipients of the provider's services and data showing the successful performance of completers based upon student achievement.¹⁷

EPIs may offer competency-based certification programs specifically designed for non-education major baccalaureate degree holders to enable program participants to meet educator certification. The DOE must approve a certification program if the EPI provides evidence of the EPI's capacity to implement a competency-based program that includes each of the following:¹⁸

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

¹⁶ Section 1004.85(2)(a), F.S.

¹⁷ Section 1004.85(2)(b), F.S.

¹⁸ Section 1004.85(3), F.S. *See also* s. 1004.04(2), F.S.

- Field experiences appropriate to the certification subject area.
- A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening and educator professional or temporary certification.

Requirements for Individuals Supervising or Directing Teacher Preparation Field Experiences

All school district personnel and instructional personnel who supervise or direct teacher preparation program students during field experience courses or internships taking place in this state in which candidates demonstrate an impact on student learning growth must have:¹⁹

- Evidence of “clinical educator” training;
- A valid professional certificate;
- At least three years of teaching experience in prekindergarten through grade 12;
- Earned an effective or highly effective rating on the prior year’s performance evaluation or be a peer evaluator under the district’s evaluation system; and
- For all such personnel who supervise or direct teacher preparation students during internships in kindergarten through grade three or who are enrolled in a teacher preparation program for a certificate area includes reading instruction or intervention for any students in kindergarten through grade six, a certificate or endorsement in reading.

Professional Learning Certification Programs

School districts, charter schools, and charter management organizations may offer a professional learning certification program that must be approved by the DOE. The program must include:²⁰

- A minimum period of initial preparation before becoming the teacher of record;
- An option to collaborate with other agencies or educational entities for implementation;
- A teacher mentorship and induction component;
- An assessment of teaching performance aligned with the district’s personnel evaluation system;
- Professional educational preparation content knowledge that must be included in the mentoring and induction activities;
- Required passing scores on the general knowledge, subject area, and the professional education competency test; and
- Completion of all competencies for a reading endorsement for all candidates for certification in coverage areas that include reading instruction or interventions in kindergarten through grade six.

As required by law, the DOE adopted standards for the approval of professional learning certification programs, including standards for the teacher mentorship and induction component.²¹ The standards for the teacher mentorship and induction component must include:²²

- Program administration and evaluation;

¹⁹ Section 1004.04(5)(b)1., F.S.

²⁰ Section 1012.56(8)(a)1.-7., F.S.

²¹ See Rule 6A-5.066, F.A.C.

²² Section 1012.56(8)(c), F.S.

- Mentor roles, selection, and training;
- Beginning teacher assessment and professional development; and
- Teacher content knowledge and practices aligned to the FEAP.

To serve as a mentor in a professional learning certification program, an individual must:

- Hold a valid professional certificate;
- Have earned at least 3 years of teaching experience in prekindergarten through grade 12;
- Have completed training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional learning;
- Have earned an effective or highly effective rating on the prior year's performance evaluation; and
- May be a peer evaluator under the district's evaluation system.²³

Educator Certification

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.²⁴ Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in other instructional capacity must be certified.²⁵ The purpose of certification is to require school-based personnel to "possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools."²⁶

The DOE issues three main types of educator certificates:

- Professional Certificate: The professional certificate is Florida's highest type of full-time educator certification.²⁷ The professional certificate is valid for five years and is renewable.²⁸
- Temporary Certificate: The temporary certificate covers employment in full-time positions for which educator certification is required.²⁹ Generally, a temporary certificate is valid for five years and is nonrenewable.³⁰

²³ Section 1012.56(8)(a)2.a., F.S.

²⁴ Sections 1012.55(1) and 1002.33(12)(f), F.S.

²⁵ Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

²⁶ Section 1012.54, F.S.; *see* Rule 6A-4.001(1), F.A.C.

²⁷ Rule 6A-4.004(5), F.A.C.

²⁸ Section 1012.56(7)(a), F.S.; *see* Rule 6A-4.0051(3)(d), F.A.C. (validity period is expressed as five years from July 1 of the school fiscal year). The DOE also issues a nonrenewable five-year professional certificate that allows an applicant with a bachelor's degree in the area of speech-language impairment to complete a master's degree in speech-language impairment. Section 1012.56(7)(c), F.S.; Rule 6A-4.004(6), F.A.C.

²⁹ Rule 6A-4.004(1)(a)2., F.A.C.

³⁰ Section 1012.56(7)(f), F.S. (validity period is expressed in school fiscal years); Rule 6A-4.004(1)(a), F.A.C. The veteran's pathway to educator certification authorizes a 5-year nonrenewable temporary certificate. Section 1012.56(7)(b)2., F.S. The DOE also issues a nonrenewable temporary certificate, which is valid for two years in the area of speech-language impairment. Section 1012.56(7)(c), F.S.

- Athletic Coaching Certificate: The athletic coaching certificate covers full-time and part-time employment as a public school's athletic coach.³¹ The DOE issues two types of athletic coaching certificates – one is valid for five years and may be issued for subsequent five-year periods while the other is valid for three years and may be issued only once.³² The five-year certificate requires satisfaction of certain specialization requirements established in rule.³³

Professional Certificate Requirements

To be eligible for a professional certificate, a person must:³⁴

- Be at least 18 years of age;
- Sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- Earn a bachelor's or higher degree from an accredited institution of higher learning³⁵ or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor's or higher degree;³⁶
- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant's disqualification from certification or employment;
- Be of good moral character;
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher;
- Demonstrate mastery of general knowledge;³⁷
- Demonstrate mastery of subject area knowledge;³⁸ and
- Demonstrate mastery of professional preparation and education competence, if the person serves as a classroom teacher or school administrator.³⁹

Demonstrating Mastery of General Knowledge

Mastery of general knowledge may be demonstrated through any of the following methods:

- Achieving a passing score on the General Knowledge Test;⁴⁰

³¹ Section 1012.55(2)(a), F.S.

³² Rule 6A-4.004(7), F.A.C. (validity periods expressed in school fiscal years).

³³ See Rule 6A-4.0282, F.A.C.

³⁴ Section 1012.56(2)(a)-(i), F.S.

³⁵ Section 1012.56(2)(c), F.S.; Rule 6A-4.003(1), F.A.C. (approved accrediting agencies); *see also* 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *The Secretary's Recognition of Accrediting Agencies*, <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-602> (last visited Mar. 27, 2025).

³⁶ Section 1012.56(2)(c), F.S.; Rule 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). For initial certification, an applicant must attain at least a 2.5 overall grade point average on a 4.0 scale in the applicant's major field of study. Section 1012.56(2)(c), F.S.

³⁷ Section 1012.56(2)(g) and (3), F.S.; Florida Department of Education, *General Knowledge*, <http://www.fl DOE.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Mar. 27, 2025).

³⁸ Section 1012.56(2)(h) and (5), F.S.

³⁹ Section 1012.56(2)(i) and (6), F.S.; Florida Department of Education, *Professional Preparation and Education Competence*, <http://www.fl DOE.org/teaching/certification/general-cert-requirements/professional-preparation-edu-competenc.shtml> (last visited Mar. 27, 2025).

⁴⁰ Section 1012.56(3)(a), F.S. The General Knowledge Test is part of the Florida Teacher Certification Examinations and is administered as four subtests: Reading, English Language Skills, Essay, and Mathematics. Rule 6A-4.0021(7), F.A.C.; *see also* Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida*, s. 82 (27th ed., 2022), available at <https://www.fl DOE.org/core/fileparse.php/7479/ur1/FTCE27thEdition22Rule.pdf> (competencies and skills measured by General Knowledge Test).

- Achieving passing scores established in SBE rule on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills (e.g., the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination);⁴¹
- Providing documentation of a valid professional standard teaching certificate issued by another U.S. state or territory,⁴² by the National Board for Professional Teaching Standards (NBPTS),⁴³ or by the American Board for Certification of Teacher Excellence (ABCTE);⁴⁴
- Completing two semesters of successful, part-time or full-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution identified by the DOE as having a quality program;⁴⁵ and
- Documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.⁴⁶

Demonstrating Mastery of Subject Area Knowledge

Mastery of subject area knowledge may be demonstrated through any of the following methods:⁴⁷

- Bachelor's Degree Level (for certification in a subject area for which SBE rule requires a bachelor's or higher degree):
 - If a Florida subject area examination has been developed, achieving a passing score on the Florida-developed subject area examination specified in SBE rule⁴⁸ or documentation of receipt of a master's or higher degree from an accredited postsecondary institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher in the certificate subject area as identified in SBE rule.⁴⁹
 - If a Florida subject area examination has not been developed, achieving a passing score on a standardized examination specified in SBE rule, including passing scores on both the oral proficiency and written proficiency examinations administered by the American

⁴¹ Section 1012.56(3)(e), F.S. The passing scores to be identified in state board rule must be at approximately the same level of rigor as is required to pass the General Knowledge Test. Rule 6A-4.002(4), F.A.C.

⁴² Section 1012.56(3)(b), F.S.; *see* Rules 6A-4.002(1)(i) and 6A-4.003, F.A.C. (flush-left provisions following Rule 6A-4.003(2)(e), F.A.C.). Section 1012.56(3)(b), F.S. specifies that a valid professional standard teaching certificate issued by *another state* is an acceptable means of demonstrating mastery of general knowledge. The DOE also recognizes certificates issued by U.S. territories. *See* Florida Department of Education, *General Knowledge*, <http://www.fl DOE.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Mar. 27, 2025).

⁴³ Section 1012.56(3)(c), F.S.; *see* Rule 6A-4.002(1)(j), F.A.C.; *see also* National Board for Professional Teaching Standards, <https://www.nbpts.org/> (last visited Mar. 27, 2025).

⁴⁴ Section 1012.56(3)(c), F.S.; *see* Rule 6A-4.002(1)(j), F.A.C.

⁴⁵ Section 1012.56(3)(d), F.S.; *see also* Rule 6A-4.003(1)-(2), F.A.C. (approval of accredited and nonaccredited institutions of higher learning).

⁴⁶ Section 1012.56(3)(f), F.S.

⁴⁷ Section 1012.56(5), F.S.

⁴⁸ Section 1012.56(5)(a), F.S. The Florida Teacher Certification Examinations include 39 subject area tests. Florida Department of Education, *Test Information Guides*, http://www.fl.nesinc.com/FL_TIGS.asp (last visited Mar. 27, 2025); *see also* Florida Department of Education, *Competencies and Skills Required for Teacher Certification in Florida*, ss. 1-63 (27th ed., 2022), available at <https://www.fl DOE.org/core/fileparse.php/7479/ur1/FTCE27thEdition22Rule.pdf>; *see also* Rule 6A-4.0021(9), F.A.C. (scoring of subject area tests).

⁴⁹ Section 1012.56(5)(i), F.S.

Council on the Teaching of Foreign Languages⁵⁰ or successful completion of a United States Defense Language Institute Foreign Language Center program or a passing score on the Defense Language Proficiency Test.⁵¹

- For certification in any other subject area for which there is no Florida subject area test or standardized examination specified in state board rule (e.g., Dance), completing the required bachelor's or higher degree and content courses specified in SBE rule⁵² and verification of subject area competence by the district school superintendent or, for a state-supported or private school, the school's chief administrative officer.⁵³
- Master's Degree Level (for certification in a subject area for which SBE rule requires a master's or higher degree): Completing the required master's or higher degree and content courses specified in SBE rule and achieving a passing score on the corresponding Florida-developed subject area test or standardized examination specified in SBE rule.⁵⁴
- Out-of-State Certification: Providing documentation of a valid professional standard teaching certificate issued for a subject area by another U.S. state or territory or by NBPTS or ABCTE, if the certificate is comparable to the Florida professional certificate issued for the same subject area.⁵⁵

Demonstrating Mastery of Professional Preparation and Education Competence

Mastery of professional preparation and education competence may be demonstrated by:⁵⁶

- Successful completion of an approved teacher preparation program at a postsecondary educational institution within this state and achievement of a passing score on the professional education competency examination required by state board rule;
- Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by state board rule;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the NBPTS or a national educator credentialing board approved by the State Board of Education;
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the DOE as having a quality program and achievement of a passing score on the professional education competency examination required by SBE rule;

⁵⁰ Section 1012.56(5)(b), F.S.; Rule 6A-4.0243(1)(e), F.A.C.; *see* American Council on the Teaching of Foreign Languages (ACTFL), *Assessments*, <https://www.actfl.org/assessments> (last visited Mar. 27, 2025); Language Testing International (ACTFL Language Testing Office), *ACTFL*, <https://tms.languagetesting.com> (last visited Mar. 27, 2025).

⁵¹ Section 1012.56(5)(g)-(h), F.S.

⁵² *See, e.g.*, Rule 6A-4.0123, F.A.C. (specialization requirements for certification in dance); *see also* Florida Department of Education, *Florida Certificate Subjects*, <http://www.fl DOE.org/teaching/certification/certificate-subjects/> (last visited Mar. 27, 2025).

⁵³ Section 1012.56(5)(c), F.S.; Rule 6A-4.002(4), F.A.C.

⁵⁴ Section 1012.56(5)(d), F.S.; *see* Florida Department of Education, *Florida Certificate Subjects*, <http://www.fl DOE.org/teaching/certification/certificate-subjects/> (last visited Mar. 27, 2025).

⁵⁵ Section 1012.56(5)(e), F.S., and (f), F.S.; Rule 6A-4.002(1)(i)-(j), F.A.C.; Florida Department of Education, *NBPTS Certificate Subjects and Corresponding Subjects in Florida*, <http://www.fl DOE.org/teaching/certification/pathways-routes/nbpts-certificate-subjects-correspondi.shtml> (last visited Mar. 27, 2025).

⁵⁶ Section 1012.56(6), F.S.

- Successful completion of professional preparation courses as specified in state board rule, successful completion of a professional education competence program, and documentation of 3 years of being rated effective or highly effective while holding a temporary certificate;
- Successful completion of a professional learning certification program; or
- Successful completion of a competency-based certification program and achievement of a passing score on the professional education competency examination required by rule of the SBE.

Professional Education Competency Program

School districts must and private schools or state-supported public schools, including a charter school, may develop and maintain a system by which members of the instructional staff may demonstrate mastery of professional preparation and education competence as required by law. Each program must:

- Be based on classroom application of the FEAP and instructional performance; and,
- For public schools, must be aligned with the district's or state-supported public school's evaluation system.⁵⁷

The Commissioner of Education must determine the continued approval of programs, based upon the department's review of performance data. The department must review the performance data as a part of the periodic review of each school district's professional learning system.⁵⁸

Teacher Apprenticeship Program

In 2023, the Legislature created the Teacher Apprenticeship Program (TAP).⁵⁹ The TAP was created as an alternative pathway for an individual to enter the teaching profession. The DOE is required to administer the program in accordance with legislative intent regarding apprenticeship training⁶⁰ provided for in law.

To meet the minimum eligibility requirements to participate in the TAP, a candidate must have:⁶¹

- Received an associate degree from an accredited postsecondary institution.
- Earned a cumulative grade point average (GPA) of 3.0 in that degree program.
- Successfully passed a background screening pursuant to law.
- Received a temporary apprenticeship certificate.

As a condition of participating in the TAP, an apprentice teacher must be appointed by the district school board as an education paraprofessional and must commit to spending the first two years in the classroom of a mentor teacher using team teaching strategies as specified in law⁶²

⁵⁷ Section 1012.56(9)(a), F.S.

⁵⁸ Section 1012.56(9)(b), F.S.

⁵⁹ Ch. 2023-38, s. 6, Law of Fla., *codified at* s. 1012.555, F.S.; *see also* Rule 6A-5.067, F.A.C.

⁶⁰ Section 446.011, F.S. provides that it is the intent of the State of Florida to provide educational opportunities for its residents so that they can be trained for trades, occupations, and professions suited to their abilities; to promote the mode of training known as apprenticeship in occupations throughout industry in the state that require physical manipulative skills.

⁶¹ Section 1012.555(2)(a)1.-4., F.S.

⁶² "Team teaching" or "co-teaching" means two or more teachers are assigned to a group of students, and each teacher is responsible for all of the students during the entire class period. Section 1003.03(5)(c), F.S.

and fulfilling the on-the-job training component of the registered apprenticeship and its associated standards.⁶³

A teacher who serves as a mentor in the TAP must:⁶⁴

- Have at least five years of teaching experience in this state.
- Be rated as highly effective in the three most recent value-added model (VAM) scores or on the three most recent available performance evaluations if the teacher does not generate a state VAM score.
- Satisfy any other requirements established by the DOE.

Mentors for Individuals with a Temporary Certificate

A person who is issued a temporary certificate must be assigned a teacher mentor for a minimum of two school years after commencing employment. Each teacher mentor must:⁶⁵

- hold a valid professional certificate;
- have earned at least three years of teaching experience in prekindergarten through grade 12; and
- have earned an effective or highly effective rating on the prior year's performance evaluation.

Professional Learning Systems

Current law requires school districts to develop a professional learning system in consultation with classroom teachers, state colleges and universities, business and community representatives, and local education foundations, consortia, and professional organizations.⁶⁶ The system must be initially reviewed and approved by the DOE and subsequently reviewed and approved every five years thereafter.⁶⁷ Among other things, the professional learning system must:⁶⁸

- Support and increase the success of educators through collaboratively developed school improvement plans;
- Assist the school community in providing stimulating, scientific research-based educational activities that encourage and motivate students to achieve at the highest levels, and that prepare students for success at subsequent educational levels and the workforce;
- Provide continuous support for all education professionals as well as temporary intervention for education professionals who need improvement in knowledge, skills, and performance; and
- Provide training to teacher mentors as part of professional development certification and education competency programs.

An organization of private schools or consortium of charter schools which has no fewer than 10-member schools in this state, which publishes and files with the DOE copies of its standards, and the member schools comply with compulsory school attendance, or a public or private college or

⁶³ Section 1012.555(2)(c) and (d), F.S.

⁶⁴ Section 1012.555(3), F.S.

⁶⁵ Section 1012.56(7)(e), F.S.

⁶⁶ Section 1012.98(5)(b), F.S.

⁶⁷ Section 1012.98(5)(b)1., F.S.

⁶⁸ See s. 1012.98(5)(b)1.-11., F.S.

university with a teacher preparation program, may also develop a professional learning system. The system and in-service catalog must be submitted to the commissioner for approval.⁶⁹

III. Effect of Proposed Changes:

SB 1590 establishes the Task Force for Educator Preparation to review and make recommendations for revising Florida's teacher training, certification, and professional learning systems. The intent of the task force is to modernize these systems by 2028 in order to better prepare educators for the challenges of 21st-century classrooms.

The bill specifies that the task force is composed of the following members:

- Two members from a state university's initial teacher preparation program, appointed by the President of the Senate and the Speaker of the House of Representatives.
- Two members from private postsecondary institution initial teacher preparation programs, appointed by the Governor and the President of the Senate.
- Two members from a Florida College System institution initial teacher preparation program or educator preparation institute (EPI), appointed by the Governor and the Speaker of the House of Representatives.
- Two school district representatives responsible for district alternative certification programs, appointed by the President of the Senate and the Speaker of the House of Representatives.
- Three actively certified teachers, including at least one from a charter school and at least one who has served as a mentor; the Governor, the President of the Senate, and the Speaker of the House of Representatives shall each appoint one teacher.
- Two district school superintendents, appointed by the President of the Senate and the Speaker of the House of Representatives.
- One Department of Education (DOE) representative with expertise in educator quality, appointed by the Governor.

The DOE is required to provide administrative support to the task force, including coordination of meetings, report development, and communication among members.

The bill directs the task force to evaluate the effectiveness of teacher training programs, including:

- The uniform core curricula in initial teacher preparation programs, including evidence-based practices in mathematics and literacy instruction, classroom management, and the use of data to analyze student performance for personalized instruction.
- Preparation under school district alternative certification pathways or EPIs.
- The effectiveness of teacher apprenticeship programs.
- Improvements to field experiences for student teachers.

The bill requires the task force to analyze Florida's current teacher certification standards and procedures, focusing on:

- Gaps or inefficiencies in current certification pathways.
- Appropriate educator certification for elementary, middle, and secondary school grades.

⁶⁹ Section 1012.98(7), F.S.

- The effectiveness of certification exams and alternatives to ensure teachers meet competency standards.

The task force is also required to evaluate educator professional learning, including:

- Ongoing professional learning requirements for teachers.
- Mentor teachers and teaching coaches.
- Collaboration with teacher preparation programs.

The task force must issue a report with recommendations for improvements to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than December 1, 2025, at which time the task force expires.

The bill takes effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill could have an indeterminate, yet insignificant, fiscal impact on the Department of Education to provide administrative support to the task force.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Burgess

23-01562A-25

20251590

A bill to be entitled

An act relating to educator preparation; providing legislative intent; establishing the Task Force for Educator Preparation; providing the purpose for the task force; providing for the composition of the task force; requiring the Department of Education to provide administrative support for the task force; providing the duties of the task force; requiring the task force to provide a specified report to the Governor and the Legislature by a specified date; providing for expiration of the task force; providing an effective date.

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

Section 1. (1) It is the intent of the Legislature to revise educator preparation, certification, and professional learning development by 2028, to modernize and reform the program, and to properly prepare educators to meet the challenges of educating students in the 21st century.

(2) There is established the Task Force for Educator Preparation to make recommendations regarding educator training, assessment, certification, and professional learning. The task force shall be composed of the following members:

(a) Two members from a state university initial teacher preparation program, appointed by the President of the Senate and the Speaker of the House of Representatives.

(b) Two members from private postsecondary institution initial teacher preparation programs, appointed by the Governor

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and the President of the Senate.

