

<b>Tab 1</b>	<b>SB 8</b> by <b>Simon</b> ; Identical to H 06507 Relief of Marcus Button by the Pasco County School Board					
<b>Tab 2</b>	<b>SB 444</b> by <b>Avila (CO-INTRODUCERS) Collins, Yarborough</b> ; Identical to H 01237 Human Trafficking Awareness					
<b>Tab 3</b>	<b>SB 540</b> by <b>Collins (CO-INTRODUCERS) Burgess</b> ; Similar to CS/H 00447 Disability History and Awareness Instruction					
729992	D	S	RCS	ED, Collins	Delete everything after	03/31 06:09 PM
<b>Tab 4</b>	<b>SB 742</b> by <b>Simon</b> ; Similar to CS/H 01145 Workforce Development					
828444	D	S	RCS	ED, Simon	Delete everything after	03/31 06:11 PM
<b>Tab 5</b>	<b>SB 822</b> by <b>Rodriguez</b> ; Similar to CS/H 00443 Education					
327032	A	S	RCS	ED, Rodriguez	Delete L.197 - 864:	03/31 06:11 PM
<b>Tab 6</b>	<b>SB 1150</b> by <b>Calatayud</b> ; Similar to H 00809 School Social Workers					
641302	A	S	RCS	ED, Calatayud	Delete L.15 - 16:	03/31 06:11 PM
<b>Tab 7</b>	<b>SB 1296</b> by <b>Burgess</b> ; Use of Wireless Communications Devices in Schools					
<b>Tab 8</b>	<b>SB 1590</b> by <b>Burgess</b> ; Educator Preparation					
<b>Tab 9</b>	<b>CS/SB 1692</b> by <b>CJ, McClain</b> ; Similar to H 01539 Material that is Harmful to Minors					
738110	A	S		ED, McClain	Delete L.32 - 146:	03/28 01:23 PM
<b>Tab 10</b>	<b>SB 1702</b> by <b>Burgess</b> ; 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
<b>Tab 11</b>	<b>SB 1708</b> by <b>Calatayud (CO-INTRODUCERS) Gruters</b> ; 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	<b>SB 8</b> Simon (Identical H 6507)	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.  SM JU 03/19/2025 Favorable ED 03/25/2025 Not Considered ED 03/31/2025 Favorable RC	Favorable Yeas 8 Nays 1
2	<b>SB 444</b> Avila (Identical H 1237)	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.  ED 03/31/2025 Favorable AED RC	Favorable Yeas 9 Nays 0
3	<b>SB 540</b> Collins (Similar CS/H 447)	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.  ED 03/31/2025 Fav/CS AED RC	Fav/CS Yeas 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
4	<b>SB 742</b> 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 Yeas 9 Nays 0
5	<b>SB 822</b> 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 Yeas 8 Nays 1
6	<b>SB 1150</b> 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 Yeas 9 Nays 0
7	<b>SB 1296</b> 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 Yeas 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	<b>SB 1590</b> 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.  ED 03/31/2025 Favorable AED FP	Favorable Yeas 9 Nays 0
9	<b>CS/SB 1692</b> 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.  CJ 03/18/2025 Fav/CS ED 03/31/2025 Temporarily Postponed RC	Temporarily Postponed
10	<b>SB 1702</b> 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.  ED 03/25/2025 Not Considered ED 03/31/2025 Fav/CS AED RC	Fav/CS Yeas 7 Nays 2
11	<b>SB 1708</b> 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.  ED 03/31/2025 Fav/CS AED RC	Fav/CS Yeas 8 Nays 1

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
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**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
<b>Board of Directors, Florida High School Athletic Association</b>			
12	Chambers, Marcus D. (Niceville)	08/21/2026	Recommend Confirm Yeas 8 Nays 0
<b>State Board of Education</b>			
13	Foganholi, Daniel P. (Coral Springs)	12/31/2028	Recommend Confirm Yeas 5 Nays 3
<b>Education Practices Commission</b>			
14	Murphy, Sallie (Quincy)	09/30/2028	Recommend Confirm Yeas 8 Nays 0
15	Wintz, Charlotte (Jacksonville)	09/30/2026	Recommend Confirm Yeas 8 Nays 0
16	Thaxton, Jennifer (Crawfordville)	09/30/2027	Recommend Confirm Yeas 8 Nays 0
17	Stanley, Joseph ()	09/30/2025	Recommend Confirm Yeas 8 Nays 0
18	Sheehan, Jamie Harper (Tallahassee)	02/17/2028	Recommend Confirm Yeas 8 Nays 0
<b>Commission for Independent Education</b>			
19	Battista, Joseph (Lake Mary)	06/30/2025	Recommend Confirm Yeas 8 Nays 0
20	Williams, Burton III (Bradenton)	06/30/2026	Recommend Confirm Yeas 8 Nays 0
21	Cross, Jeff (Orlando)	06/30/2027	Recommend Confirm Yeas 8 Nays 0
TAB	BILL NO. and INTRODUCER	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

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,

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

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



economist), Dr. Mitchell Drucker (a neuroophthamologist), 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.

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

§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.

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.

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

The Florida Senate

# APPEARANCE RECORD

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

3/31/25

Meeting Date

Education PreK-12

Committee

SB8

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jeff Hawes

Phone 813-997-6451

Address 19401 Shumard Oak Drive

Street

Email jeff@corcoranpartnrs.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:

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

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

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. [2020-2022 Joint Rules.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.)

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

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BILL: SB 444

INTRODUCER: Senator Avila

SUBJECT: Human Trafficking Awareness

DATE: March 28, 2025

REVISED: \_\_\_\_\_

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

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## **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.<sup>1</sup> 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

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<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

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.<sup>4</sup>

### ***Department of Children and Families***

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

- 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 Hotline<sup>6</sup> 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.<sup>7</sup>

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.<sup>8</sup>

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

<sup>3</sup> Section 787.06(1)(c), F.S.

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

<sup>5</sup> 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](https://www.myflfamilies.com/sites/default/files/2024-10/Human_Trafficking_Report_2023-24.pdf), at 3.

<sup>6</sup> 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).

<sup>7</sup> *Id.*

<sup>8</sup> 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](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.<sup>9</sup>

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

- 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:<sup>11</sup>

- 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:<sup>12</sup>

- 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,

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

<sup>10</sup> 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).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

exploitation, and human trafficking.<sup>13</sup> 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.<sup>14</sup>

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:<sup>15</sup>

- 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 webpage<sup>16</sup> 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.<sup>17</sup>

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

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<sup>13</sup> Section 1003.42(2)(o)1.g., F.S.

<sup>14</sup> Section 1003.42(2)(o)5.a., F.S.

<sup>15</sup> Rule 6A-1.094124(6)(d), F.A.C.

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

<sup>17</sup> 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.<sup>18</sup>

- 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.<sup>19</sup>

### **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.<sup>20</sup>

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.<sup>21</sup>

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.<sup>22</sup>

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.<sup>23</sup>

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<sup>18</sup> 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).

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

<sup>20</sup> Section 1012.98(13), F.S.

<sup>21</sup> Section 1012.