(c) Two members from a Florida College System institution initial teacher preparation program or educator preparation institute, appointed by the Governor and the Speaker of the House of Representatives.

(d) Two school district representatives with responsibility for district alternative certification programs, appointed by the President of the Senate and the Speaker of the House of Representatives.

(e) Three teachers with active certifications, with at least one from a charter school, and at least one who has served as a mentor. The Governor, the President of the Senate, and the Speaker of the House of Representatives shall each appoint one teacher.

(f) Two district school superintendents, appointed by the President of the Senate and the Speaker of the House of Representatives.

(g) A Department of Education representative with expertise in educator quality, appointed by the Governor.

(3) The Department of Education shall provide administrative support for the task force.

(4) The task force shall:

(a) Evaluate the effectiveness of teacher training programs, including:

1. The uniform core curricula in initial teacher preparation programs, including evidence-based practices in mathematics and literacy instruction, classroom management, and the use of data to analyze student performance for personalized instruction.

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59 2. Preparation under school district alternative
60 certification pathways or educator preparation institutes.
61 3. The effectiveness of teacher apprenticeship programs.
62 4. Improvements to field experiences for student teachers.
63 (b) Analyze existing Florida teacher certification
64 standards and procedures, including:
65 1. Gaps or inefficiencies in current certification
66 pathways.
67 2. Appropriate educator certification for elementary,
68 middle, and secondary school grades.
69 3. The effectiveness of certification exams and
70 alternatives to ensure teachers meet competency standards.
71 (c) Evaluate educator professional learning, including:
72 1. Ongoing professional learning requirements for teachers.
73 2. Mentor teachers and teaching coaches.
74 3. Collaboration with teacher preparation programs.
75 (5) The task force shall issue a report with
76 recommendations for improvements to the Governor, the President
77 of the Senate, and the Speaker of the House of Representatives
78 no later than December 1, 2025, at which time the task force
79 shall expire.
80 Section 2. This act shall take effect upon becoming a law.

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K – 12

BILL: CS/SB 1692

INTRODUCER: Criminal Justice Committee and Senator McClain

SUBJECT: Material that is Harmful to Minors

DATE: March 28, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----------|----------------|-----------|--------------------|
| 1. Wyant | Stokes | CJ | Fav/CS |
| 2. Brick | Bouck | ED | Pre-meeting |
| 3. _____ | _____ | RC | _____ |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1692 amends s. 1006.28, F.S., to add a modified definition for material that is “harmful to minors.” Additionally, the bill revises what materials a parent or resident may object to.

A parent or resident may object to any material used in a classroom, made available in a school or classroom library, or included in a reading list that contains content which depicts or describes sexual conduct, unless such material is *specifically authorized as part of a health education course, comprehensive health education, or approved through the State Board of Education for specific educational purposes*. The bill provides such materials must be removed within 5 school days upon receipt of an objection by a parent or resident of the county and must remain unavailable throughout the objection review process. The school board may not consider potential literary, artistic, political, or scientific value as a basis for retaining the material.

The State Board of Education (SBE) is required to monitor district compliance and notify a district of any noncompliance. Additionally, the SBE may withhold certain funds until the school district complies.

The bill reenacts s.1014.05, F.S., regarding the requirement for school districts to notify parents of procedures relating to the objection process.

The bill takes effect on July 1, 2025.

II. Present Situation:

Freedom of Speech and the Protection of Minors

The U.S. Supreme Court addressed the issue of whether the First Amendment imposes limitations upon the exercise by a local school board of its discretion to remove library books from high school and junior high school libraries in *Pico*.¹ In that case, books were removed from libraries that the school board characterized as “anti-American, anti-Christian, anti-Semitic, and just plain filthy;” The board further stated “it is our duty, our moral obligation, to protect the children in our schools from this moral danger as surely as from physical and medical dangers.”²

The court recognized precedent that local school boards have broad discretion in the management of school affairs.³ The court also recognized that the discretion of the States and local school boards in matters of education must be exercised in a manner that comports with the transcendent imperatives of the First Amendment.⁴ The court held in *Pico* that local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to ‘prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion.’⁵

The Florida Legislature passed HB 1069 in 2023, which, in part, provided that a parent or resident may proffer evidence to the district school board that education materials depict or describe sexual conduct, unless such material is for a specified course or identified by State Board of Education rule. Any material that is subject to such objection must be removed within 5 school days of receipt of the objection and remain unavailable to students until the objection is resolved.⁶ As a result of passing such legislation, a number of lawsuits were filed claiming that the law violates First Amendment rights. Numerous objections to educational materials have taken place and have since been litigated.⁷

In 2024, Peter Parnell, et al., filed suit against the School Board of Nassau County, seeking declaratory and injunctive relief for the removal of 36 books, including, *And Tango Makes Three*. In September of 2024, the parties signed a settlement agreement. The terms in the settlement included, in part, that *And Tango Makes Three* contains no obscene material in violation of the obscenity statute, is appropriate for students of all ages, and has pedagogical value. Additionally, the book was immediately restored, with no age restrictions, to the Nassau County’s Libraries.⁸

Twenty two other challenged books were ordered to return to the libraries by September 13, 2024, and the agreement stated the appropriate grade level for each book. Twelve books were to

¹ *Board of Educ., Island trees Union free School District No. 26 et al., v. Pico*, 102 S. Ct. 2799 (1982).

² *Id.* at 2803.

³ *Id.* at 2806.

⁴ *Id.* at 2807.

⁵ *Id.* at 2810.

⁶ Ch. No. 2023-105, L.O.F.

⁷ *Peter Parnell, et al., v. School Board of Nassau County, Florida*, Case: 3:24-cv-00492-WWB-MCR. (Complaint for Declaratory and Injunctive Relief).

⁸ *Id.* (Settlement Agreement).

be returned no later than October 31, 2024, and may be checked out by students 18 years of age or older, or with parental consent.⁹

Background

Freedom of speech is guaranteed to citizens in the United States Constitution and the State Constitution.¹⁰ As a foundational principle, this prohibits the government from dictating what people “see or read or speak or hear.”¹¹ However, there are limits to the freedom of speech; it is not absolute. Categories of speech that do not enjoy complete protection include defamation, incitement, obscenity, and pornography involving real children.¹²

Courts have held, as a bedrock principle of the First Amendment, that a government may not prohibit or suppress the expression of an idea simply because an audience finds the idea offensive or disagreeable.¹³ When evaluating what constitutes the free speech rights of adults, the U.S. Supreme Court held, “[W]e have made it perfectly clear that ‘[s]exual expression which is indecent but not obscene is protected by the First Amendment.’”¹⁴ Stated slightly differently, this means that some forms of pornography are protected under the Constitution, but obscenity is not.

Obscenity and The Miller Test

The U.S. Supreme Court has long held that obscenity is not within the area of constitutionally protected speech, however, sex and obscenity are not synonymous. The Court held that portrayal of sex, for example, in art, literature and scientific works, is not itself a sufficient reason to deny material the constitutional protections of free speech. Obscene material is material that deals with sex in a manner appealing to prurient interests.¹⁵ The U.S. Supreme Court’s standard for determining what material is obscene has evolved over the years.¹⁶

In 1973, the U.S. Supreme Court developed a three-prong test in *Miller v. California*,¹⁷ to define obscene speech. The court acknowledged the inherent dangers of undertaking to regulate any form of expression, and that statutes designed to regulate obscene materials must be carefully limited. This is the test that is still used today to determine whether speech is obscene. According to the *Miller* test, speech is determined to be obscene if:

- The average person, applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest;
- The work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and

⁹ *Peter Parnell, et al. v. School Board of Nassau County, Florida*, Case: 3:24-cv-00492-WWB-MCR. (Complaint for Declaratory and Injunctive Relief).

¹⁰ The United States Constitution states, “Congress shall make no law … abridging the freedom of speech.”

U.S. CONST. amend. I. The State Constitution similarly states “No law shall be passed to restrain or abridge the liberty of speech or of the press.” Fla. Const. art. I, s. 4.

¹¹ *Ashcroft v. Free Speech Coalition*, 535 U.S. 234, 245 (2002).

¹² *Id.*

¹³ *Simon & Schuster, Inc. v. Members of New York State Crime Victims Bd*, 502 U.S. 105, 118 (1991).

¹⁴ *Ashcroft*, 245, quoting *Sable Communications of Cal., Inc. v. FCC*, 492 U.S. 115, 126 (1989).

¹⁵ *Roth v. U.S.*, S. Ct. 1304 (1957).

¹⁶ See *Roth v. U.S.*, S. Ct. 1304 (1957); *A book named ‘John Cleland’s Memoirs of a Woman of Please,’ et al., v. Attorney General of the Commonwealth of Massachusetts*, 86 S. Ct. 975 (1965); *Miller v. California*, 413 U.S. 15 (1973).

¹⁷ *Miller v. California*, 413 U.S. 15 (1973).

- The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.¹⁸

In addressing the contemporary community standard, the court in *Miller* stated “to require a state to structure obscenity proceedings around evidence of a national ‘community standard’ would be an exercise in futility,” and held that the requirement of the jury to evaluate the materials with reference to contemporary standards of the State is constitutionally adequate.¹⁹

Material Harmful to Minors

The power of the state to control the conduct of children reaches beyond the scope of its authority over adults. The state may give minors a more restricted right than that assured to adults to determine for themselves what sex material they may read or see.²⁰ The U.S. Supreme Court held in *Ginsberg*, that a statute which defined obscenity of material on a basis of its appeal to minors, by prohibiting the sale of obscene material harmful to minors, to youths had a rational relation to the objective of safeguarding such minors from harm, and was constitutionally valid.²¹

Further, courts have found that the state has a “compelling interest in protecting the physical and psychological well-being of minors” which ‘extends to shielding minors from the influence of literature that is not obscene by adult standards.’ In doing so, however, the means must be narrowly tailored to achieve that end so as not to unnecessarily deny adults access to material which is constitutionally protected indecent material. No similar tailoring is required when the material is obscene material, which is not protected by the First Amendment.”²²

Despite the Court’s clear ruling that a state may regulate material harmful to minors, but not obscene for adults, some statutes have been found unconstitutionally overbroad and criminalized constitutionally protected speech. For example, in *Powell’s Books Inc. v. Kroger*, the Ninth Circuit Court of Appeals struck down a pair of statutes aimed at prohibiting “luring” and “grooming.”²³ The first statute struck down in this case criminalized providing children under the age of 13 with sexually explicit material, and the second statute criminalized providing minors under the age of 18 with visual, verbal, or narrative descriptions of sexual conduct for the purpose of sexually arousing the minor or the furnisher, or inducing the minor to engage in sexual conduct.²⁴

In *Powell’s Books, Inc.*, the court found that speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed simply to protect youth from ideas or images legislators find unsuitable. “To criminalize furnishing material solely intended to titillate the reader will certainly sweep up some material that appeals to the prurient interests of children and minors, but it will also criminalize a broad swath of material that does not appeal to prurient interests.²⁵ The court found that the statutes were overbroad and reached far more material than hardcore pornography or material that is obscene to minors.

¹⁸ *Miller v. California*, 413 U.S. 15 (1973), at 24.

¹⁹ *Id.* at 33-34.

²⁰ *Ginsberg v. New York*, 88 S. Ct. 1274 (1968).

²¹ *Id.* at 1282

²² *Simmons v. State*, 944 So. 2d 317 (Fla. 2006). See also *Ashcroft v. Free Speech Coal.*, 535 U.S. 234, 244-45 (2002).

²³ See *Powell’s Books, Inc. v. Kroger*, 622 F. 3d 1202 (2010).

²⁴ *Powell’s Books, Inc. v. Kroger*, 622 F. 3d 1202, 1206-07 (2010).

²⁵ *Id.* at 1214-15.

Similarly, in 2011, in *Entertainment Merchants*, the U.S. Supreme Court found that even where the protection of children is the object the constitutional limits on governmental action apply. While *Entertainment Merchants* did not address obscenity directly, it held a statute that regulated violent video games for minors was unconstitutional, and in doing so, noted that minors are guaranteed protections of the First Amendment.

Minors are entitled to a significant measure of First Amendment protection, and only in relatively narrow and well defined circumstances may government bar public dissemination of protected materials to them. No doubt a state possesses legitimate power to protect children from harm, but that does not include a free floating power to restrict the ideas to which children may be exposed. Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them.²⁶

Florida Transmission of Material Harmful to Minors

Because the state may modify the test for obscenity as it relates to what is obscene (or “harmful to minors”), courts have upheld the *Miller* test, as modified for minors. The *Miller* test is incorporated into Florida’s definition of what is “harmful to minors” in s. 847.001(7), F.S., and “obscenity” in s. 847.001(12), F.S.

Section 847.001(7), F.S., defines “harmful to minors” as any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement²⁷ when it:

- Predominantly appeals to a prurient, shameful, or morbid interest;
- Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct *for minors*; and
- Taken as a whole, is without serious literary, artistic, political, or scientific value *for minors*.

Section 847.0138, F.S., provides that:

- Any person who knew or believed that he or she was transmitting an image, information, or data that is harmful to minors to a specific individual known by the defendant to be a minor commits a third degree felony.²⁸
- Any person in any jurisdiction other than this state who knew or believed that he or she was transmitting an image, information, or data that is harmful to minors, to a specific individual known by the defendant to be a minor commits a third degree felony.^{29,30}

²⁶ *Brown, Governor of California, et al., Entertainment Merchants Ass’n et al.*, 131 S. Ct. 2729, 2735-36 (2011) (citing *Ernoznik v. Jacksonville*, 422 U.S. 205 (1975); *Ginsberg v. New York*, 88 S. Ct. 1274 (1968); *Prince v. Massachusetts*, 321 U.S. 158 (1944)).

²⁷ Section 847.001(20), F.S., defines “sexual excitement” as the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

²⁸ Section 847.0138(2), F.S.

²⁹ Section 847.0138(3), F.S.

³⁰ A third degree felony is generally punishable by not more than 5 years in state prison and a fine not exceeding \$5,000. Sections 775.082 and 775.083, F.S.

The Supreme Court of Florida has upheld Florida's criminal laws relating to the transmission of harmful materials. In *Simmons*, the court noted that sexual expression which is indecent but not obscene is protected by the First Amendment, however the state may regulate the content of constitutionally protected speech in order to promote a compelling interest if it chooses the least restrictive means to further the articulated interest.

The court in *Simmons* found that the term harmful to minors is adequately defined by a reference to the three prong miller standard, as modified to apply to minors. The court also noted that the third prong in Miller is particularly important because it allows appellate courts to impose some limitations and regularity on the definition.³¹

K-12 Student and Parent Rights

Parents of public school students are required by law to receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child succeed in school.³² K-12 students and their parents are afforded numerous statutory rights pertaining to student education, including reproductive health and disease education.³³

Florida law requires district school boards to provide comprehensive health education that among other issues addresses community health, family life (including awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy), personal health, and the prevention and control of disease. One right a parent of a public school student has is to make a written request to the school principal to exempt his or her student from reproductive health and disease instruction, including instruction relating to HIV/AIDS. If such a request is made the student must be exempt from such instruction and may not be penalized.³⁴

Instructional Materials and Other Materials Used in Classrooms, Libraries, or Reading Lists

Each district school board has the constitutional duty and responsibility to select and provide adequate instructional materials to each student for core courses in mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12. School districts may purchase instructional materials from a list of state-reviewed and adopted instructional materials or establish their own review and adoption program.

Each district school board is responsible for the content of all instructional materials and any other materials used in the classroom, made available in a school library, or included on a reading list. Each district school board must maintain on its website a current list of instructional materials, purchased by the district, separated by grade level. Florida law establishes that the parent of a public school student has the right to receive effective communication from the school principal about the manner in which instructional materials are used to implement curricular objectives.³⁵

³¹ *Simmons v. Florida*, 944 So. 2d 317 (2006).

³² Section 1002.20, F.S.

³³ *Id.*

³⁴ Section 1003.42(5), F.S.

³⁵ Section 1006.28(4)(a), F.S.

Objections to Materials Used in Classrooms, Libraries, or Reading Lists

District school boards are required to adopt a policy for objections by a parent or resident of the county to the use of a specific instructional material.³⁶ The policy must clearly describe a process, in which the objector has the opportunity to provide specific evidence to the district school board, and provide for resolution. The process must provide the parent or resident the opportunity to proffer evidence to the district school board that:

- An instructional material does not meet the criteria of s. 1006.31(2), F.S.,³⁷ or s. 1006.40(3)(c), F.S.,³⁸ if it was selected for use in a course or otherwise made available to students in the school district but was not subject to the public notice, review, comment, and hearing procedures under s. 1006.283(2)(b), F.S.
- Any material used in a classroom, made available in a school or classroom library, or included in a reading list contains content which:
 - Is pornographic or prohibited under s. 847.012, F.S.;
 - Depicts or describes sexual conduct,³⁹ unless such material is for a course relating to health education and the instruction in acquired immune deficiency syndrome (AIDS),⁴⁰ the prevention of child sexual abuse, exploitation, and human trafficking,⁴¹ the awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy for grades 6 through 12,⁴² or is identified by State Board of Education rule;
 - Is not suited to student needs and their ability to comprehend the material presented; or,
 - Is inappropriate for the grade level and age group for which the material is used.

County school boards are responsible for overseeing instructional materials, including making materials available to the public, handling objections, and removing materials when appropriate. Among these responsibilities is a limitation on residents who are not the parent or guardian of a student, restricting them to one objection per month.⁴³ The State Board of Education is authorized to adopt rules to implement this limitation.⁴⁴

Materials that are the subject of an objection under specific statutory grounds must be removed within five school days of receipt of the objection and remain unavailable to students until the

³⁶ Section 1006.28(2)(a)2., F.S.

³⁷ Section 1006.31(2), F.S., provides, along with additional requirements, instructional materials recommended by a reviewer must be, accurate, objective, balanced, noninflammatory, current, free of pornography and prohibited material, and suited to student needs and their ability to comprehend the material presented.

³⁸ Section 1006.40(3)(c), F.S. requires any instructional materials purchased must be free of pornography or prohibited material, suited to student needs and their ability to comprehend the material presented, and appropriate for the grade level and age group for which the materials are used or made available.

³⁹ “Sexual conduct” means actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual or simulated lewd exhibition of the genitals; actual physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulated that sexual battery is being or will be committed. A mother’s breastfeeding of her baby does not under any circumstance constitute “sexual conduct”. Section 847.001(19), F.S.

⁴⁰ Section 1003.46, F.S.

⁴¹ Section 1003.42(2)(o)1.g., F.S.

⁴² Section 1003.42(2)(o)3., F.S.

⁴³ Section 1006.28(2)(a)2., F.S.

⁴⁴ Section 1006.28(2)(a)2., F.S.

matter is resolved.⁴⁵ These grounds include materials that are pornographic or otherwise prohibited under s. 847.012, F.S., or that depict or describe sexual conduct.⁴⁶

In addition, parents have the right to read aloud passages from any material that is subject to an objection.⁴⁷ If a school board denies a parent this right based on content that meets the pornography standard or is obscene and harmful to minors, the district must discontinue the use of the material.⁴⁸

Objection Review Process

If the district school board determines that an instructional material either fails to meet public review requirements⁴⁹ or any other material contains prohibited content that is obscene and harmful to minors, the district must discontinue the use of that material.⁵⁰ If the material is found to violate other objection criteria—because it includes descriptions or depictions of sexual conduct or is unsuitable for student needs or grade level—the material must be discontinued only for the affected grade levels or age groups.⁵¹

The law provides a separate process for parents and county residents to contest the adoption of specific instructional materials.⁵² This process includes a 30-day filing window, an open hearing before a qualified, independent hearing officer, and a final decision by the school board that is not subject to further review.⁵³

In addition, school board committees convened to rank, eliminate, or select instructional materials for recommendation must conduct publicly noticed meetings and include parents of students who will have access to the materials.⁵⁴ The same requirements apply to committees formed to resolve objections to specific materials.⁵⁵

If a parent disagrees with the outcome of a material objection, he or she may request appointment of a special magistrate to review the matter. The magistrate must be a Florida Bar member with at least five years of administrative law experience and must issue a recommended decision to the State Board of Education (SBE) within 30 days. The Board must act on the recommendation at its next regular meeting held more than seven and no more than 30 days later. The district bears the cost of the magistrate, and the State Board must adopt implementing rules.⁵⁶

⁴⁵ Section 1006.28(2)(a)2.b., F.S.

⁴⁶ Section 1006.28(2)(a)2.b.(I)-(II), F.S.

⁴⁷ Section 1006.28(2)(a)2.b., F.S.

⁴⁸ Section 1006.28(2)(a)2.b., F.S.

⁴⁹ Section 1006.28(2)(a)2.a., F.S. (referencing s. 1006.283(2)(b)8., 9., and 11., F.S.).

⁵⁰ Section 1006.28(2)(a)2.b., F.S.

⁵¹ *Id.*

⁵² Section 1006.28(2)(a)3., F.S.

⁵³ *Id.*

⁵⁴ Section 1006.28(2)(a)4., F.S.

⁵⁵ Section 1006.28(2)(a)5., F.S.

⁵⁶ Section 1006.28(2)(a)6., F.S.

Materials Related to Specific Approved Courses

Materials for a course relating to health education and the instruction in AIDS,⁵⁷ the prevention of child sexual abuse, exploitation, and human trafficking,⁵⁸ the awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy for grades 6 through 12,⁵⁹ or as otherwise identified by State Board of Education rule are not subject to parental objection on the basis that the material allegedly depicts or describes sexual conduct.⁶⁰

Health education is included in the required instruction to ensure that students meet SBE standards. Course curriculum refers to the lessons and academic content taught in a school or specific course. It may include but is not limited to a course syllabus and standards, instructional materials, or other resources an instructor may use in the class. Standards and instructional materials are subject to specific selection, adoption, and review processes.⁶¹ Any materials used for instruction in AIDS, sexually transmitted diseases, or health education, when such instruction and course material contains instruction in human sexuality must be approved by the Department of Education.⁶²

The SBE adopts the English Language Arts (ELA) Florida Standards (2023) for instruction in public schools.⁶³ These standards apply to all K–12 students and include grade-level expectations aligned with the Benchmarks for Excellent Student Thinking (B.E.S.T.) Standards.

The adopted standards incorporate a variety of grade-specific sample texts for classroom instruction. These sample texts serve as examples to support the development of reading comprehension and literary analysis skills.⁶⁴ The standards do not mandate the use of specific titles but provide illustrative selections aligned with the complexity, themes, and genres appropriate for each grade band.

For instance, the Grade 4 sample texts include *Esperanza Rising* by Pam Munoz Ryan, *The Lion, the Witch, and the Wardrobe* by C.S. Lewis, and *Where the Red Fern Grows* by Wilson Rawls.⁶⁵ For Grade 9, examples include *Animal Farm* by George Orwell and *Romeo and Juliet* by William Shakespeare.⁶⁶

⁵⁷ Section 1003.46, F.S.

⁵⁸ Section 1003.42(2)(o)1.g., F.S.

⁵⁹ Section 1003.42(2)(o)3., F.S.

⁶⁰ Section 1006.28(2)(a)2.b.(II), F.S.

⁶¹ Florida Department of Education, Healthy Schools, *Comprehensive Health Education*, available at:

<https://www.fl DOE.org/schools/healthy-schools/comprehensive-health-edu.shtml> (last visited March 13, 2025).

⁶² Section 1003.46, F.S.

⁶³ Rule 6A-1.09401, F.A.C.

⁶⁴ State Board of Education, *English Language Arts B.E.S.T. Standards (2021)*, p. 7, available at <https://flrules.org/gateway/reference.asp?No=Ref-13402>.

⁶⁵ State Board of Education, *English Language Arts B.E.S.T. Standards (2021)*, p. 156, available at <https://flrules.org/gateway/reference.asp?No=Ref-13402>.

⁶⁶ State Board of Education, *English Language Arts B.E.S.T. Standards (2021)*, p. 161, available at <https://flrules.org/gateway/reference.asp?No=Ref-13402>.

III. Effect of Proposed Changes:

CS/SB 1692 amends s. 1006.28, F.S., to add a modified definition for material that is “harmful to minors.”

“Harmful to minors” is defined as any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement when it:

- Predominantly appeals to a prurient, shameful, or morbid interest; and
- Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors.

The bill does not include the requirement that the material, taken as a whole, is without serious literary, artistic, political, or scientific value for minors, for it to be considered harmful to minors, for the purpose of a parent or resident objecting to educational materials.

Additionally, the bill revises what materials a parent or resident may object to. A parent or resident may object to any material used in a classroom, made available in a school or classroom library, or included in a reading list that contains content which depicts or describes sexual conduct, unless such material is *specifically authorized as part of a health education course, comprehensive health education, or approved through the State Board of Education for specific educational purposes.*

The bill provides such materials must be removed within 5 school days upon receipt of an objection by a parent or resident of the county and must remain unavailable throughout the objection review process. The school board may not consider potential literary, artistic, political, or scientific value as a basis for retaining the material.

The SBE is required to monitor district compliance through regular audits and reporting, notify a district of such noncompliance, and require the district to submit a corrective action plan within 30 days of receiving such notice. Additionally, the SBE may withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified by the Legislature until the school district complies and may impose additional sanctions or requirements as conditions for the continued receipt of state funds.

The bill takes effect on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

The First Amendment of the U.S. Constitution states that, “Congress shall make no law ... abridging the freedom of speech...” This language prohibits the government from having the ability to constrain the speech of citizens. However, materials that constitute child pornography, obscenity, or material harmful to minors may be restricted. Child pornography, obscenity, and material harmful to minors have been defined in ch. 847, F.S., and are consistent with federal law and the United States Supreme Court holdings regarding such laws.

The bill maintains the definition for what is considered harmful to minors within ch. 847, F.S., thus maintaining the constitutionality of Florida’s criminal statutes relating to harmful materials. However, the bill removes one of the prongs of the “*Miller Test*,” as modified for what is considered material harmful to minors for purposes of objecting to educational materials.

The U.S. Supreme Court has held that local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to ‘prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion.’⁶⁷ Under the bill, a parent or resident may object to educational material, even if such material has a serious literary, artistic, political, or scientific value for minors. Therefore, material that is not considered “harmful to minors” under the constitutionally approved standard, may be objected to. The modification of the *Miller* test by removal of such value requirement may subject the law to challenges under the First Amendment.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

⁶⁷ *Board of Educ., Island trees Union free School District No. 26 et al., v. Pico*, 102 S. Ct. 2799 (1982).

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1006.28 and 1014.05.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice Committee on March 18, 2025:

The committee substitute:

- Removes the language amending the definition of “harmful to minors” in s. 847.001, F.S., and removes the corresponding chapter 847 statutes being reenacted by this change.
- Adds a modified definition for “harmful to minors” under s. 1006.28, F.S.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



LEGISLATIVE ACTION

Senate

House

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•

The Committee on Education Pre-K - 12 (McClain) recommended the following:

1 **Senate Amendment**

2
3 Delete lines 32 - 146

4 and insert:

5 representation, of whatever kind or form, describing or
6 depicting nudity, sexual conduct, or sexual excitement as those
7 terms are defined in s. 847.001 when it:

8 a. Predominantly appeals to prurient, shameful, or morbid
9 interest; and

10 b. Is patently offensive to prevailing standards in the



11 adult community as a whole with respect to what is suitable
12 material or conduct for minors.

13 3.2. "Instructional materials" has the same meaning as in
14 s. 1006.29(2).

15 4.3. "Library media center" means any collection of books,
16 ebooks, periodicals, or videos maintained and accessible on the
17 site of a school, including in classrooms.

18 (b) As used in this section and s. 1006.283, the term
19 "resident" means a person who has maintained his or her
20 residence in this state for the preceding year, has purchased a
21 home that is occupied by him or her as his or her residence, or
22 has established a domicile in this state pursuant to s. 222.17.

23 (c) As used in this section and ss. 1006.283, 1006.32,
24 1006.35, 1006.37, 1006.38, 1006.40, and 1006.42, the term
25 "purchase" includes purchase, lease, license, and acquire.

26 (2) DISTRICT SCHOOL BOARD.—The district school board has
27 the constitutional duty and responsibility to select and provide
28 adequate instructional materials for all students in accordance
29 with the requirements of this part. The district school board
30 also has the following specific duties and responsibilities:

31 (a) *Courses of study; adoption.*—Adopt courses of study,
32 including instructional materials, for use in the schools of the
33 district.

34 1. Each district school board is responsible for the
35 content of all instructional materials and any other materials
36 used in a classroom, made available in a school or classroom
37 library, or included on a reading list, whether adopted and
38 purchased from the state-adopted instructional materials list,
39 adopted and purchased through a district instructional materials



40 program under s. 1006.283, or otherwise purchased or made
41 available.

42 2. Each district school board must adopt a policy regarding
43 an objection by a parent or a resident of the county to the use
44 of a specific material, which clearly describes a process to
45 handle all objections and provides for resolution. The objection
46 form, as prescribed by State Board of Education rule, and the
47 district school board's process must be easy to read and
48 understand and be easily accessible on the homepage of the
49 school district's website. The objection form must also identify
50 the school district point of contact and contact information for
51 the submission of an objection. The process must provide the
52 parent or resident the opportunity to proffer evidence to the
53 district school board that:

54 a. An instructional material does not meet the criteria of
55 s. 1006.31(2) or s. 1006.40(3)(c) if it was selected for use in
56 a course or otherwise made available to students in the school
57 district but was not subject to the public notice, review,
58 comment, and hearing procedures under s. 1006.283(2)(b)8., 9.,
59 and 11.

60 b. Any material used in a classroom, made available in a
61 school or classroom library, or included on a reading list
62 contains content which:

63 (I) Is pornographic or harmful to minors prohibited under
64 s. 847.012;

65 (II) Depicts or describes sexual conduct as defined in s.
66 847.001 s. 847.001(19), unless such material is for a course
67 required by s. 1003.46 or s. 1003.42(2)(o)1.g. or 3., or
68 identified by State Board of Education rule;



69 (III) Is not suited to students' student needs and their
70 ability to comprehend the material presented; or
71 (IV) Is inappropriate for the grade level and age group for
72 which the material is used.

73
74 A resident of the county who is not the parent or guardian of a
75 student with access to school district materials may not object
76 to more than one material per month. The State Board of
77 Education may adopt rules to implement this provision. Any
78 material that is subject to an objection on the basis of sub-
79 sub subparagraph b.(I) or sub-sub subparagraph b.(II) must be
80 removed within 5 school days after receipt of the objection and
81 remain unavailable to students of that school until the
82 objection is resolved. The school board may not consider
83 potential literary, artistic, political, or scientific value as
84 a basis for retaining the material objected to on the basis of
85 sub-sub subparagraph b.(I) or sub-sub subparagraph b.(II).

86 Parents shall have the right to read passages from any material
87 that is subject to an objection. If the school board denies a
88 parent the right to read passages due to content that meets the
89 requirements under sub-sub subparagraph b.(I) or sub-sub-
90 subparagraph b.(II), the school district must shall discontinue
91 the use of the material in the school district. If the district
92 school board finds that any material meets the requirements
93 under sub subparagraph a. or that any other material contains
94 prohibited content under sub-sub subparagraph b.(I) or sub-sub-
95 subparagraph b.(II), the school district must shall discontinue
96 use of the material. If the district school board finds that any
97 other material contains prohibited content under sub-sub-



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98 subparagraph b. (III) or sub-sub-subparagraph b. (IV) sub-sub-
99 subparagraphs b. (II)-(IV), the school district must shall
100 discontinue use of the material for any grade level or age group
101 for which such use is inappropriate or unsuitable.

102 c. Any material that is specifically authorized as part of
103 a health education course required under s. 1003.46; as part of
104 comprehensive health education required under s.
105 1003.42(2)(o)1.g. or 3.; or as approved, or identified as a
106 sample text, through State Board of Education rule for specific
107 educational purposes is not subject to the objection process
108 required in this subparagraph.

109 d. The State Board of Education shall oversee compliance
110 with the requirements of this subparagraph using its oversight
111 and enforcement authority under s. 1008.32.

By the Committee on Criminal Justice; and Senator McClain

591-02558-25

20251692c1

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

14 Section 1. Subsection (1) and paragraph (a) of subsection
15 (2) of section 1006.28, Florida Statutes, is amended to read
16 1006.28 Duties of district school board, district school
17 superintendent; and school principal regarding K-12
18 instructional materials.—

19 (1) DEFINITIONS.—

20 (a) As used in this section, the term

21 1. "Adequate instructional materials" means a sufficient
22 number of student or site licenses or sets of materials that are
23 available in bound, unbound, kit, or package form and may
24 consist of hardbacked or softbacked textbooks, electronic
25 content, consumables, learning laboratories, manipulatives,
26 electronic media, and computer courseware or software that serve
27 as the basis for instruction in the core subject areas of
28 mathematics, language arts, social studies, science, reading,
29 and literature.

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591-02558-25

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30 2. "Harmful to minors" means any reproduction, imitation,
31 characterization, description, exhibition, presentation, or
32 representation, of whatever kind or form, depicting nudity,
33 sexual conduct, or sexual excitement when it:

34 a. Predominantly appeals to prurient, shameful, or morbid
35 interest; and

36 b. Is patently offensive to prevailing standards in the
37 adult community as a whole with respect to what is suitable
38 material or conduct for minors.

39 3.2. "Instructional materials" has the same meaning as in
40 s. 1006.29(2).

41 4.3. "Library media center" means any collection of books,
42 ebooks, periodicals, or videos maintained and accessible on the
43 site of a school, including in classrooms.

44 (b) As used in this section and s. 1006.283, the term
45 "resident" means a person who has maintained his or her
46 residence in this state for the preceding year, has purchased a
47 home that is occupied by him or her as his or her residence, or
48 has established a domicile in this state pursuant to s. 222.17.

49 (c) As used in this section and ss. 1006.283, 1006.32,
50 1006.35, 1006.37, 1006.38, 1006.40, and 1006.42, the term
51 "purchase" includes purchase, lease, license, and acquire.

52 (2) DISTRICT SCHOOL BOARD.—The district school board has
53 the constitutional duty and responsibility to select and provide
54 adequate instructional materials for all students in accordance
55 with the requirements of this part. The district school board
56 also has the following specific duties and responsibilities:

57 (a) *Courses of study; adoption.*—Adopt courses of study,
58 including instructional materials, for use in the schools of the

Page 2 of 8

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591-02558-25

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59 district.

60 1. Each district school board is responsible for the
 61 content of all instructional materials and any other materials
 62 used in a classroom, made available in a school or classroom
 63 library, or included on a reading list, whether adopted and
 64 purchased from the state-adopted instructional materials list,
 65 adopted and purchased through a district instructional materials
 66 program under s. 1006.283, or otherwise purchased or made
 67 available.

68 2. Each district school board must adopt a policy regarding
 69 an objection by a parent or a resident of the county to the use
 70 of a specific material, which clearly describes a process to
 71 handle all objections and provides for resolution. The objection
 72 form, as prescribed by State Board of Education rule, and the
 73 district school board's process must be easy to read and
 74 understand and be easily accessible on the homepage of the
 75 school district's website. The objection form must also identify
 76 the school district point of contact and contact information for
 77 the submission of an objection. The process must provide the
 78 parent or resident the opportunity to proffer evidence to the
 79 district school board that:

80 a. An instructional material does not meet the criteria of
 81 s. 1006.31(2) or s. 1006.40(3)(c) if it was selected for use in
 82 a course or otherwise made available to students in the school
 83 district but was not subject to the public notice, review,
 84 comment, and hearing procedures under s. 1006.283(2)(b)8., 9.,
 85 and 11.

86 b. Any material used in a classroom, made available in a
 87 school or classroom library, or included on a reading list

Page 3 of 8

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591-02558-25

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88 contains content which:

89 (I) Is pornographic or prohibited under s. 847.012;
 90 (II) Is considered harmful to minors as defined by this
 91 section or depicts or describes sexual conduct as defined in s.
 92 847.001(19), unless such material is specifically authorized as
 93 part of a health education course required under s. 1003.46; as
 94 part of comprehensive health education required under s.
 95 1003.42(2)(o)1.g. or 3.; or as approved through for a course
 96 required by s. 1003.46 or s. 1003.42(2)(o)1.g. or 3., or
 97 identified by State Board of Education rule for specific
 98 educational purposes.

99 (A) Upon receipt of an objection under this sub-
 100 subparagraph regarding material that is harmful to minors, the
 101 material must be removed within 5 school days; the material must
 102 remain unavailable throughout the objection review process; and
 103 the school board may not consider potential literary, artistic,
 104 political, or scientific value as a basis for retaining the
 105 material.

106 (B) The State Board of Education shall monitor district
 107 compliance with the requirements of this sub-sub-subparagraph
 108 through regular audits and reporting. Upon finding that a
 109 district has failed to comply with these requirements, the State
 110 Board of Education must provide written notice of noncompliance
 111 to the district and require the district to submit a corrective
 112 action plan within 30 days after receiving such notice; may
 113 withhold the transfer of state funds, discretionary grant funds,
 114 discretionary lottery funds, or any other funds specified by the
 115 Legislature until the school district complies with the
 116 requirements; and may impose additional sanctions or

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117 requirements as conditions for the continued receipt of state
 118 funds;
 119 (III) Is not suited to student needs and their ability to
 120 comprehend the material presented; or
 121 (IV) Is inappropriate for the grade level and age group for
 122 which the material is used.
 123
 124 A resident of the county who is not the parent or guardian of a
 125 student with access to school district materials may not object
 126 to more than one material per month. The State Board of
 127 Education may adopt rules to implement this provision. Any
 128 material that is subject to an objection on the basis of sub-
 129 sub subparagraph b.(I) or sub-sub subparagraph b.(II) must be
 130 removed within 5 school days after receipt of the objection and
 131 remain unavailable to students of that school until the
 132 objection is resolved. Parents shall have the right to read
 133 passages from any material that is subject to an objection. If
 134 the school board denies a parent the right to read passages due
 135 to content that meets the requirements under sub-sub-
 136 subparagraph b.(I), the school district shall discontinue the
 137 use of the material in the school district. If the district
 138 school board finds that any material meets the requirements
 139 under sub subparagraph a. or that any other material contains
 140 prohibited content under sub-sub subparagraph b.(I), the school
 141 district shall discontinue use of the material. If the district
 142 school board finds that any other material contains prohibited
 143 content under sub-sub subparagraphs b.(II)-(IV), the school
 144 district shall discontinue use of the material for any grade
 145 level or age group for which such use is inappropriate or

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146 unsuitable.
 147 3. Each district school board must establish a process by
 148 which the parent of a public school student or a resident of the
 149 county may contest the district school board's adoption of a
 150 specific instructional material. The parent or resident must
 151 file a petition, on a form provided by the school board, within
 152 30 calendar days after the adoption of the instructional
 153 material by the school board. The school board must make the
 154 form available to the public and publish the form on the school
 155 district's website. The form must be signed by the parent or
 156 resident, include the required contact information, and state
 157 the objection to the instructional material based on the
 158 criteria of s. 1006.31(2) or s. 1006.40(3)(c). Within 30 days
 159 after the 30-day period has expired, the school board must, for
 160 all petitions timely received, conduct at least one open public
 161 hearing before an unbiased and qualified hearing officer. The
 162 hearing officer may not be an employee or agent of the school
 163 district. The hearing is not subject to the provisions of
 164 chapter 120; however, the hearing must provide sufficient
 165 procedural protections to allow each petitioner an adequate and
 166 fair opportunity to be heard and present evidence to the hearing
 167 officer. The school board's decision after convening a hearing
 168 is final and not subject to further petition or review.
 169 4. Meetings of committees convened for the purpose of
 170 ranking, eliminating, or selecting instructional materials for
 171 recommendation to the district school board must be noticed and
 172 open to the public in accordance with s. 286.011. Any committees
 173 convened for such purposes must include parents of students who
 174 will have access to such materials.

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591-02558-25

20251692c1

175 5. Meetings of committees convened for the purpose of
 176 resolving an objection by a parent or resident to specific
 177 materials must be noticed and open to the public in accordance
 178 with s. 286.011. Any committees convened for such purposes must
 179 include parents of students who will have access to such
 180 materials.

181 6. If a parent disagrees with the determination made by the
 182 district school board on the objection to the use of a specific
 183 material, a parent may request the Commissioner of Education to
 184 appoint a special magistrate who is a member of The Florida Bar
 185 in good standing and who has at least 5 years' experience in
 186 administrative law. The special magistrate shall determine facts
 187 relating to the school district's determination, consider
 188 information provided by the parent and the school district, and
 189 render a recommended decision for resolution to the State Board
 190 of Education within 30 days after receipt of the request by the
 191 parent. The State Board of Education must approve or reject the
 192 recommended decision at its next regularly scheduled meeting
 193 that is more than 7 calendar days and no more than 30 days after
 194 the date the recommended decision is transmitted. The costs of
 195 the special magistrate shall be borne by the school district.
 196 The State Board of Education shall adopt rules, including forms,
 197 necessary to implement this subparagraph.

198 Section 2. For the purpose of incorporating the amendment
 199 made by this act to section 1006.28, Florida Statutes, in a
 200 reference thereto, paragraph (c) of subsection (1) of section
 201 1014.05, Florida Statutes, is reenacted to read:

202 1014.05 School district notifications on parental rights.—
 203 (1) Each district school board shall, in consultation with

Page 7 of 8

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591-02558-25

20251692c1

204 parents, teachers, and administrators, develop and adopt a
 205 policy to promote parental involvement in the public school
 206 system. Such policy must include:

207 (c) Procedures, pursuant to s. 1006.28(2)(a)2., for a
 208 parent to object to instructional materials and other materials
 209 used in the classroom. Such objections may be based on beliefs
 210 regarding morality, sex, and religion or the belief that such
 211 materials are harmful. For purposes of this section, the term
 212 "instructional materials" has the same meaning as in s.
 213 1006.29(2) and may include other materials used in the
 214 classroom, including workbooks and worksheets, handouts,
 215 software, applications, and any digital media made available to
 216 students.

217 Section 3. This act shall take effect July 1, 2025.

Page 8 of 8

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3-31-25

Meeting Date

ED Pre - K

Committee

Name

Melinda wherrell

Phone 386-338-2171

Address

406 NW 4th St

Street

Email hello@prospernoggin.com

Okeechobee

Fl

34972

City

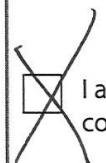
State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against



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I am a registered lobbyist, representing:

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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

3-31-25

Meeting Date

APPEARANCE RECORD

SB 1693

Bill Number or Topic

Deliver both copies of this form to
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Committee

P-4

Name

Sergio Rivera

Phone

772-713-8528

Address

355 23rd Avenue

Email

Arg.uber1008@
Gma.1.com

Street

Vero Beach FL 32962

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

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compensation or sponsorship.

I am a registered lobbyist,
representing:

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sponsored by:

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S-001 (08/10/2021)

3-31-25

Meeting Date

Education Cntr. preK

Committee

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SB1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name Lamarre Notargiacomo Phone 772-559-1986Address 5082 4th Lane Email sportymom5n2@aol.com
StreetVero Beach FL

City State Zip

32968Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

March 31, 2025

The Florida Senate

APPEARANCE RECORD

SB 1692

Meeting Date
Pre K-12 Education

Bill Number or Topic

Committee

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Name Clay Kallman

Amendment Barcode (if applicable)

Phone 3522627938

Address 317 NE 3rd Ave

Email _____

Street

Gainesville

FL

32601

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

I am appearing without
compensation or sponsorship.

PLEASE CHECK ONE OF THE FOLLOWING:

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

3/31/25

Meeting Date

Sen Ed PK-12

Committee

Name Jacqueline Davison

Phone 352 870 6305

Address 1566 NW 120th Terr

Street

Gainesville, FL

City

State

32606

Zip

Email operations@thelynnbaker.com

Speaking: For

Against

Information

OR

Waive Speaking: In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

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I am a registered lobbyist, representing:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

March 31, 2025

Meeting Date

Sen Ed Pk - 5

Committee

Name Lauren Graff

Phone 352-262-0075

Address 317 NE 3rd Ave
Street

Email _____

Gainesville FL 32601
City State Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

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I am a registered lobbyist, representing:

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S-001 (08/10/2021)

The Florida Senate

3/31/25

Meeting Date

Education K-12

Committee

Name Robert Kientz

APPEARANCE RECORD

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SB1692

Bill Number or Topic

Amendment Barcode (if applicable)

Address 3225 Cullen Mills

Street

Cypress

TX

76051

City

State

Zip

Phone 214-679-6404

Email robert.kientz@citizens4sunday.org

org

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3/31/25

Meeting Date

Education Pre-K-12

Committee

Name Anthony Verlugo Phone 786-447-6931
 Address 8567 Coral Way #522 Email averlugo@cfidak.net
 Street Miami Pl. 33155
 City State Zip

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1692

Bill Number or Topic

Amendment Barcode (if applicable)

786-447-6931

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compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
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S-001 (08/10/2021)

3/31/25

Meeting Date

Education Prek-12

Committee

Name Daniel Diaz

Phone 877-749-1776

Address 75 S Main Street #7304

Street

Concord

NH

03301

City

State

Zip

Email ddiaz@citizens4soundmoney.org

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

March 31, 2025

Meeting Date

PreK-12 Education

Committee

Name Stephana Ferrell

Phone _____

Address Stephana Ferrell Email stephana@fftrp.org

Street

Winter Garden

FL

34787

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Freedom to Read Project

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

March 31, 2025

Meeting Date
PreK-12 Education

Committee
Stephana Ferrell

Name

Committee

Address

Street

Winter Garden

FL

34787

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

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I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

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DUPPLICATE

SB 1692

Bill Number or Topic

738110

Amendment Barcode (if applicable)

Phone

stephana@fftrp.org

Email

March 31, 2025

The Florida Senate

SB 1692

Meeting Date

Pre K-12 Education

Committee

Name Lauren GroffAddress 317 NE 3rd Ave

Street

City GainesvilleState FLZip 32601Phone 3522130075

Email _____

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

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S-001 (08/10/2021)

3/31/25

Meeting Date

Senate Ed PK-12

Committee

Name Jacqueline Davison

Address 1566 NW 12th Ter

Street

Gainesville

State

32604

Zip

Phone 352-870-6305

Email Operations@thlynxbooks.com

Speaking: For Against InformationOR Waive Speaking: In Support Against I am appearing without compensation or sponsorship.

PLEASE CHECK ONE OF THE FOLLOWING:

 I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

3-31

Meeting Date

Committee

Name

Address
Street

City

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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1692

Bill Number or Topic

Amendment Barcode (if applicable)

Phone

407-353-0009

Email

Nathan.cass.my@gmail.com

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

3/31/25

Meeting Date

Education

Committee

The Florida Senate

APPEARANCE RECORD

1692

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

Ryan Kennedy

Phone

239-671-5733

Address

5572 Cofalto Way

Email

Ryan@gnadlo.com

Street

Ave Maria

State

FL

34142

City

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

Florida Citizens
Alliance

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (fisenate.gov)

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S-001 (08/10/2021)

3/31/25

Meeting Date

Education Pre K-12

Committee

Name John Labriola

Address P O Box 650216
Street

Miami
City

FL
State

33265
Zip

The Florida Senate

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB 1692

Bill Number or Topic

Amendment Barcode (if applicable)

954-575-2084

Phone Email JohnLabriola@cffl.org

Speaking: For Against Information

OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

Christian Family Coalition Florida

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

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S-001 (08/10/2021)

3/31/25

Education Pre-K-12

Meeting Date

The Florida Senate

APPEARANCE RECORD

1692

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Aaron DiPietro

Phone 904-608-4471

Address P.O Box 530103
Street

Email aaron.d@ffamily.org

Orlando FL 32853

City State Zip

Speaking: For Against Information

OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Family Voice

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

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S-001 (08/10/2021)

3/31/25

Meeting Date

Ed prek

Committee

Name

Cindy L Skarda

Phone

2602-949-1868

Address

29157 Cochiti Lake Dr.

Email

k-9 coach@yahoo.com

Street

San Antonio

State

Fl Zip

Speaking: For

Against

Information

OR

Waive Speaking: In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Private Citizen of Pasco County

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

3/30/25

Meeting Date

Ed Pre K

Committee

APPEARANCE RECORD

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Senate professional staff conducting the meeting

SB1692

Bill Number or Topic

Name Karen Jaroch

Phone 8202-716-8087

Address 16501 E. Course D

Street

Email _____

Tampa FL

City

33624

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing:

Heritage Action

 I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

The Florida Senate

3/31/2025

Meeting Date

Ed - Prek - 12

Committee

Name Christopher Irizarry

Address 6035 Sea Ranch Drive #801

Street

Hudson

FL

34667

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

3/31/2025

Meeting Date

Ed- Pre.K -12

Committee

APPEARANCE RECORD

1692

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

813-598-6644

Name Raquel Rivera

Phone

Address 4103 Winding River Way

Email raquel.riverast@gmail.com

Street

Land O'Lakes FL

34639

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

The Florida Senate

3/31/2025

Meeting Date

Ed- Pre K-12

Committee

APPEARANCE RECORDDeliver both copies of this form to
Senate professional staff conducting the meeting1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name Beverly LedbetterPhone 813 294 9863Address 12233 Victor Ln
StreetEmail msled25@hotmail.comDade City
CityFL
State33525
ZipSpeaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

3-31-25

Meeting Date

ED Pre-K 12

Committee

Name Rebekah Ricks

Phone

863-206-7862

Bill Number or Topic

Amendment Barcode (if applicable)

Address 1085 W Lake Hamilton Dr

Email

Street

Winter Haven FL

33881

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

3/31/25

Meeting Date

PreK-12 Ed

Committee

APPEARANCE RECORDDeliver both copies of this form to
Senate professional staff conducting the meetingSB 1296

Bill Number or Topic

Amendment Barcode (if applicable)

Name Shan Goff Phone 850-544-6133Address 215 S Monroe St Email _____

Street

TallFL32301

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without
compensation or sponsorship. I am a registered lobbyist,
representing: I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:Foundation for Florida's FutureWhile it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

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S-001 (08/10/2021)

3/31/25

Meeting Date

APPEARANCE RECORD

SB 1692

Bill Number or Topic

Education Prek-12

Committee

Deliver both copies of this form to
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Name January Littlejohn Phone _____

Address 3658 Dwight Davis Dr Email jas7854@hotmail.com
Street

Tallahassee FL 32312

City State Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

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S-001 (08/10/2021)

3.31.25

Meeting Date

education pre K-12

Committee

Name

Sharyn Kerwin

Address

Street

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.



I am a registered lobbyist, representing:



I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

APPEARANCE RECORD

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SB 1692

Bill Number or Topic

Amendment Barcode (if applicable)

Phone

Email

Sharyn24@comcast.net

March 31, 2025

Meeting Date

PreK-12 Education

Committee

Name Raegan Miller

Phone _____

Address _____

Email raegan@fftrp.org

Street

St. Petersburg

FL

33703

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

Florida Freedom to Read Project

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate
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SB 1692

Bill Number or Topic

Amendment Barcode (if applicable)

03/31/2025

Meeting Date

Education Pre-K-12

Committee

Name

Lissette Fernandez, Moms For Libros

Phone

305-898-9118

Address

10350 SW 52nd Street

Email

lissette@momsforlibros.org

Street

Miami

FL

33165

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:**

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

3.31.25

Meeting Date

Education Pre-K-12

Committee

Name Muah Dahn

Phone

Address 3751 Iceni Court

Street

Middlebury

FL

32068

City

State

Zip

Email

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 1702

INTRODUCER: Education PreK - 12 Committee and Senator Burgess

SUBJECT: Education

DATE: April 1, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|--------------------|----------------|------------|---------------|
| 1. <u>Sabitsch</u> | <u>Bouck</u> | <u>ED</u> | <u>Fav/CS</u> |
| 2. _____ | _____ | <u>AED</u> | _____ |
| 3. _____ | _____ | <u>RC</u> | _____ |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1702 modifies or adds provisions related to charter school monitoring, school transportation, the Redlands Christian Migrant Association, high school graduation requirements and school district liability insurance. Specifically, the bill:

- Modifies the requirements for monitoring of charter schools to require the sponsor to use the standard monitoring tool.
- Defines a sufficient warning against trespassing on a school bus, which authorizes arrest and prosecution for a trespasser on a school bus.
- Authorizes private schools in certain counties to construct new temporary or permanent facilities on land that was owned by a church, library, theater, or school, and retain that zoning and land use designation.
- Includes the Redlands Christian Migrant Association in a hold-harmless provision for school readiness program reimbursement rates.
- Modifies graduation requirements to allow two years of marching band to satisfy the high school graduation one-credit requirement in physical education or of the one-credit requirement in performing arts in order to receive a standard high school diploma.
- Includes liability insurance in the listed types of casualty insurance that a school district may use the revenue generated by their discretionary millage levy to pay for the cost of premiums.

The bill takes effect on July 1, 2025.

II. Present Situation:

Trespassing on School Grounds

Florida law describes instances when a person who does not have legitimate business on a school campus or any additional authorization, license or invitation to enter or remain on school property or is a student who is currently suspended or expelled is guilty of a misdemeanor of the second degree when that person enters and remains on school property.¹ Additionally, any person who enters or remains on school property after the principal or designee has directed the person to leave school property or to not enter school property is guilty of a misdemeanor of the first degree.²

Florida law provides instances when an officer may make a lawful arrest without a warrant.³ These instances generally cover circumstances where an officer reasonably believes the person committed the offense, the offense was committed in the presence of the officer, a warrant has been issued and is held by another peace officer, or there is probable cause in certain circumstances.⁴

Florida's Charter Schools

Charter schools are tuition-free public schools created through an agreement or “charter” that provides flexibility relative to regulations created for traditional public schools. During the 2022-2023 school year, 382,367 students were enrolled in 726 charter schools in 46 school districts.⁵

Charter schools are open to all students residing within the district; however, charter schools are allowed to target students within specific age groups or grade levels, students considered at-risk of dropping out or failing, students wishing to enroll in a charter school-in-the-workplace or charter school-in-a-municipality, students residing within a reasonable distance of the school, students who meet reasonable academic, artistic or other eligibility standards established by the charter school, or students articulating from one charter school to another.⁶

Charter schools are created when an individual, a group of parents or teachers, a business, a municipality, or a legal entity applies to the school district; the school district approves the application; the applicants form a governing board that negotiates a contract with the district school board; and the applicants and district school board agree upon a charter or contract. The district school board then becomes the sponsor of the charter school. The negotiated contract outlines the expectations of both parties regarding the school's academic and financial performance.⁷

¹ Section 810.097, F.S.

² Section 810.097(2), F.S.

³ Section 901.15, F.S.

⁴ *Id.*

⁵ Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida's Charter Schools* (October 2023), available at <https://www.fl DOE.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

⁶ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(10), F.S.

⁷ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(6), F.S.

A charter school must be organized as, or be operated by, a nonprofit organization. The charter school may serve at-risk students, or offer a specialized curriculum or core academic program, provide early intervention programs, or serve exceptional education students.⁸

All charter applicants must prepare and submit an application on a model application form prepared by the Department of Education (DOE), which:⁹

- Demonstrates how the school will use the guiding principles.
- Provides a detailed curriculum.
- Contains goals and objectives for improving student learning.
- Describes the separate reading curricula and differentiated strategies.
- Contains an annual financial plan.

A school board is required to review all charter school applications and, within 90 days of receipt, approve or deny the application.¹⁰

A charter school may be sponsored but any of the following:

- A district school board.
- A state university approved to sponsor certain lab schools.
- A state university approved by the DOE.
- A Florida College System institution approved by the DOE.

Florida law outlines the duties of charter school sponsors. The sponsor is required to monitor and review the charter school to ensure progress toward the goals established in the charter and to monitor revenues and expenditures of the charter school. The sponsor is also required to ensure that the charter school participates in the state's educational accountability system but is prohibited from applying its policies to a charter school or imposing additional reporting requirements except when the charter school is experiencing a deteriorating financial condition or emergency.¹¹ The sponsor is required to submit to the DOE via a web-based format an annual report that includes the following:¹²

- The number of applications for charter school received annually.
- The applicant's contact information.
- The date each application was approved, denied or withdrawn.
- The date each final contract was executed.

The DOE is required to compile an annual report by sponsor each year and post the report on the DOE website by January 15 of each year.

⁸ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(6), F.S.

⁹ *Id.*

¹⁰ *Id.*

¹¹ Section 1002.33(5), F.S.

¹² *Id.*

Florida law also provides for accountability of charter school sponsors that requires the DOE to develop a sponsor evaluation framework. At a minimum the framework is required to address the following:¹³

- The sponsor's vision toward charter school authorization and progress toward vision.
- The alignment of sponsor policies and practices for charter school authorization and best practices.
- The academic and financial performance of charter schools overseen by the sponsor.
- The status of charters school authorized by the sponsor.

The DOE is required to compile the results of the evaluations and publish as part of the required reporting of monitoring of charter schools.¹⁴

Private School Facilities

A private school is defined in Florida law, as “an individual, association, copartnership, or corporation or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten or a higher grade” and is below the college level. Private elementary and secondary schools in Florida are not licensed, approved, accredited, or regulated by the Department of Education (DOE). Private schools are required to complete an online annual survey to provide information for inclusion in a statewide directory. A private school may be a parochial, religious, denominational, for-profit, or nonprofit school.¹⁵

While private schools operate outside of the public education system, there remain some requirements in Florida law that are imposed on private schools as well as areas of authorization. Those laws address the following areas:¹⁶

- Participation in the annual private school survey.
- Background screening for each private school owner.
- Retention of student records.
- Maintenance of records of attendance and reports.
- Required school-entry health examinations.
- Student immunization and attendance records.
- Student participation in high school athletic programs at public schools.
- Educational and instructional materials.
- Services for exceptional student education services.
- Professional learning systems.
- Bus driver training purchase of school buses.
- Emergency procedures and medications.
- Facilities and safe school officers.

Specifically related to facilities, private schools are permitted to use property owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, church facility, Florida College System institution or university or other similar public

¹³ Section 1002.33(5)(c), F.S.

¹⁴ *Id.*

¹⁵ Section 1002.01(3), F.S.

¹⁶ Section 1002.42, F.S.

institutional facilities, or a facility recently used to house a school or child care facility under the facilities preexisting zoning and land use designations.¹⁷ There are similar provisions regarding the purchase of the same types of facilities by private schools. The facilities used or purchased must meet state and local health, safety, and welfare laws, codes, and rules, including fire safety and building safety.¹⁸

School Readiness Program

Florida's School Readiness (SR) program offers low-income families financial assistance to facilitate access to high-quality child care and early education for their children while parents work or participate in job training. The Division of Early Learning (DEL), under the Department of Education (DOE), administers the program at the state level while early learning coalitions (ELCs) administer the SR program at the county and regional levels. Funding comes from four sources including the Child Care and Development Block Grant, the Temporary Assistance for Needy Families Block Grant, the Social Services Block Grant, and the State of Florida.¹⁹

The program's two main goals are to help families become financially self-sufficient and help each child from a qualifying family develop school readiness skills. The program gives children access to a quality early learning environment and supports parents with information about child development and family engagement. The quality environment of each SR provider is measured by the administration of a widely recognized tool that assesses the interactions between adults and children in the classroom.²⁰

In FY 2022-23, there were 212,062 children participating in the SR program at 6,889 early learning providers. Total expenditures were \$990 million, which included \$36 million in administrative expenses, \$59 million in non-direct services expenditures, and \$80 million in quality expenditures.²¹

Florida's ELCs are provided with specific powers and duties under Florida law to administer and implement a local, comprehensive program of school readiness program services.²² Specific duties of the ELCs are to:

- Establish a uniform waiting list for SR enrollment.
- Establish a resource and referral network and region warm-line services.
- Establish age-appropriate screening for children and implement age-appropriate pre- and post-assessments.
- Utilized a coordinated professional learning system.
- Determine child eligibility.
- Implement a parent sliding fee scale.

¹⁷ Section 1002.42(19), F.S.

¹⁸ *Id.*

¹⁹ Florida Department of Education, *Division of Early Learning 2023-2024 Annual Report (2024)*, available at <https://www.fl DOE.org/file/20628/2324-DEL-AnnualReport.pdf>.

²⁰ Florida Department of Education, *Division of Early Learning 2023-2024 Annual Report (2024)*, available at <https://www.fl DOE.org/file/20628/2324-DEL-AnnualReport.pdf>.

²¹ *Id.*

²² Section 1002.84, F.S.

- Establish proper maintenance of records of eligibility and enrollment for the SR program as well as sign-in sign-out records.
- Adhere to property requirements and comply with federal procurement requirements.
- Establish information technology controls.
- Develop written policies, procedures and standards for monitoring vendor contracts.
- Monitor SR program providers.
- Distribute SR funding and implement an antifraud plan.
- Annually report to the DOE.
- Maintain administrative staff at the minimum necessary to deliver the SR program.
- Adhere to limitations on contracting with specific persons or entities.²³

As part of the requirements related to the distribution of SR funding, each ELC with approved prior year provider reimbursement rates for the infant to age 5 care levels that are higher than the provider reimbursement rates established in statute are allowed to continue to implement the higher approved reimbursement rates until the rates established in statute exceed those rates.

The Redlands Christian Migrant Association is a not-for-profit organization whose purpose is to administer childcare and early childhood education centers for the children of migrant and seasonal farm workers whose families' total income meets the eligibility criteria for the SR program. RCMA's service area spans 20 Florida counties concentrated in rural areas.²⁴

High School Graduation Requirements

Nearly all states have established minimum credit and course requirements to earn a standard diploma, but graduation requirements may also serve to assess specific skills and content knowledge prioritized by the state, evaluate college and career readiness, or offer multiple pathways to a diploma.²⁵ At least 34 states and the District of Columbia require students to complete specific assessments to meet a graduation requirement.²⁶

To earn a standard high school diploma a student must complete 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.²⁷

The 24-credit option for a standard diploma includes:²⁸

- Four credits in ELA I, II, III, and IV.
- Four credits in mathematics, including one in Algebra I and one in Geometry.
- Three credits in science, two of which must have a laboratory component and one of which must include Biology I.

²³ Section 1002.84, F.S.

²⁴ Florida Auditor General, *Redlands Christian Migrant Association, Inc. Financial Statements* (Mar. 2024), available at https://flauditor.gov/pages/nonprofit_forprofit%20rpts/2023%20redlands%20christian%20migrant%20association.pdf, at 10.

²⁵ Education Commission of the States, *50- State Comparison: High School Graduation Requirements*, <https://www.ecs.org/50-state-comparison-high-school-graduation-requirements-2023/>, (last visited March 24, 2025).

²⁶ *Id.*

²⁷ Section 1003.4282(1)(a), F.S.

²⁸ Section 1003.4282(3)(a)-(g), F.S.

- Three credits in social studies including one credit in United States History, one credit in World History, one-half credit in economics, and one-half credit in United States Government.
- One credit in fine or performing arts, speech and debate, or career and technical education.
- One credit in physical education which includes the integration of health.
- Seven and one-half credits in electives.
- One-half credit in personal financial literacy.

Florida allows completion of one semester with a grade of “C” or higher in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class to satisfy one-half credit in physical education or one-half credit in performing arts. Additionally, completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class where a significant component of the class is drills, may be used to satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts.²⁹

School Board Discretionary Millage Levy

Each district school board is authorized to levy 1.5 mills against the taxable value for public school purposes to fund specific needs as identified in law, including, for example:³⁰

- New construction, remodeling projects, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.
- Payments for educational facilities and sites due under a lease-purchase agreement.
- Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites, or of renting or leasing buildings or space within existing buildings.

In addition, a district school board may expend up to \$200 per unweighted FTE student from the revenue generated by the millage levy to fund expenses for:³¹

- The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.
- Payment of the cost of premiums property and casualty insurance necessary to insure school district educational and ancillary plants.

III. Effect of Proposed Changes:

CS/SB 1702 modifies s. 810.097, F.S., to provide a definition of a school bus and provides that a clearly posted sign or a verbal warning by a school bus operator, a principal, a school district employee or law enforcement personnel regarding trespassing constitutes sufficient notice. This notice satisfies the prior warning requirement for immediate arrest and prosecution of a person who boards, enters, or remains on a school bus without authorization.

²⁹ Section 1003.4282(3)(f), F.S.

³⁰ Section 1011.71(2), F.S.

³¹ Section 1011.71(5), F.S.

The bill modifies s. 901.15, F.S. to include that trespassing on school grounds, facilities or school buses is probable cause for arrest without a warrant.

The bill modifies s. 1002.42, F.S., to allow private schools in certain counties with four incorporated municipalities (which are Bradford, Clay, and Sarasota) to construct new temporary or permanent facilities on property that was owned by a church, library, theater, or school, that was actively used for the zoned purpose with five years of an executed agreement and retain that existing zoning and land use designations. Additionally, the same applies to land that was owned by a Florida college System institution or university or land that was recently used to house a school or child care facility. The new facility constructed by the private school is required to meet all applicable state and local health, safety, and welfare laws, codes, and rules, including fire safety and building safety.

The bill modifies s. 1002.33, F.S., to require that a sponsor of a charter school is required to use a standard monitoring tool when providing oversight of charter schools as required in s. 1002.33, F.S. The State Board of Education is required to adopt in rule a standard monitoring tool for use by charter school sponsors, however that rule has yet to be developed.³²

The bill modifies s. 1002.84, F.S., to identify the Redlands Christian Migrant Association (RCMA) as an entity that is subject to the conditions in statute regarding disbursement of School Readiness (SR) funds. The bill includes RCMA in the provision that if the organization had approved prior year provider SR reimbursement rates for the infant to age 5 care levels that were higher than the provider SR reimbursement rates established by the state, the organization would be allowed continue to implement the higher approved reimbursement rates until the rates established by the state exceed those rates.

The bill modifies s. 1003.4282, F.S., to allow a student who has completed two years of marching band to satisfy the one-credit requirement in physical education or the one-credit requirement in performing arts to earn a standard high school diploma. The bill stipulates that the credit cannot be used to satisfy the personal fitness or adaptive physical education requirements under an individual education plan (IEP) or 504 plan.

The bill modifies s. 1011.71, F.S. to add liability insurance in the listed types of casualty insurance that a school district may use the revenue generated by their discretionary millage levy to pay for the cost of premiums.

The bill takes effect on July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

³² Section 1002.33(28), F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 810.097, 901.15, 1002.33, 1002.42, 1002.84, 1003.4282 and 1011.71.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Education Pre-K – 12 on March 25, 2025:**

The committee substitute retains provisions from the bill that require use of a standardized monitoring tool for charter schools and removes the provisions related to additional sponsors of schools of hope. The committee substitute adds to the bill the following:

- An authorization for private schools in certain counties to construct new temporary or permanent facilities on land that was owned by a church, library, theater, or school, and retain that zoning and land use designation.
- Inclusion of the Redlands Christian Migrant Association in a hold-harmless provision for school readiness program reimbursement rates.
- Authorization for two years of marching band to satisfy the high school graduation one-credit requirement in physical education or of the one-credit requirement in performing arts.
- The inclusion of liability insurance in the listed types of casualty insurance that a school district may use the revenue generated by their discretionary millage levy to pay for the cost of premiums.
- Strengthening the enforcement of trespassing laws on school property to specify that a verbal warning or posted sign is sufficient notice for prosecution, and authorize warrantless arrest based on probable cause for school bus trespass. This allows a law enforcement officer to arrest based on probable cause—even if the person is no longer on the bus or the officer did not witness the trespass.

B. Amendments:

None.



LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 03/31/2025 | . | |
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The Committee on Education Pre-K - 12 (Burgess) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

5 Section 1. Paragraph (c) is added to subsection (19) of
6 section 1002.42, Florida Statutes, to read:

7 1002.42 Private schools.—

8 (19) FACILITIES.—

9 (c) A private school located in a county with four
10 incorporated municipalities may construct new facilities, which



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11 may be temporary or permanent, on property purchased from or
12 owned or leased by a library, community service organization,
13 museum, performing arts venue, theater, cinema, or church under
14 s. 170.201, which is or was actively used as such within 5 years
15 of any executed agreement with a private school; any land owned
16 by a Florida College System institution or university; and any
17 land recently used to house a school or child care facility
18 licensed under s. 402.305, under its preexisting zoning and land
19 use designations without rezoning or obtaining a special
20 exception or a land use change, and without complying with any
21 mitigation requirements or conditions. Any new facility must be
22 located on property used solely for purposes described in this
23 paragraph, and must meet applicable state and local health,
24 safety, and welfare laws, codes, and rules, including firesafety
25 and building safety.

26 Section 2. Paragraph (b) of subsection (5) of section
27 1002.33, Florida Statutes, is amended to read:

28 1002.33 Charter schools.—

29 (5) SPONSOR; DUTIES.—

30 (b) *Sponsor duties.*—

31 1.a. The sponsor shall monitor and review the charter
32 school, using the standard monitoring tool, in its progress
33 toward the goals established in the charter.

34 b. The sponsor shall monitor the revenues and expenditures
35 of the charter school and perform the duties provided in s.
36 1002.345.

37 c. The sponsor may approve a charter for a charter school
38 before the applicant has identified space, equipment, or
39 personnel, if the applicant indicates approval is necessary for



40 it to raise working funds.

41 d. The sponsor may not apply its policies to a charter
42 school unless mutually agreed to by both the sponsor and the
43 charter school. If the sponsor subsequently amends any agreed-
44 upon sponsor policy, the version of the policy in effect at the
45 time of the execution of the charter, or any subsequent
46 modification thereof, shall remain in effect and the sponsor may
47 not hold the charter school responsible for any provision of a
48 newly revised policy until the revised policy is mutually agreed
49 upon.

50 e. The sponsor shall ensure that the charter is innovative
51 and consistent with the state education goals established by s.
52 1000.03(5).

53 f. The sponsor shall ensure that the charter school
54 participates in the state's education accountability system. If
55 a charter school falls short of performance measures included in
56 the approved charter, the sponsor shall report such shortcomings
57 to the Department of Education.

58 g. The sponsor is not liable for civil damages under state
59 law for personal injury, property damage, or death resulting
60 from an act or omission of an officer, employee, agent, or
61 governing body of the charter school.

62 h. The sponsor is not liable for civil damages under state
63 law for any employment actions taken by an officer, employee,
64 agent, or governing body of the charter school.

65 i. The sponsor's duties to monitor the charter school do
66 not constitute the basis for a private cause of action.

67 j. The sponsor may not impose additional reporting
68 requirements on a charter school as long as the charter school



69 has not been identified as having a deteriorating financial
70 condition or financial emergency pursuant to s. 1002.345.

71 k. The sponsor shall submit an annual report to the
72 Department of Education in a web-based format to be determined
73 by the department.

74 (I) The report shall include the following information:

75 (A) The number of applications received during the school
76 year and up to August 1 and each applicant's contact
77 information.

78 (B) The date each application was approved, denied, or
79 withdrawn.

80 (C) The date each final contract was executed.

81 (II) Annually, by November 1, the sponsor shall submit to
82 the department the information for the applications submitted
83 the previous year.

84 (III) The department shall compile an annual report, by
85 sponsor, and post the report on its website by January 15 of
86 each year.

87 2. Immunity for the sponsor of a charter school under
88 subparagraph 1. applies only with respect to acts or omissions
89 not under the sponsor's direct authority as described in this
90 section.

91 3. This paragraph does not waive a sponsor's sovereign
92 immunity.

93 4. A Florida College System institution may work with the
94 school district or school districts in its designated service
95 area to develop charter schools that offer secondary education.
96 These charter schools must include an option for students to
97 receive an associate degree upon high school graduation. If a



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98 Florida College System institution operates an approved teacher
99 preparation program under s. 1004.04 or s. 1004.85, the
100 institution may operate charter schools that serve students in
101 kindergarten through grade 12 in any school district within the
102 service area of the institution. District school boards shall
103 cooperate with and assist the Florida College System institution
104 on the charter application. Florida College System institution
105 applications for charter schools are not subject to the time
106 deadlines outlined in subsection (6) and may be approved by the
107 district school board at any time during the year. Florida
108 College System institutions may not report FTE for any students
109 participating under this subparagraph who receive FTE funding
110 through the Florida Education Finance Program.

111 5. For purposes of assisting the development of a charter
112 school, a school district may enter into nonexclusive interlocal
113 agreements with federal and state agencies, counties,
114 municipalities, and other governmental entities that operate
115 within the geographical borders of the school district to act on
116 behalf of such governmental entities in the inspection,
117 issuance, and other necessary activities for all necessary
118 permits, licenses, and other permissions that a charter school
119 needs in order for development, construction, or operation. A
120 charter school may use, but may not be required to use, a school
121 district for these services. The interlocal agreement must
122 include, but need not be limited to, the identification of fees
123 that charter schools will be charged for such services. The fees
124 must consist of the governmental entity's fees plus a fee for
125 the school district to recover no more than actual costs for
126 providing such services. These services and fees are not



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127 included within the services to be provided pursuant to
128 subsection (20). Notwithstanding any other provision of law, an
129 interlocal agreement or ordinance that imposes a greater
130 regulatory burden on charter schools than school districts or
131 that prohibits or limits the creation of a charter school is
132 void and unenforceable. An interlocal agreement entered into by
133 a school district for the development of only its own schools,
134 including provisions relating to the extension of
135 infrastructure, may be used by charter schools.

136 6. The board of trustees of a sponsoring state university
137 or Florida College System institution under paragraph (a) is the
138 local educational agency for all charter schools it sponsors for
139 purposes of receiving federal funds and accepts full
140 responsibility for all local educational agency requirements and
141 the schools for which it will perform local educational agency
142 responsibilities. A student enrolled in a charter school that is
143 sponsored by a state university or Florida College System
144 institution may not be included in the calculation of the school
145 district's grade under s. 1008.34(5) for the school district in
146 which he or she resides.

147 Section 3. Subsection (17) of section 1002.84, Florida
148 Statutes, is amended to read:

149 1002.84 Early learning coalitions; school readiness powers
150 and duties.—Each early learning coalition shall:

151 (17) (a) Distribute the school readiness program funds as
152 allocated in the General Appropriations Act to each eligible
153 provider based upon the reimbursement rate by county, by
154 provider type, and by care level. All instructions to early
155 learning coalitions for distributing the school readiness



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156 program funds to eligible providers shall emanate from the
157 department in accordance with the policies of the Legislature.

158 (b) All provider reimbursement rates shall be charged as
159 direct services pursuant to s. 1002.89.

160

161 Each early learning coalition and the Redlands Christian Migrant
162 Association with approved prior year provider reimbursement
163 rates for the infant to age 5 care levels that are higher than
164 the provider reimbursement rates established in this subsection
165 may continue to implement their its approved prior year provider
166 reimbursement rates until the rates established in this
167 subsection exceed its prior year rates.

168 Section 4. Paragraph (f) of subsection (3) of section
169 1003.4282, Florida Statutes, is amended to read:

170 1003.4282 Requirements for a standard high school diploma.—

171 (3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT
172 REQUIREMENTS.—

173 (f) *One credit in physical education.*—Physical education
174 must include the integration of health. Participation in an
175 interscholastic sport at the junior varsity or varsity level for
176 two full seasons shall satisfy the one-credit requirement in
177 physical education. A district school board may not require that
178 the one credit in physical education be taken during the 9th
179 grade year. Completion of 2 years of marching band shall satisfy
180 the one-credit requirement in physical education or the one-
181 credit requirement in performing arts. This credit may not be
182 used to satisfy the personal fitness requirement or the
183 requirement for adaptive physical education under an individual
184 education plan (IEP) or 504 plan. Completion of one semester



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185 with a grade of "C" or better in a marching band class, in a
186 physical activity class that requires participation in marching
187 band activities as an extracurricular activity, or in a dance
188 class shall satisfy one-half credit in physical education or
189 one-half credit in performing arts. This credit may not be used
190 to satisfy the personal fitness requirement or the requirement
191 for adaptive physical education under an IEP individual
192 ~~education plan (IEP)~~ or 504 plan. Completion of 2 years in a
193 Reserve Officer Training Corps (R.O.T.C.) class, a significant
194 component of which is drills, shall satisfy the one-credit
195 requirement in physical education and the one-credit requirement
196 in performing arts. This credit may not be used to satisfy the
197 personal fitness requirement or the requirement for adaptive
198 physical education under an IEP or 504 plan.

199 Section 5. Paragraph (b) of subsection (5) of section
200 1011.71, Florida Statutes, is amended to read:

201 1011.71 District school tax.—

202 (5) A school district may expend, subject to s. 200.065, up
203 to \$200 per unweighted full-time equivalent student from the
204 revenue generated by the millage levy authorized by subsection
205 (2) to fund, in addition to expenditures authorized in
206 paragraphs (2)(a)-(j), expenses for the following:

207 (b) Payment of the cost of premiums, as defined in s.
208 627.403, for property and casualty insurance necessary to insure
209 school district educational and ancillary plants. As used in
210 this paragraph, casualty insurance has the same meaning as in s.
211 624.605(1)(b), (d), (f), (g), (h), and (m). Operating revenues
212 that are made available through the payment of property and
213 casualty insurance premiums from revenues generated under this



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214 subsection may be expended only for nonrecurring operational
215 expenditures of the school district.

216 Section 6. This act shall take effect July 1, 2025.

217

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

219 And the title is amended as follows:

220 Delete everything before the enacting clause
221 and insert:

222 A bill to be entitled

223 An act relating to education; amending s. 1002.42,
224 F.S.; authorizing a private school in a county that
225 meets certain criteria to construct new facilities on
226 certain property; specifying that such construction is
227 not subject to certain zoning or land use conditions;
228 requiring such construction to meet certain health and
229 safety requirements; amending s. 1002.33, F.S.;
230 requiring a charter school sponsor to use a standard
231 monitoring tool to monitor and review a charter
232 school; amending s. 1002.84, F.S.; authorizing the
233 Redlands Christian Migrant Association to use certain
234 school readiness reimbursement rates; amending s.
235 1003.4282, F.S.; specifying that certain participation
236 in marching band satisfies the physical education or
237 performing arts credit requirement for a standard high
238 school diploma; amending s. 1011.71, F.S.; authorizing
239 the use of certain school district tax revenue for
240 liability insurance; providing an effective date.



LEGISLATIVE ACTION

| Senate | . | House |
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| Comm: RCS | . | |
| 03/31/2025 | . | |
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The Committee on Education Pre-K - 12 (Burgess) recommended the following:

1 **Senate Amendment to Amendment (313094) (with title**
2 **amendment)**

3 Between lines 4 and 5

4 insert:

5 Section 1. Subsection (5) of section 810.097, Florida
6 Statutes, is amended, and subsection (6) is added to that
7 section, to read:

8 810.097 Trespass upon grounds or facilities of a school;
9 penalties; arrest.—



11 (5) As used in this section, the term:

12 (a) "School" means the grounds or any facility, including
13 school buses, of any kindergarten, elementary school, middle
14 school, junior high school, or secondary school, whether public
15 or nonpublic.

16 (b) "School bus" means any vehicle operated, owned, or
17 contracted by a school district for student transportation.

18 (6) For purposes of this section, a clearly posted sign or
19 a verbal warning provided by the school bus operator, the
20 principal, a school district employee, or law enforcement
21 personnel, indicating that unauthorized boarding or remaining on
22 a school bus is prohibited and violators will be prosecuted,
23 constitutes sufficient notice and satisfies the prior warning
24 requirement necessary for immediate arrest and prosecution of
25 any person who boards, enters, or remains upon a school bus
26 without authorization.

27 Section 2. Paragraph (g) is added to subsection (9) of
28 section 901.15, Florida Statutes, to read:

29 901.15 When arrest by officer without warrant is lawful.—A
30 law enforcement officer may arrest a person without a warrant
31 when:

32 (9) There is probable cause to believe that the person has
33 committed:

34 (g) Trespass upon school grounds or facilities, including
35 school buses as defined in s. 810.097(5)(b), in violation of
36 that section.

37 ===== T I T L E A M E N D M E N T =====
38 And the title is amended as follows:



40 Delete lines 223 - 229

41 and insert:

42 An act relating to education; amending s. 810.097,
43 F.S.; defining the term "school bus"; specifying
44 sufficient notice and prior warning for immediate
45 arrest and prosecution for school bus trespassing;
46 amending s. 901.15, F.S.; providing that a law
47 enforcement officer may arrest a person without a
48 warrant when there is probable cause to believe that
49 the person has trespassed upon school grounds or
50 facilities; amending s. 1002.42,

By Senator Burgess

23-01071C-25

20251702

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

19 Section 1. Paragraph (b) of subsection (5) of section
20 1002.33, Florida Statutes, is amended to read:

21 1002.33 Charter schools.—

22 (5) SPONSOR; DUTIES.—

23 (b) *Sponsor duties.*—

24 1.a. The sponsor shall monitor and review the charter
25 school, using the standard monitoring tool, in its progress
26 toward the goals established in the charter.

27 b. The sponsor shall monitor the revenues and expenditures
28 of the charter school and perform the duties provided in s.
29 1002.345

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

23-01071C-25

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30 c. The sponsor may approve a charter for a charter school
31 before the applicant has identified space, equipment, or
32 personnel, if the applicant indicates approval is necessary for
33 it to raise working funds.

34 d. The sponsor may not apply its policies to a charter
35 school unless mutually agreed to by both the sponsor and the
36 charter school. If the sponsor subsequently amends any agreed-
37 upon sponsor policy, the version of the policy in effect at the
38 time of the execution of the charter, or any subsequent
39 modification thereof, shall remain in effect and the sponsor may
40 not hold the charter school responsible for any provision of a
41 newly revised policy until the revised policy is mutually agreed
42 upon.

43 e. The sponsor shall ensure that the charter is innovative
44 and consistent with the state education goals established by s.
45 1000.03(5).

46 f. The sponsor shall ensure that the charter school
47 participates in the state's education accountability system. If
48 a charter school falls short of performance measures included in
49 the approved charter, the sponsor shall report such shortcomings
50 to the Department of Education.

51 g. The sponsor is not liable for civil damages under state
52 law for personal injury, property damage, or death resulting
53 from an act or omission of an officer, employee, agent, or
54 governing body of the charter school.

55 h. The sponsor is not liable for civil damages under state
56 law for any employment actions taken by an officer, employee,
57 agent, or governing body of the charter school.

58 i. The sponsor's duties to monitor the charter school do

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

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20251702

59 not constitute the basis for a private cause of action.

60 j. The sponsor may not impose additional reporting
 61 requirements on a charter school as long as the charter school
 62 has not been identified as having a deteriorating financial
 63 condition or financial emergency pursuant to s. 1002.345.

64 k. The sponsor shall submit an annual report to the
 65 Department of Education in a web-based format to be determined
 66 by the department.

67 (I) The report shall include the following information:

68 (A) The number of applications received during the school
 69 year and up to August 1 and each applicant's contact
 70 information.

71 (B) The date each application was approved, denied, or
 72 withdrawn.

73 (C) The date each final contract was executed.

74 (II) Annually, by November 1, the sponsor shall submit to
 75 the department the information for the applications submitted
 76 the previous year.

77 (III) The department shall compile an annual report, by
 78 sponsor, and post the report on its website by January 15 of
 79 each year.

80 2. Immunity for the sponsor of a charter school under
 81 subparagraph 1. applies only with respect to acts or omissions
 82 not under the sponsor's direct authority as described in this
 83 section.

84 3. This paragraph does not waive a sponsor's sovereign
 85 immunity.

86 4. A Florida College System institution may work with the
 87 school district or school districts in its designated service

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88 area to develop charter schools that offer secondary education.

89 These charter schools must include an option for students to
 90 receive an associate degree upon high school graduation. If a
 91 Florida College System institution operates an approved teacher
 92 preparation program under s. 1004.04 or s. 1004.85, the
 93 institution may operate charter schools that serve students in
 94 kindergarten through grade 12 in any school district within the
 95 service area of the institution. District school boards shall
 96 cooperate with and assist the Florida College System institution
 97 on the charter application. Florida College System institution
 98 applications for charter schools are not subject to the time
 99 deadlines outlined in subsection (6) and may be approved by the
 100 district school board at any time during the year. Florida
 101 College System institutions may not report FTE for any students
 102 participating under this subparagraph who receive FTE funding
 103 through the Florida Education Finance Program.

104 5. For purposes of assisting the development of a charter
 105 school, a school district may enter into nonexclusive interlocal
 106 agreements with federal and state agencies, counties,
 107 municipalities, and other governmental entities that operate
 108 within the geographical borders of the school district to act on
 109 behalf of such governmental entities in the inspection,
 110 issuance, and other necessary activities for all necessary
 111 permits, licenses, and other permissions that a charter school
 112 needs in order for development, construction, or operation. A
 113 charter school may use, but may not be required to use, a school
 114 district for these services. The interlocal agreement must
 115 include, but need not be limited to, the identification of fees
 116 that charter schools will be charged for such services. The fees

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117 must consist of the governmental entity's fees plus a fee for
 118 the school district to recover no more than actual costs for
 119 providing such services. These services and fees are not
 120 included within the services to be provided pursuant to
 121 subsection (20). Notwithstanding any other provision of law, an
 122 interlocal agreement or ordinance that imposes a greater
 123 regulatory burden on charter schools than school districts or
 124 that prohibits or limits the creation of a charter school is
 125 void and unenforceable. An interlocal agreement entered into by
 126 a school district for the development of only its own schools,
 127 including provisions relating to the extension of
 128 infrastructure, may be used by charter schools.

129 6. The board of trustees of a sponsoring state university
 130 or Florida College System institution under paragraph (a) is the
 131 local educational agency for all charter schools it sponsors for
 132 purposes of receiving federal funds and accepts full
 133 responsibility for all local educational agency requirements and
 134 the schools for which it will perform local educational agency
 135 responsibilities. A student enrolled in a charter school that is
 136 sponsored by a state university or Florida College System
 137 institution may not be included in the calculation of the school
 138 district's grade under s. 1008.34(5) for the school district in
 139 which he or she resides.

140 Section 2. Subsection (4) and paragraphs (a) and (h) of
 141 subsection (6) of section 1002.333, Florida Statutes, are
 142 amended, and paragraph (e) is added to subsection (1) of that
 143 section, to read:

144 1002.333 Persistently low-performing schools.—
 145 (1) DEFINITIONS.—As used in this section, the term:

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146 (e) "Sponsoring entity" has the same meaning as in s.
 147 1002.33(5).
 148 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
 149 seeking to open a school of hope must submit a notice of intent
 150 to the sponsoring entity to operate a school of hope in a the
 151 school district in which a persistently low-performing school
 152 has been identified by the State Board of Education pursuant to
 153 subsection (10) or in which a Florida Opportunity Zone is
 154 located.
 155 (a) The notice of intent must include:
 156 1. An academic focus and plan.
 157 2. A financial plan.
 158 3. Goals and objectives for increasing student achievement
 159 for the students from low-income families.
 160 4. A completed or planned community outreach plan.
 161 5. The organizational history of success in working with
 162 students with similar demographics.
 163 6. The grade levels to be served and enrollment
 164 projections.
 165 7. The proposed location or geographic area proposed for
 166 the school consistent with the requirements of sub-subparagraphs
 167 (1)(d)1.a. and b.
 168 8. A staffing plan.
 169 (b) Notwithstanding the requirements of s. 1002.33, a
 170 sponsoring entity school district shall enter into a
 171 performance-based agreement with a hope operator to open schools
 172 to serve students from persistently low-performing schools and
 173 students residing in a Florida Opportunity Zone.
 174 (6) STATUTORY AUTHORITY.—

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175 (a) A school of hope or a nonprofit entity that operates
176 more than one school of hope through a performance-based
177 agreement with a sponsoring entity ~~school district~~ may be
178 designated as a local education agency by the department, if
179 requested, for the purposes of receiving federal funds and, in
180 doing so, accepts the full responsibility for all local
181 education agency requirements and the schools for which it will
182 perform local education agency responsibilities.

183 1. A nonprofit entity designated as a local education
184 agency may report its students to the department in accordance
185 with the definitions in s. 1011.61 and pursuant to the
186 department's procedures and timelines.

187 2. Students enrolled in a school established by a hope
188 operator designated as a local educational agency are not
189 eligible students for purposes of calculating the district grade
190 pursuant to s. 1008.34(5).

191 (h)1. A school of hope shall provide the sponsoring entity
192 ~~school district~~ with a concise, uniform, quarterly financial
193 statement summary sheet that contains a balance sheet and a
194 statement of revenue, expenditures, and changes in fund balance.
195 The balance sheet and the statement of revenue, expenditures,
196 and changes in fund balance shall be in the governmental fund
197 format prescribed by the Governmental Accounting Standards
198 Board. Additionally, a school of hope shall comply with the
199 annual audit requirement for charter schools in s. 218.39.

200 2. A school of hope is in compliance with subparagraph 1.
201 if it is operated by a nonprofit entity designated as a local
202 education agency and if the nonprofit submits to each school
203 district in which it operates a school of hope:

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204 a. A concise, uniform, quarterly financial statement
205 summary sheet that contains a balance sheet summarizing the
206 revenue, expenditures, and changes in fund balance for the
207 entity and for its schools of hope within the school district.

208 b. An annual financial audit of the nonprofit which
209 includes all schools of hope it operates within this state and
210 which complies with s. 218.39 regarding audits of a school
211 board.

212 Section 3. This act shall take effect July 1, 2025.

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The Florida Senate

3/31/25

Meeting Date

APPEARANCE RECORDSB 1702

Bill Number or Topic

PreK-12 Ed

Committee

Deliver both copies of this form to
Senate professional staff conducting the meetingName Shan GoffPhone 850-544-6138Address 215 S Monroe StEmail shan@excelined.org

Street

City TallahasseeState FLZip 32301

019

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:Foundation for Florida's Future

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 1708

INTRODUCER: Education Pre-K - 12 Committee and Senators Calatayud and Gruters

SUBJECT: Education

DATE: April 1, 2025

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|--------------------|----------------|------------|---------------|
| 1. <u>Sabitsch</u> | <u>Bouck</u> | <u>ED</u> | <u>Fav/CS</u> |
| 2. _____ | _____ | <u>AED</u> | _____ |
| 3. _____ | _____ | <u>RC</u> | _____ |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1708 modifies provisions related to persistently low performing school and schools of hope. Specifically, the bill:

- Adds another category of “persistently low-performing schools.”
- Specifies that an operator of one or more schools of hope designated as a local education agency may directly report students to the Department of Education (DOE).
- Allows the operator of a school of hope to submit a notice of intent to a school district to use underused, vacant or surplus facilities and requires the school district to negotiate an agreement for the use of those facilities.
- Allows a school of hope to co-locate with another public school under certain circumstances and provides provisions regarding maintenance of the facilities and non-instructional services.
- Authorizes the State Board of Education to resolve disputes arising from a mutual management agreement.

The bill takes effect on July 1, 2025.

II. Present Situation:

Persistently Low-Performing Schools

Florida law defines a persistently low-performing school as a school that has earned three grades lower than a “C” in at least three of the previous five years that the school has received a school grade and has not earned a grade of “B” or higher the most recent two school years, or a school that was closed within two years after a submission of a notice of intent to implement a district managed turnaround plan.¹ Based on 2023-2024 data, there are 51 Florida public schools identified as persistently low-performing schools.² All 51 schools are Title I schools, 50 schools served 100 percent economically disadvantaged students and 46 of the 51 schools were comprised of more than 75 percent minority students.³

Florida’s Charter Schools

Charter schools are tuition-free public schools created through an agreement or “charter” that provides flexibility relative to regulations created for traditional public schools. During the 2022-2023 school year, 382,367 students were enrolled in 726 charter schools in 46 school districts.⁴

Charter schools are open to all students residing within the district; however, charter schools are allowed to target students within specific age groups or grade levels, students considered at-risk of dropping out or failing, students wishing to enroll in a charter school-in-the-workplace or charter school-in-a-municipality, students residing within a reasonable distance of the school, students who meet reasonable academic, artistic or other eligibility standards established by the charter school, or students articulating from one charter school to another.⁵

Charter schools are created when an individual, a group of parents or teachers, a business, a municipality, or a legal entity applies to the school district or other charter school sponsor; the sponsor district approves the application; the applicants form a governing board that negotiates a contract with the sponsor; and the applicants and sponsor agree upon a charter or contract. The negotiated contract outlines the expectations of both parties regarding the school's academic and financial performance.⁶

A charter school must be organized as, or be operated by, a nonprofit organization. The charter school may serve at-risk students, or offer a specialized curriculum or core academic program, provide early intervention programs, or serve exceptional education students.⁷

¹ Section 1002.333(1), F.S.

² Florida Department of Education, *2023-2024 Persistently Low-Performing Schools*, <https://www.fl DOE.org/core/fileparse.php/18534/ur1/PLP24.xlsx> (last visited Mar. 27, 2025)..

³ *Id.*

⁴ Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida’s Charter Schools* (October 2023), available at <https://www.fl DOE.org/core/fileparse.php/7696/ur1/Charter-Sept-2022.pdf>.

⁵ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 3, 2025). See also s. 1002.33(10), F.S.

⁶ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 26, 2025). See also s. 1002.33(6), F.S.

⁷ *Id.*

All charter applicants must prepare and submit an application on a model application form prepared by the Department of Education (DOE), which:⁸

- Demonstrates how the school will use the guiding principles.
- Provides a detailed curriculum.
- Contains goals and objectives for improving student learning.
- Describes the separate reading curricula and differentiated strategies.
- Contains an annual financial plan.

A school board or other sponsor is required to review all charter school applications and, within 90 days of receipt, approve or deny the application.⁹ A charter school may be sponsored by any of the following:

- A district school board.
- A state university approved to sponsor certain lab schools.
- A state university approved by the DOE.
- A Florida College System institution approved by the DOE.

Florida law outlines the duties of charter school sponsors. The sponsor is required to monitor and review the charter school to ensure progress toward the goals established in the charter and to monitor revenues and expenditures of the charter school. The sponsor is also required to ensure that the charter school participates in the state's educational accountability system but is prohibited from applying its policies to a charter school or imposing additional reporting requirements except when the charter school is experiencing a deteriorating financial condition or emergency.¹⁰ The sponsor is required to submit to the DOE via a web-based format an annual report that includes the following:¹¹

- The number of applications for charter school received annually.
- The applicant's contact information.
- The date each application was approved, denied or withdrawn.
- The date each final contract was executed.

The DOE is required to compile an annual report by sponsor each year and post the report on the DOE website by January 15 of each year.

Florida law also provides for accountability of charter school sponsors that requires the DOE to develop a sponsor evaluation framework. At a minimum the framework is required to address the following:¹²

- The sponsor's vision toward charter school authorization and progress toward that vision.
- The alignment of sponsor policies and practices for charter school authorization and best practices.
- The academic and financial performance of charter schools overseen by the sponsor.

⁸ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 26, 2025). See also s. 1002.33(6), F.S.

⁹ Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fl DOE.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 26, 2025). See also s. 1002.33(6), F.S.

¹⁰ Section 1002.33(5), F.S.

¹¹ *Id.*

¹² Section 1002.33(5)(c), F.S.

- The status of charters schools authorized by the sponsor.

The DOE is required to compile the results of the evaluations and publish the results as part of the required reporting of monitoring of charter schools.¹³

Schools of Hope

Schools of hope are charter schools operated by a hope operator which serves students from one or more persistently low-performing schools. These schools are located in the attendance zone or within a 5-mile radius of a persistently low-performing school, whichever is greater. Schools of hope are Title I eligible schools.¹⁴ There are currently 12 schools of hope operating in Florida.¹⁵

A hope operator is a nonprofit organization with tax exempt status under s. 501(c)(3) of the Internal Revenue Code that operates three or more charter schools that serve students in grades K-12 in Florida or other states with a record of serving students from low-income families, and is designated by the State Board of Education (SBE) as a hope operator based on a determination that the past performance of the hope operator meets or exceeds the following criteria:¹⁶

- The achievement of enrolled students exceeds the district and state averages of the states in which the operator's schools operate.
- The average college attendance rate of previously enrolled students at all schools currently operated by the operator exceeds 80 percent, if data is available.
- The percentage of students eligible for a free or reduced price lunch under the National School Lunch Act enrolled at all schools currently operated by the operator exceeds 70 percent.
- The operator is in good standing with the authorizer in each state in which it operates.
- The audited financial statements of the operator are free of material misstatements and going concern issues.
- Additional outcome measures as determined by the SBE.

Additionally, the hope operator is required to have been awarded a United States Department of Education Charter School Program Grant for Replication and Expansion of High-Quality Charter Schools within the preceding 3 years before applying to be a hope operator. The hope operator must either be receiving funding through the National Fund of the Charter School Growth Fund to accelerate the growth of the nation's best charter schools or has been selected by a district school board in accordance with Florida law.¹⁷

The five Florida designated hope operators are: Mater Academy, Redlands Christian Migrant Association (RCMA), Democracy Prep Public Schools, Inc., IDEA Public Schools, Success Academy, and KIPP New Jersey.¹⁸

¹³ Section 1002.33(5)(c), F.S.

¹⁴ Florida Department of Education, *Schools of Hope*, <https://www.fl DOE.org/schools/school-choice/other-school-choice-options/schools-of-hope/> (last visited Mar. 26, 2025).

¹⁵ Email, Florida Department of Education, Legislative Affairs (Mar. 6, 2025).

¹⁶ *Id.*

¹⁷ Section 1002.333, F.S.

¹⁸ Florida Department of Education, *Schools of Hope*, <https://www.fl DOE.org/schools/school-choice/other-school-choice-options/schools-of-hope/> (last visited Mar. 26, 2025).

A hope operator must enter into a performance-based agreement with a school district in order to serve students from persistently low-performing schools or students residing in a Florida Opportunity Zone.¹⁹ The performance-based agreement is required to include the following:

- The notice of intent, which is incorporated by reference and attached to the agreement.
- The location or geographic area proposed for the school of hope and its proximity to the persistently low-performing school.
- The grades to be served in each year of the agreement and whether the school will serve children in the school readiness or prekindergarten programs.
- A plan of action and specific milestones for student recruitment and the enrollment of students from persistently low-performing schools and students residing in a Florida Opportunity Zone.
- Outline the current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used.
- A description of the methods of involving parents.
- The grounds for termination.
- A provision allowing the hope operator to open additional schools.
- A provision establishing the initial term as 5 years.
- A requirement to provide transportation.
- A requirement that any debt incurred by the School of Hope from a source other than the state or a school district does not incur a liability for the state or school district.
- A provision that any loans, bonds, or other financial agreements are not obligations of the state or the school district.
- A prohibition on the pledge of credit or taxing power of the state or the school district.²⁰

A school of hope is required to provide the school district with a concise, uniform, quarterly financial statement summary that contains a balance sheet and a statement of revenue, expenditures, and changes in fund balance. The balance sheet and the statement of revenue, expenditures, and changes in fund balance are required to be in the format prescribed by the Governmental Accounting Standards Board. Additionally, a school of hope is required to comply with the annual audit requirement for charter schools.²¹

Facilities

School districts must periodically update their inventory of educational facilities into the Florida Inventory of School Houses as new capacity becomes available and as unsatisfactory space is eliminated.²² By each April 1, the DOE must update and publish a final list of all underused, vacant, or surplus facilities owned or operated by each school district.²³ A hope operator establishing a school of hope may use an educational facility identified in this list at no cost or at a mutually agreeable cost not to exceed \$600 per student.²⁴

¹⁹ Section 1002.333(1), F.S. “Florida Opportunity Zone” means a population census tract that is a low-income community and that has been designated by the United States Department of the Treasury as a Qualified Opportunity Zone pursuant to s. 1400Z-1(b)(1)(B) of the Internal Revenue Code. Section 1002.333(1)(a), F.S.

²⁰ Section 1002.33(5), F.S.

²¹ Section 1002.33(6)(h), F.S.

²² Section 1013.31(1)(d), F.S.

²³ Section 1002.333(7)(d), F.S.

²⁴ *Id.*

State Board of Education Authority

In addition to obligations relating to the identification of persistently low-performing schools and development of standard notice of intent and performance-based agreements, the State Board of Education must resolve disputes between a hope operator and a school district arising from a performance-based agreement or a contract between a charter operator and a school district under its authority to enforce public school improvement.²⁵

III. Effect of Proposed Changes:

CS/SB 1708 modifies s. 1002.333, F.S., to provide an additional category of a persistently low-performing school by designating as persistently low-performing those schools that are in the bottom 10 percent of schools statewide for performance on the grade 3 statewide standardized English Language Arts assessment or the grade 4 statewide standardized mathematics assessment in at least 2 of the previous 3 years. The modification will greatly increase the number of schools being designated as persistently low-performing schools compared to the current 51 schools.

The bill clarifies that a nonprofit entity designated as a local education agency may directly report its students to the Department of Education (DOE).

The bill modifies provisions for schools of hope to allow a school of hope operator to submit to a school district a notice of intent to utilize all or a portion of underused, vacant or surplus facilities owned or operated by the school district. The bill requires that the school district negotiate an agreement for the noticed use.

Additionally, the bill provides a provision allowing for a school of hope to co-locate with another public school that has a utilization rate below 50 percent or a surplus of 500 student stations as long as the total combined enrollment does not exceed the capacity of the facility. The provision requires that the enrolled students in the school of hope be included in the school district's total for capital outlay full-time equivalent membership and for calculating the Public Education Capital Outlay maintenance funds for the facility. The bill prohibits the school district from charging the school of hope a rental or leasing fee but allows for a charge for use, operation and maintenance as agreed upon but not to exceed \$600 per student. The terms are to be spelled out in a mutual management agreement. The bill provides specific requirements for the agreement and requires that the school of hope receive non-instructional services from the school district on a pro rata basis. The provision will only apply to schools seeking to co-locate in Miami-Dade County Public schools.

The bill requires that the State Board of Education resolve disputes between the school district and the school of hope operator that arise from the mutual management agreement.

The bill takes effect on July 1, 2025.

²⁵ Section 1002.333(11)(c), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This bill could have an indeterminate fiscal impact for the DOE to complete the selective audits. In addition, the bill may result in a revenue loss to the districts that are required to meet the provisions of this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1002.333 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Education Pre-K – 12 on March 31, 2025:**

The committee substitute removes the provisions related to schools of hope of distinction and removes associated provisions related to the use of educational facilities by such schools. The bill focuses on persistently low-performing schools and provisions related to schools of hope. Specifically, the committee substitute:

- Allows a school of hope to submit a notice of intent to use specific underutilized facilities and requires the school district to negotiate with the school to utilize the specific facility.
- Allows a school of hope to co-locate with a public school under certain circumstances and makes a provision for calculating the Public Education Capital Outlay maintenance funds for the facility.
- Prohibits the school district from charging the school of hope that is co-locating a rental or leasing fee, however allows for costs associated with use and maintenance but limits those costs.
- Requires the school of hope and the school district to enter into a mutual management agreement and provides how any disputes will be resolved.
- Removes from the bill the provision requiring Department of Education audits of school district educational plant surveys.

B. Amendments:

None.



LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 03/31/2025 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education Pre-K - 12 (Calatayud) recommended the following:

1 **Senate Amendment (with title amendment)**

2

3 Delete everything after the enacting clause

4 and insert:

5 Section 1. Paragraph (c) of subsection (1), paragraph (a)

6 of subsection (6), paragraphs (a) and (d) of subsection (7), and

7 paragraph (c) of subsection (11) of section 1002.333, Florida

8 Statutes, are amended to read:

9 1002.333 Persistently low-performing schools.—

10 (1) DEFINITIONS.—As used in this section, the term:



11 (c) "Persistently low-performing school" means a school
12 that falls into any of the following categories:

13 1. A school that Has earned three grades lower than a "C,"
14 pursuant to s. 1008.34, in at least 3 of the previous 5 years
15 that the school received a grade and has not earned a grade of
16 "B" or higher in the most recent 2 school years;, and

17 2. A school that Was closed pursuant to s. 1008.33(4)
18 within 2 years after the submission of a notice of intent; or

19 3. Was in the bottom 10 percent of schools statewide for
20 student performance on the grade 3 statewide, standardized
21 English Language Arts assessment or the grade 4 statewide,
22 standardized Mathematics assessment in at least 2 of the
23 previous 3 years.

24 (6) STATUTORY AUTHORITY.—

25 (a) A school of hope or a nonprofit entity that operates
26 more than one school of hope through a performance-based
27 agreement with a school district may be designated as a local
28 education agency by the department, if requested, for the
29 purposes of receiving federal funds and, in doing so, accepts
30 the full responsibility for all local education agency
31 requirements and the schools for which it will perform local
32 education agency responsibilities.

33 1. A nonprofit entity designated as a local education
34 agency may directly report its students to the department in
35 accordance with the definitions in s. 1011.61 and pursuant to
36 the department's procedures and timelines.

37 2. Students enrolled in a school established by a hope
38 operator designated as a local educational agency are not
39 eligible students for purposes of calculating the district grade



40 pursuant to s. 1008.34(5).

41 (7) FACILITIES.—

42 (a) A school of hope shall use facilities that comply with
43 the Florida Building Code, except for the State Requirements for
44 Educational Facilities. A school of hope that uses school
45 district facilities must comply with the State Requirements for
46 Educational Facilities only if the school district and the hope
47 operator have entered into a mutual management plan for the
48 reasonable maintenance of such facilities. The mutual management
49 plan shall contain a provision by which the district school
50 board agrees to maintain the school facilities in the same
51 manner as its other public schools within the district. The
52 local governing authority may ~~shall~~ not adopt or impose any
53 local building requirements or site-development restrictions,
54 such as parking and site-size criteria, student enrollment, and
55 occupant load, that are addressed by and more stringent than
56 those found in the State Requirements for Educational Facilities
57 of the Florida Building Code. A local governing authority must
58 treat schools of hope equitably in comparison to similar
59 requirements, restrictions, and site planning processes imposed
60 upon public schools. The agency having jurisdiction for
61 inspection of a facility and issuance of a certificate of
62 occupancy or use shall be the local municipality or, if in an
63 unincorporated area, the county governing authority. If an
64 official or employee of the local governing authority refuses to
65 comply with this paragraph, the aggrieved school or entity has
66 an immediate right to bring an action in circuit court to
67 enforce its rights by injunction. An aggrieved party that
68 receives injunctive relief may be awarded reasonable attorney



69 fees and court costs.

70 (d) 1. No later than January 1, the department shall
71 annually provide to school districts a list of all underused,
72 vacant, or surplus facilities owned or operated by the school
73 district as reported in the Florida Inventory of School Houses.
74 A school district may provide evidence to the department that
75 the list contains errors or omissions within 30 days after
76 receipt of the list. By each April 1, the department shall
77 update and publish a final list of all underused, vacant, or
78 surplus facilities owned or operated by each school district,
79 based upon updated information provided by each school district.
80 A hope operator establishing a school of hope may submit to a
81 school district a notice of intent to use, and the school
82 district must negotiate an agreement authorizing the use of, an
83 educational facility identified in this paragraph at no cost or
84 at a mutually agreeable cost not to exceed \$600 per student. A
85 hope operator using a facility pursuant to this paragraph may
86 not sell or dispose of such facility without the written
87 permission of the school district. For purposes of this
88 subparagraph paragraph, the term "underused, vacant, or surplus
89 facility" means an entire facility or portion thereof which is
90 not fully used or is used irregularly or intermittently by the
91 school district for instructional or program use.

92 2. A school of hope located in a county as defined in s.
93 125.011(1) may collocate with another public school in any
94 facility that has a utilization rate of less than 50 percent or
95 a surplus of at least 500 student stations if the combined total
96 enrollment of the school does not exceed the capacity of the
97 facility. Students enrolled in the school of hope must be



113444

98 included in the school district's total capital outlay full-time
99 equivalent membership for purposes of s. 1013.62 and for
100 calculating the Public Education Capital Outlay maintenance
101 funds or any other maintenance funds for the facility. A rental
102 or leasing fee may not be charged, but the use, operation, and
103 maintenance of such facility must be provided to the school of
104 hope at a mutually agreeable cost, not to exceed \$600 per
105 student, pursuant to a mutual management agreement negotiated
106 with the district school board. The agreement must include
107 provisions related to student ages and grade levels, student and
108 school safety requirements, supervision authority, applicable
109 school board rules, and emergency shelter protocols. To avoid
110 unnecessary duplication, the school of hope shall receive
111 noninstructional services from the school district on a pro rata
112 basis based on the number of students enrolled.

113 (11) STATE BOARD OF EDUCATION AUTHORITY AND OBLIGATIONS.—
114 Pursuant to Art. IX of the State Constitution, which prescribes
115 the duty of the State Board of Education to supervise the public
116 school system, the State Board of Education shall:

117 (c) Resolve disputes between a hope operator and a school
118 district arising from a performance-based agreement, a mutual
119 management agreement, or a contract between a charter operator
120 and a school district under the requirements of s. 1008.33. The
121 Commissioner of Education shall appoint a special magistrate who
122 is a member of The Florida Bar in good standing and who has at
123 least 5 years' experience in administrative law. The special
124 magistrate shall hold hearings to determine facts relating to
125 the dispute and to render a recommended decision for resolution
126 to the State Board of Education. The recommendation may not



127 alter in any way the provisions of the performance-based
128 agreement under subsection (5). The special magistrate may
129 administer oaths and issue subpoenas on behalf of the parties to
130 the dispute or on his or her own behalf. Within 15 calendar days
131 after the close of the final hearing, the special magistrate
132 shall transmit a recommended decision to the State Board of
133 Education and to the representatives of both parties by
134 registered mail, return receipt requested. The State Board of
135 Education must approve or reject the recommended decision at its
136 next regularly scheduled meeting that is more than 7 calendar
137 days and no more than 30 days after the date the recommended
138 decision is transmitted. The decision by the State Board of
139 Education is a final agency action that may be appealed to the
140 District Court of Appeal, First District in accordance with s.
141 120.68. A charter school may recover attorney fees and costs if
142 the State Board of Education determines that the school district
143 unlawfully implemented or otherwise impeded implementation of
144 the performance-based agreement pursuant to this paragraph.

145 Section 2. This act shall take effect July 1, 2025.

146
147 ===== T I T L E A M E N D M E N T =====

148 And the title is amended as follows:

149 Delete everything before the enacting clause
150 and insert:

151 A bill to be entitled
152 An act relating to education; amending s. 1002.333,
153 F.S.; revising the definition of the term
154 “persistently low-performing school”; authorizing
155 certain entities to report their students directly to



156 the Department of Education; making a technical
157 change; revising the procedure followed by schools of
158 hope in seeking to use certain school district
159 educational facilities; authorizing schools of hope in
160 certain counties to colocate with other public schools
161 in certain facilities; requiring that students
162 enrolled in schools of hope be included in specified
163 school district calculations; prohibiting a rental or
164 leasing fee from being charged to a school of hope;
165 requiring maintenance of a facility to be provided to
166 a school of hope at a mutually agreeable cost not to
167 exceed a specified amount; providing requirements for
168 a mutual management agreement; requiring a school of
169 hope to receive noninstructional services from a
170 school district on a pro rata basis; providing an
171 effective date.

By Senator Calatayud

38-01139A-25

20251708

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

22 Section 1. Paragraph (e) of subsection (18) of section
23 1002.33, Florida Statutes, is amended to read:

24 1002.33 Charter schools.—

25 (18) FACILITIES.—

26 (e) If a district school board facility or property is
27 available because it is surplus, marked for disposal, or
28 otherwise unused, it must shall be provided for a charter
29 school's use on the same basis as it is made available to other

Page 1 of 8

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

38-01139A-25

20251708

30 public schools in the district. A charter school receiving
31 property from the sponsor may not sell or dispose of such
32 property without written permission of the sponsor. Similarly,
33 for an existing public school converting to charter status or a
34 school of hope of distinction, no rental or leasing fee for the
35 existing facility or for the property normally inventoried to
36 the ~~conversion~~ school may be charged by the district school
37 board to ~~those the parents and teachers~~ organizing the ~~charter~~
38 school. The ~~charter~~ school shall agree to a reasonable
39 maintenance schedule provisions in order to maintain the
40 facility in a manner similar to district school board standards.
41 The Public Education Capital Outlay maintenance funds or any
42 other maintenance funds generated by the facility operated as a
43 charter conversion school or a school of hope of distinction
44 shall remain with the ~~conversion~~ school.

45 Section 2. Paragraph (c) of subsection (1), paragraph (a)
46 of subsection (6), and subsection (7) of section 1002.333,
47 Florida Statutes, are amended, and paragraph (e) is added to
48 subsection (1) of that section, to read:

49 1002.333 Persistently low-performing schools.—

50 (1) DEFINITIONS.—As used in this section, the term:

51 (c) "Persistently low-performing school" means a school
52 that falls into one of the following categories:

53 1. A school that Has earned three grades lower than a "C,"
54 pursuant to s. 1008.34, in at least 3 of the previous 5 years
55 that the school received a grade and has not earned a grade of
56 "B" or higher in the most recent 2 school years; and
57 2. A school that Was closed pursuant to s. 1008.33(4)
58 within 2 years after the submission of a notice of intent; or

Page 2 of 8

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

38-01139A-25

20251708

59 3. Is in the bottom 10 percent of schools statewide for
 60 student performance on the grade 3 statewide, standardized
 61 English Language Arts assessment or the grade 4 statewide,
 62 standardized mathematics assessment in at least 2 of the
 63 previous 3 years.
 64 (e) "School of hope of distinction" means a school of hope
 65 that has not received a grade lower than a "B," pursuant to s.
 66 1008.34, in at least 2 consecutive school years of published
 67 test scores.

68 (6) STATUTORY AUTHORITY.—

69 (a) A school of hope or a nonprofit entity that operates
 70 more than one school of hope through a performance-based
 71 agreement with a school district may be designated as a local
 72 education agency by the department, if requested, for the
 73 purposes of receiving federal funds and, in doing so, accepts
 74 the full responsibility for all local education agency
 75 requirements and the schools for which it will perform local
 76 education agency responsibilities.

77 1. A nonprofit entity designated as a local education
 78 agency may directly report its students to the department in
 79 accordance with the definitions in s. 1011.61 and pursuant to
 80 the department's procedures and timelines.

81 2. Students enrolled in a school established by a hope
 82 operator designated as a local educational agency are not
 83 eligible students for purposes of calculating the district grade
 84 pursuant to s. 1008.34(5).

85 (7) FACILITIES.—

86 (a) For purposes of this subsection, the term:

87 1. "Underused facility" means a facility with surplus

Page 3 of 8

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

38-01139A-25

20251708

88 capacity on the department's current annual Vacant and Underused
 89 Facilities Report.

90 2. "Unused, vacant, or surplus facility" means an entire
 91 facility that is not used or is used irregularly or
 92 intermittently by the school district for instructional or
 93 program use.

94 (b) (a) A school of hope shall use facilities that comply
 95 with the Florida Building Code, except for the State
 96 Requirements for Educational Facilities. Beginning June 1, 2027,
 97 a school of hope of distinction has the right to locate in any
 98 unused, vacant, or surplus facility or one marked for disposal
 99 pursuant to s. 1002.33(18) or to co-locate with another public
 100 school in any underused facility and use all or part of such
 101 facility if the combined total enrollment of the schools does
 102 not exceed such facility's capacity. The use, operation, and
 103 maintenance of such facility, including all facility-related
 104 noninstructional services such as school lunch services, must be
 105 provided at no cost to the school of hope of distinction. The
 106 school district shall share such facilities equitably based on
 107 the relative enrollment of the schools. A school of hope that
 108 uses school district facilities must comply with the State
 109 Requirements for Educational Facilities only if the school
 110 district and the hope operator have entered into a mutual
 111 management plan for the reasonable maintenance of such
 112 facilities. The mutual management plan shall contain a provision
 113 by which the district school board agrees to maintain the school
 114 facilities in the same manner as its other public schools within
 115 the district. The local governing authority may shall not adopt
 116 or impose any local building requirements or site-development

Page 4 of 8

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

38-01139A-25 20251708

117 restrictions, such as parking and site-size criteria, student
 118 enrollment, and occupant load, that are addressed by and more
 119 stringent than those found in the State Requirements for
 120 Educational Facilities of the Florida Building Code. A local
 121 governing authority must treat schools of hope equitably in
 122 comparison to similar requirements, restrictions, and site
 123 planning processes imposed upon public schools. The agency
 124 having jurisdiction for inspection of a facility and issuance of
 125 a certificate of occupancy or use shall be the local
 126 municipality or, if in an unincorporated area, the county
 127 governing authority. If an official or employee of the local
 128 governing authority refuses to comply with this paragraph, the
 129 aggrieved school or entity has an immediate right to bring an
 130 action in circuit court to enforce its rights by injunction. An
 131 aggrieved party that receives injunctive relief may be awarded
 132 reasonable attorney fees and court costs.

133 (c) ~~(d)~~ Any facility, or portion thereof, used to house a
 134 school of hope shall be exempt from ad valorem taxes pursuant to
 135 s. 196.1983. Library, community service, museum, performing
 136 arts, theater, cinema, church, Florida College System
 137 institution, college, and university facilities may provide
 138 space to schools of hope within their facilities under their
 139 preexisting zoning and land use designations without obtaining a
 140 special exception, rezoning, or a land use change.

141 (d) ~~(e)~~ School of hope facilities are exempt from
 142 assessments of fees for building permits, except as provided in
 143 s. 553.80; fees for building and occupational licenses; impact
 144 fees or exactions; service availability fees; and assessments
 145 for special benefits.

Page 5 of 8

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

38-01139A-25 20251708

146 (e) ~~(d)~~ No later than January 1, the department shall
 147 annually provide to school districts a list of all underused
 148 facilities and unused, vacant, or surplus facilities owned or
 149 operated by the school district as reported in the Florida
 150 Inventory of School Houses. A school district may provide
 151 evidence to the department that the list contains errors or
 152 omissions within 30 days after receipt of the list. By each
 153 April 1, the department shall update and publish a final list of
 154 all underused facilities and unused, vacant, or surplus
 155 facilities owned or operated by each school district, based upon
 156 updated information provided by each school district. Beginning
 157 August 1, 2026, a hope operator opening establishing a school of
 158 hope of distinction on or after June 1, 2027, or operating a
 159 school of hope of distinction after June 1, 2027, may submit to
 160 a school district a notice of intent to use, and the school
 161 district must execute an agreement authorizing the use of, an
 162 educational facility identified in this paragraph at no cost
 163 pursuant to rules of the State Board of Education ~~or at a~~
 164 ~~mutually agreeable cost not to exceed \$600 per student~~. A hope
 165 operator using a facility pursuant to this paragraph may not
 166 sell or dispose of such facility without the written permission
 167 of the school district. ~~For purposes of this paragraph, the term~~
 168 ~~"underused, vacant, or surplus facility"~~ means an entire
 169 ~~facility or portion thereof which is not fully used or is used~~
 170 ~~irregularly or intermittently by the school district for~~
 171 ~~instructional or program use.~~

172 Section 3. Paragraph (c) of subsection (1) of section
 173 1013.31, Florida Statutes, is amended to read:
 174 1013.31 Educational plant survey; need assessment criteria;

Page 6 of 8

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

38-01139A-25

20251708

175 PECO project funding.-

176 (1) At least every 5 years, each Florida College System
177 institution and state university board shall arrange for an
178 educational plant survey, to aid in formulating plans for
179 housing the educational program and student population, faculty,
180 administrators, staff, and auxiliary and ancillary services of
181 the district or campus, including consideration of the local
182 comprehensive plan. The Department of Education shall document
183 the need for additional career and adult education programs and
184 the continuation of existing programs before facility
185 construction or renovation related to career or adult education
186 may be included in the educational plant survey of a school
187 district or Florida College System institution that delivers
188 career or adult education programs. Information used by the
189 Department of Education to establish facility needs must
190 include, but need not be limited to, labor market data, needs
191 analysis, and information submitted by the Florida College
192 System institution.

193 (c) Review and validation.—The Department of Education
194 shall review, and validate, and selectively audit the surveys of
195 school districts and Florida College System institutions, and
196 the Chancellor of the State University System shall review and
197 validate the surveys of universities, and any amendments thereto
198 for compliance with the requirements of this chapter and shall
199 recommend those in compliance for approval by the State Board of
200 Education or the Board of Governors, as appropriate. The
201 commissioner may condition the receipt of fixed capital outlay
202 funds provided from general revenue or from state trust funds by
203 district school boards until such time as the district school

Page 7 of 8

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

38-01139A-25

20251708

204 board submits a survey that accurately projects facilities needs
205 as indicated by the Florida Inventory of School Houses, as
206 compared with the district's capital outlay full-time equivalent
207 enrollment, as determined by the department. The State Board of
208 Education shall adopt rules to determine the frequency and scope
209 of such audit. It is the intent of the Legislature to ensure
210 transparency as it relates to the use of such facilities.

211 Section 4. This act shall take effect July 1, 2025.

Page 8 of 8

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

03/31/2025

Meeting Date

Education prek-12

Committee

Name

Jileah Wilder

Phone 850 - 912 - 1115

Address

215 south monroe street

Street

Email jwilder@beckerlawyers.com

Tallahassee

FL

City

32301

Zip

State

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

miami-dade county
public schools

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (fisenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

55

STATE OF FLORIDA
DEPARTMENT OF STATE

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Marcus D. Chambers

is duly appointed a member of the

Board of Directors,

Florida High School Athletic Association

for a term beginning on the Twenty-First day of June, A.D.,
2024, until the Twenty-First day of August, A.D., 2026 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the First day of August, A.D., 2024.

CB
Cord Byrd

Secretary of State



RON DE SANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2024 JUN 25 AM 9:59
DIVISION OF ELECTIONS
TALLAHASSEE, FL

June 21, 2024

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 1006.20(4)(d), Florida Statutes:

The Honorable Marcus Chambers
Superintendent of Schools, Okaloosa County
202A Highway 85 North
Niceville, Florida 32578

as a member of the Florida High School Athletic Association Board of Directors, filling a vacant seat previously occupied by James Norton, subject to confirmation by the Senate. This appointment is effective June 21, 2024, for a term ending August 21, 2026.

Sincerely,

A handwritten signature of Ron DeSantis.

Ron DeSantis
Governor

RD/ah

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Okaloosa

RECEIVED
DEPARTMENT OF STATE

2024 JUL -3 PM 2:18

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida High School Athletic Association - Board of Directors

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

May Hunt

Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence

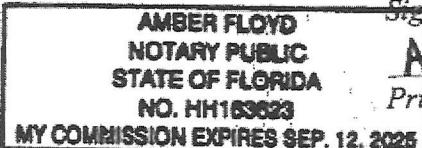
Or online notarization this 28th day of June, 2024.

Amber Floyd

Signature of Officer Administering Oath or of Notary Public

Amber Floyd

Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known or Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

202A Highway 85 N

Street or Post Office Box

Nicenile, FL 32578

City, State, Zip Code

Marcus D. Chambers

Print Name

May Hunt

Signature

585

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Daniel Penha Foganholi, Sr.

is duly appointed a member of the
State Board of Education

for a term beginning on the First day of January, A.D., 2025,
until the Thirty-First day of December, A.D., 2028 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fifth day of March, A.D., 2025.



E108

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 JAN 21 AM 9:38
DIVISION OF ELECTIONS
TALLAHASSEE FL

January 1, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 1001.01, Florida Statutes:

Mr. Daniel Foganholi
2698 Northwest 94th Avenue
Coral Springs, Florida 33065

as a member of the State Board of Education, subject to confirmation by the Senate. This appointment is effective January 1, 2025, for a term ending December 31, 2028.

Sincerely,

A handwritten signature in black ink, appearing to read "R. DeSantis".

Ron DeSantis
Governor

RD/es

OATH OF OFFICE RECEIVED
DEPARTMENT OF STATE
(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

2025 MAR -4 AM 10:34

County of BROWARD

DIVISION OF ELECTIONS
TALLAHASSEE FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

State BOARD OF EDUCATION

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

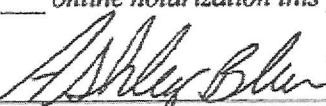

Signature

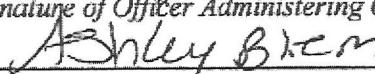
(Affix Seal Below)



ASHLEY BLIEM
Notary Public
State of Florida
Comm# HH377316
Expires 3/22/2027

Sworn to and subscribed before me by means of physical presence
Or online notarization this 3 day of March, 2025.


Signature of Officer Administering Oath or of Notary Public


Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced FL DL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

1100 5 Powerline Rd. Suite 105 DANIEL PENHA FOGANHOLI SR.

Street or Post Office Box

Print Name

Deerfield Beach FL, 33442

City, State, Zip Code

Signature

600

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Sallie Murphy

is duly appointed a member of the

Education Practices Commission

for a term beginning on the First day of October, A.D., 2024,
until the Thirtieth day of September, A.D., 2028 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Sixth day of February, A.D., 2025.*



Secretary of State



Ben Gibson, *Chair*
Ryan Petty, *Vice Chair*
Members
Esther Byrd
Grazie P. Christie
Daniel P. Fogaholi, Sr.
Kelly Garcia
MaryLynn Magar

December 10, 2024

2024 DEC 13 AM 8:12
DIVISION OF ELECTIONS
TALLAHASSEE, FL

RECEIVED

The Honorable Cord Byrd
Secretary of State
R.A. Gray Building
500 South Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please find below a listing for a member of the Education Practices Commission who was recently reappointed for a second term. Florida's State Board of Education officially reappointed this member at its November 20, 2024, meeting. The appointee is now subject to Senate confirmation.

| APPOINTEE | TERM BEGINS | TERM EXPIRES |
|----------------------|-----------------|--------------------|
| Sallie Willis Murphy | October 1, 2024 | September 30, 2028 |

CONTACT INFORMATION

| | |
|---|---|
| Sallie Willis Murphy <i>Educator</i> | Home: 2761 Juniper Road, Quincy, Florida 32351 Phone: 850-545-8689 |
|---|---|

If I can assist you further, please do not hesitate to contact me at 850-245-0340. We look forward to this confirmation.

Sincerely,

Sunny Chancy, Ed.D.
Deputy Chancellor for Educator Quality

SC/rk

2025 FEB 25 AM11:42

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

ALL FLORIDA
NOTARIES

STATE OF FLORIDA

County of Gadsden

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Education Practices Commission

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Sallie Murphy
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence
Or online notarization this 6th day of January, 20 25.

Amanda Rowan

Signature of Officer Administering Oath or of Notary Public

Amanda Rowan

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

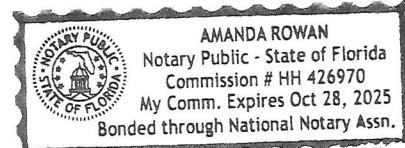
Mailing Address: Home Office

2761 Juniper Road

Street or Post Office Box

Quincy, Florida 32351

City, State, Zip Code



Sallie Murphy

Print Name

Sallie Murphy
Signature

600

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Charlotte Wintz

is duly appointed a member of the
Education Practices Commission

for a term beginning on the First day of October, A.D., 2022,
until the Thirtieth day of September, A.D., 2026 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirteenth day of May, A.D., 2024.*



E. Byrd

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



Ben Gibson, Chair
Ryan Petty, Vice Chair
Members
Monesia Brown
Esther Byrd
Grazie Pozo Christie
Kelly Garcia
MaryLynn Magar

April 22, 2024

2024 APR 22 PM 4:13
DIVISION OF ELECTIONS
TALLAHASSEE, FL

The Honorable Cord Byrd
Secretary of State
R.A. Gray Building
500 South Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please find a listing of the Education Practices Commission's newly appointed members below. Florida's State Board of Education officially appointed this member at its April 17, 2024, meeting. The appointee is now subject to Senate confirmation.

| APPOINTEE | TERM BEGAN | SEAT FILLED | TERM EXPIRES | REPLACING |
|-----------------|-----------------|----------------|--------------------|----------------------|
| Charlotte Wintz | October 1, 2022 | April 17, 2024 | September 30, 2026 | Ana Armbrister-Bland |

CONTACT INFORMATION

Charlotte Wintz Address: 4730 Birkenhead Road, Jacksonville, Florida 32210
Educator Phone: 904-722-7218

If I can assist you further, please do not hesitate to contact me at 850-245-0340. We look forward to this confirmation.

Sincerely,

Shelly Chancy, Ed.D.
Deputy Chancellor for Educator Quality

SC/rk

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

127774

RECEIVED
DEPARTMENT OF STATE

2024 MAY -8 AM 8:40

DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Duval

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Education Practices Commission Member

(Full Name of Office – Abbreviations Not Accepted)

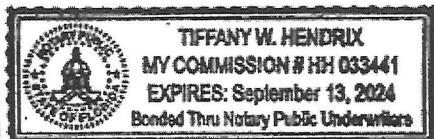
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Tiffany W. Hendrix
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of ✓ physical presence
Or online notarization this 1st day of May, 2024.



Tiffany
Signature of Officer Administering Oath or of Notary Public

Tiffany Hendrix
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

4730 Birkenhead Rd

Street or Post Office Box

Jacksonville, FL 32210

City, State, Zip Code

Print Name

Charlotte Wintz

Signature

Charlotte Wintz

600

STATE OF FLORIDA
DEPARTMENT OF STATE

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Jennifer Thaxton

is duly appointed a member of the

Education Practices Commission

for a term beginning on the First day of October, A.D., 2023,
until the Thirtieth day of September, A.D., 2027 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirteenth day of September, A.D., 2024.*



J. Byrd
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



Ben Gibson, Chair
Ryan Petty, Vice Chair
Members
Monesia Brown
Esther Byrd
Grazie Pozo Christie
Kelly Garcia
MaryLynn Magar

April 22, 2024

2024 APR 22 PM 4:13

DIVISION OF ELECTIONS
TALLAHASSEE, FL

The Honorable Cord Byrd
Secretary of State
R.A. Gray Building
500 South Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please find a listing of the Education Practices Commission's newly appointed members below. Florida's State Board of Education officially appointed this member at its April 17, 2024, meeting. The appointee is now subject to Senate confirmation.

| APPOINTEE | TERM BEGAN | SEAT FILLED | TERM EXPIRES | REPLACING |
|------------------|-----------------|----------------|--------------------|-----------------|
| Jennifer Thaxton | October 1, 2023 | April 17, 2024 | September 30, 2027 | Christine Plaza |

CONTACT INFORMATION

| | |
|------------------|--|
| Jennifer Thaxton | Address: 11 Saw Mill Court, Crawfordville, Florida 32327 |
| <i>Educator</i> | Phone: 850-766-8294 |

If I can assist you further, please do not hesitate to contact me at 850-245-0340. We look forward to this confirmation.

Sincerely,

Sunny Chancy, Ed.D.
Deputy Chancellor for Educator Quality

SC/rk

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED

2024 MAY 22 AM 8:09

DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Wakulla

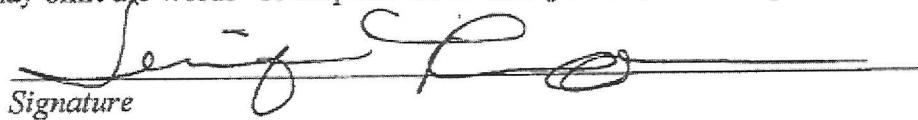
I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Education Practices Commission member

(Full Name of Office -- Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]


Signature

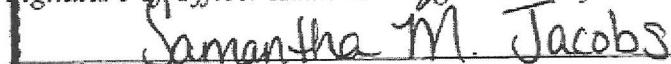
(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence
Or online notarization this 7th day of May, 2024.



SAMANTHA M. JACOBS
Commission # HH 157255
Expires July 22, 2026
Bonded Thru Troy Fair Insurance 030-345-7019

Signature of Officer Administering Oath or of Notary Public


Samantha M. Jacobs

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

11 Saw Mill Ct

Jennifer Thaxton

Street or Post Office Box

Print Name

Crawfordville, FL 32327

City, State, Zip Code

Signature


Signature

~~Amendment~~

600

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Joseph G. Stanley

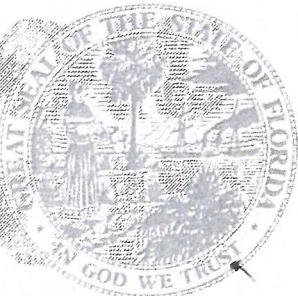
is duly appointed a member of the
Education Practices Commission

for a term beginning on the Nineteenth day of April, A.D., 2023,
until the Thirtieth day of September, A.D., 2025 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twelfth day of August, A.D., 2024.



Secretary of State



DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.

AMEND 9



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

August 13, 2024

Dr. Joseph G. Stanley
2279 Southwest 24th Avenue
Okeechobee, Florida 34974

Dear Dr. Stanley:

Enclosed please find an amended certificate of appointment for your appointment as member of the Education Practices Commission. Please dispose of previous copies.

If you have any questions or need further assistance, please contact me at (850) 245-6240.

Sincerely,

A handwritten signature in black ink that reads "Donna S. Brown".

Donna S. Brown, Chief
Bureau of Election Records

DSB/ck

Enclosures

Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6240 • 850.245.6260 (Fax) • DOS.MyFlorida.com/elections





Ben Gibson, Chair
 Ryan Petty, Vice Chair
 Members
 Esther Byrd
 Grazie Pozo Christie
 Kelly Garcia
 MaryLynn Magar

2024 AUG 12 AM 11:36

DIVISION OF ELECTIONS
TALLAHASSEE, FL

February 6, 2024
Amended August 12, 2024

The Honorable Cord Byrd
 Secretary of State
 R.A. Gray Building
 500 South Bronough Street, Room 316
 Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please find below a listing of the Education Practices Commission's newly appointed member. Florida's State Board of Education officially appointed this member at its April 19, 2023, meeting. The appointee is now subject to Senate confirmation.

| APPOINTEE | TERM BEGAN | SEAT FILLED | TERM EXPIRES | REPLACING |
|----------------|-----------------|------------------|--------------------|--------------------|
| Joseph Stanley | October 1, 2021 | October 18, 2023 | September 30, 2025 | Martha Jaureguizer |

CONTACT INFORMATION

Dr. Joseph Stanely Address
 Administrator Phone:

If I can assist you further, please do not hesitate to contact me at 850-245-0340. We look forward to this confirmation.

Sincerely,

Sunny Chancy, Ed.D.
 Deputy Chancellor of Public Schools

SC/rk

OATH OF OFFICE

(Art. II. § 5(b), Fla. Const.)

2024 FEB 14 AM 8:37

STATE OF FLORIDA

County of Okeechobee

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Administrator Member, Education Practices Commission

(Name of Office)

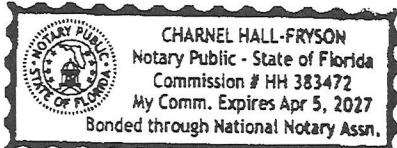
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]


Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence
Or online notarization this 10th day of February, 2024.




Signature of Officer Administering Oath or of Notary Public
Charnel Hall-Fryson

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

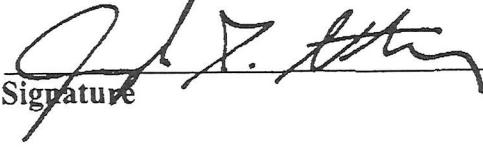
Mailing Address: Home Office

Street or Post Office Box

City, State, Zip Code

Joseph G. Stanley

Print Name


Signature

600

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Jamie Harper Sheehan

is duly appointed a member of the
Education Practices Commission

for a term beginning on the Eighteenth day of February, A.D., 2024, until the Seventeenth day of February, A.D., 2028 and is subject to be confirmed by the Senate during the next regular session of the Legislature.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the Fifth day of March, A.D., 2025.



Cord Byrd

Secretary of State



RECEIVED

Ben Gibson, Chair
 Ryan Petty, Vice Chair
 Members
 Monesia Brown
 Esther Byrd
 Grazie Pozo Christie
 Kelly Garcia
 MaryLynn Magar

2024 APR 22 PM 4:13

DIVISION OF ELECTIONS
TALLAHASSEE, FL

April 22, 2024

The Honorable Cord Byrd
 Secretary of State
 R.A. Gray Building
 500 South Bronough Street, Room 316
 Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please find a listing of the Education Practices Commission's newly appointed members below. Florida's State Board of Education officially appointed this member at its April 17, 2024, meeting. The appointee is now subject to Senate confirmation.

| APPOINTEE | TERM BEGAN | SEAT FILLED | TERM EXPIRES | REPLACING |
|---------------|-------------------|----------------|-------------------|------------------|
| Jamie Sheehan | February 18, 2024 | April 17, 2024 | February 17, 2028 | Jordan Thompkins |

CONTACT INFORMATION

Jamie Harper Sheehan Address: 3333 Cherokee Ridge Trail, Tallahassee, Florida 32312
Parent Phone: (850) 443-5937

If I can assist you further, please do not hesitate to contact me at 850-245-0340. We look forward to this confirmation.

Sincerely,

Sunny Chancy, Ed.D.
 Deputy Chancellor for Educator Quality

SC/rk

HAND DELIVERED OATH OF OFFICE

(Art. II. § 5(b), Fla. Const.)

RECEIVED

2025 FEB 28 PM 4:38

STATE OF FLORIDA

County of Leon

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Member of the Education Practices Commission

(Full Name of Office – Abbreviations Not Accepted)

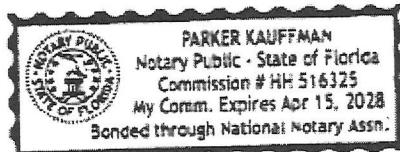
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Jamie Harper Sheehan
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence
Or online notarization this 29th day of October, 2024.



Parker Kauffman
Signature of Officer Administering Oath or of Notary Public

Parker Kauffman
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced FL DL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

3333 Cherokee Ridge Trail

Street or Post Office Box

Tallahassee, FL 32312

City, State, Zip Code

Jamie Harper Sheehan

Print Name

Jamie Harper Sheehan

Signature

1185

STATE OF FLORIDA
DEPARTMENT OF STATE

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Joseph Battista

is duly appointed a member of the

Commission for Independent Education

for a term beginning on the Thirteenth day of December, A.D., 2024, until the Thirtieth day of June, A.D., 2025 and is subject to be confirmed by the Senate during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of January, A.D., 2025.*

1188
Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2024 DEC 27 AM 11:27
DIVISION OF ELECTIONS
TALLAHASSEE, FL

December 13, 2024

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 1005.21, Florida Statutes:

Mr. Joseph Battista
1800 South Kirkman Road
Orlando, Florida 32811

as a member of the Commission for Independent Education, filling a vacant seat previously occupied by Mildred Coyne, subject to confirmation by the Senate. This appointment is effective December 13, 2024, for a term ending June 30, 2025.

Sincerely,

A handwritten signature in black ink, appearing to read "R. DeSantis".

Ron DeSantis
Governor

RD/gc

2024 DEC 26 AM 9:41

FLORIDA ELECTIONS
COMMISSIONER OF FLORIDA

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of ORANGE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

COMMISSION FOR INDEPENDENT EDUCATION

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Joseph Battista
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence
Or online notarization this 17th day of December, 2024.

SL

Signature of Officer Administering Oath or of Notary Public

Solange Fernández del Pino

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

1800 S. KIRKMAN RD

Street or Post Office Box

ORLANDO, FL. 32811

City, State, Zip Code

JOSEPH BATTISTA

Print Name

Joseph Battista
Signature

1185

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

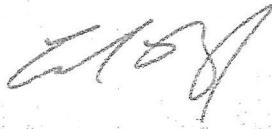
Burton (Tra) Williams, III

is duly appointed a member of the

Commission for Independent Education

for a term beginning on the Thirteenth day of December, A.D., 2024, until the Thirtieth day of June, A.D., 2026 and is subject to be confirmed by the Senate during the next regular session of the Legislature.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the Fifth day of March, A.D., 2025.

Secretary of State



RON DE SANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2024 DEC 27 AM 11:26
DIVISION OF ELECTIONS
TALLAHASSEE, FL

December 13, 2024

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 1005.21, Florida Statutes:

Mr. Burton Williams III
4950 Recker Highway
Winter Haven, Florida 33880

as a member of the Commission for Independent Education, succeeding Kristin Whitaker, subject to confirmation by the Senate. This appointment is effective December 13, 2024, for a term ending June 30, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/gc

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Manatee

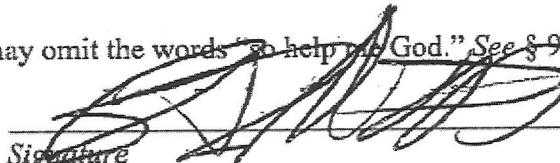
I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

the Commission for Independent Education

(Full Name of Office – Abbreviations Not Accepted)

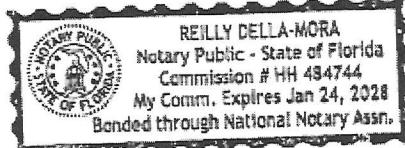
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]


Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence
Or online notarization this 20th day of February, 20 25.



Reilly Della-Mora

Signature of Officer Administering Oath or of Notary Public

Reilly Della-Mora

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced Drivers License

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

15719 Seaton Pl

Street or Post Office Box

Bradenton, Pl 34202

City, State, Zip Code

Print Name

Signature

Buster (Tra) Williams

1185

STATE OF FLORIDA
DEPARTMENT OF STATE

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

Jeffrey Cross

is duly appointed a member of the

Commission for Independent Education

for a term beginning on the Thirteenth day of December, A.D., 2024, until the Thirtieth day of June, A.D., 2027 and is subject to be confirmed by the Senate during the next regular session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Second day of January, A.D., 2025.*

CB
Secretary of State



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2024 DEC 27 AM 11:27
DIVISION OF ELECTIONS
TALLAHASSEE, FL

December 13, 2024

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 1005.21, Florida Statutes:

Mr. Jeff Cross
9014 Yonath Street
Orlando, Florida 32827

as a member of the Commission for Independent Education, subject to confirmation by the Senate. This appointment is effective December 13, 2024, for a term ending June 30, 2027.

Sincerely,

A handwritten signature in black ink, appearing to read "R. DeSantis".

Ron DeSantis
Governor

RD/gc

RECEIVED
DEPARTMENT OF STATE
2024 DE 26 PM 2:24
ELECTIONS
FAX/MAIL/EMAIL

OATH OF OFFICE

(Art. II. § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Orange

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Florida Commission for Independent Education

(Full Name of Office – Abbreviations Not Accepted)

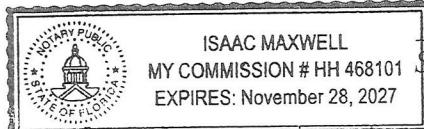
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words “so help me God.” See § 92.52, Fla. Stat.]

Jeffrey Cross
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of physical presence
Or online notarization this 20 day of December, 20 24.



Isaac Maxwell
Signature of Officer Administering Oath or of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification

Type of Identification Produced Florida Drivers license

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

9014 Yonath St.

Street or Post Office Box

ORLANDO FL 32827

City, State, Zip Code

JEFFREY CROSS
Print Name

Jeffrey Cross
Signature

CourtSmart Tag Report

Room: KB 412

Case No.: -

Type:

Caption: Senate Committee on Education Pre K-12

Judge:

Started: 3/31/2025 4:01:32 PM

Ends: 3/31/2025 5:08:26 PM

Length: 01:06:55

4:01:32 PM Chair Simon calls meeting to order
4:01:37 PM Roll Call
4:01:51 PM Quorum
4:01:55 PM SB 1692 by Senator McClain is Temporarily Postponed
4:02:13 PM Opening remarks by Chair Simon
4:02:33 PM Tab 3: SB 540 Disability History and Awareness Instruction by Senator Collins
4:02:44 PM Amendment 729992 by Senator Collins
4:02:53 PM Senator Collins explains amendment
4:04:14 PM Senator Collins waives close on amendment
4:04:21 PM Chair Simon reports amendment
4:04:31 PM Public testimony
4:04:34 PM Melisa Hartsell
4:10:09 PM Debate
4:10:10 PM Senator Burgess
4:11:48 PM Senator Collins closes on bill
4:14:59 PM Roll Call
4:15:23 PM Tab 7: SB 1296 Use of Wireless Communications Devices in Schools by Senator Burgess
4:15:32 PM Senator Burgess explains bill
4:16:28 PM Senator Burgess closes on bill
4:17:30 PM Roll Call
4:17:55 PM Tab 8: SB 1590 Educator Preparation by Senator Burgess
4:18:04 PM Senator Burgess explains bill
4:19:41 PM Questions
4:19:43 PM Senator Davis
4:20:11 PM Senator Burgess
4:21:32 PM Senator Burgess waives close on bill
4:21:35 PM Roll Call
4:21:59 PM Tab 10: SB 1702 Education by Senator Burgess
4:22:28 PM Amendment 313094 by Senator Burgess
4:22:35 PM Senator Burgess explains amendment
4:24:22 PM Amendment to Amendment 400824 by Senator Burgess
4:24:27 PM Senator Burgess explains amendment to amendment
4:25:12 PM Senator Burgess waives close on amendment to amendment
4:25:25 PM Chair Simon reports amendment to amendment
4:25:44 PM Senator Burgess waives close on amendment
4:25:48 PM Chair Simon reports amendment
4:26:00 PM Questions
4:26:02 PM Senator Davis
4:26:31 PM Senator Burgess
4:27:35 PM Senator Davis
4:28:29 PM Senator Burgess
4:29:08 PM Senator Berman
4:29:47 PM Senator Burgess
4:30:54 PM Public testimony
4:30:56 PM Shan Goff, Foundation of Florida's Future
4:31:12 PM Debate
4:31:14 PM Senator Berman
4:31:58 PM Senator Burgess closes on bill
4:32:23 PM Roll Call
4:32:48 PM Tab 6: SB 1150 School Social Workers by Senator Calatayud
4:32:57 PM Senator Calatayud explains bill
4:33:48 PM Amendment 641302 by Senator Calatayud

4:33:58 PM Senator Calatayud explains amendment
4:34:22 PM Senator Calatayud waives close on amendment
4:34:29 PM Chair Simon reports amendment
4:34:41 PM Senator Calatayud waives close on bill
4:34:45 PM Roll Call
4:35:10 PM Tab 11: SB 1708 Education by Senator Calatayud
4:35:21 PM Amendment 113444 by Senator Calatayud
4:35:31 PM Senator Calatayud explains amendment
4:37:11 PM Questions
4:37:16 PM Senator Berman
4:37:33 PM Senator Calatayud
4:37:47 PM Senator Calatayud waives close on amendment
4:37:55 PM Chair Simon reports amendment
4:38:03 PM Public testimony
4:38:08 PM Jileah Wilder, Miami-Dade County Public Schools waives
4:38:21 PM Senator Calatayud closes on bill
4:39:12 PM Roll Call
4:39:42 PM Chair Simon turns chair to Senator Calatayud
4:39:49 PM Tab 1: SB 8 Relief of Marcus Button by the Pasco County School Board by Senator Simon
4:39:57 PM Senator Simon explains bill
4:41:24 PM Public testimony
4:41:30 PM Jeff Hawes, Robin Button as Beneficiary of Estate of Mark Button waives
4:41:45 PM Debate
4:41:47 PM Senator Gaetz
4:42:42 PM Senator Simon closes on bill
4:42:55 PM Roll Call
4:43:18 PM Chair Calatayud turns chair to Senator Simon
4:43:24 PM Tab 5: SB 822 Education by Senator Rodriguez
4:43:30 PM Senator Rodriguez explains bill
4:43:51 PM Amendment 327032 by Senator Rodriguez
4:43:58 PM Senator Rodriguez explains amendment
4:44:49 PM Questions
4:44:50 PM Senator Osgood
4:45:17 PM Senator Rodriguez
4:45:35 PM Senator Osgood
4:45:39 PM Senator Davis
4:45:51 PM Public testimony
4:45:52 PM Andicina Figucioa, Academica waives
4:46:01 PM Senator Rodriguez waives close on amendment
4:46:08 PM Chair Simon reports amendment
4:46:14 PM Questions
4:46:16 PM Senator Davis
4:46:44 PM Senator Rodriguez
4:46:57 PM Senator Davis
4:47:01 PM Senator Rodriguez
4:47:15 PM Senator Davis
4:47:33 PM Senator Rodriguez
4:47:49 PM Public testimony
4:47:54 PM Chair Simon reads waiving
4:48:21 PM Debate
4:48:24 PM Senator Osgood
4:50:09 PM Senator Rodriguez closes on bill
4:50:29 PM Roll Call
4:50:52 PM Tab 2: SB 444 Human Trafficking Awareness by Senator Avila
4:50:59 PM Senator Avila explains bill
4:51:49 PM Public testimony
4:51:53 PM Lauren Evans and Tazara Fieles
4:54:59 PM Jileah Wilder, Miami-Dade County Public Schools waives
4:55:09 PM Questions
4:55:10 PM Senator Osgood
4:55:19 PM Senator Avila
4:55:51 PM Senator Osgood

4:56:25 PM Senator Avila closes on bill
4:57:23 PM Roll Call
4:57:46 PM Chair Simon turns chair
4:57:52 PM Tab 4: SB 742 Workforce Development by Senator Simon
4:58:00 PM Amendment 828444 by Senator Simon
4:58:11 PM Senator Simon explains amendment
4:59:12 PM Senator Simon waives close on amendment
4:59:18 PM Chair Calatayud reports amendment
4:59:26 PM Public testimony
4:59:30 PM Shan Goff, Foundation for Florida's Future waives
4:59:40 PM Senator Simon waives close on bill
4:59:43 PM Roll Call
5:00:12 PM Chair Gaetz motion to vote after Roll Call
5:00:45 PM Tab 12-21: Confirmation Hearings
5:01:40 PM Chair Simon swears in Jamie Sheehan, Education Practices Commission
5:01:56 PM Jamie Sheehan addresses committee
5:02:05 PM Questions
5:02:07 PM Senator Davis
5:02:55 PM Tab 12, 14-21: Confirmation Hearings
5:03:17 PM Senator Yarborough moves to recommend confirmation
5:03:27 PM Roll Call
5:03:53 PM Tab 13: Confirmation Hearing, Daniel Foganholti, State Board of Education
5:04:04 PM Debate
5:04:05 PM Senator Berman
5:05:14 PM Senator Osgood
5:06:17 PM Senator Collins moves to recommend confirmation
5:06:28 PM Roll Call
5:07:07 PM Chair Simon closing remarks
5:07:50 PM Senator Calatayud motion to vote after Roll Call
5:08:05 PM Senator Burgess motion to vote after Roll Call
5:08:18 PM Senator Collins moves to adjourn
5:08:21 PM Meeting Adjourned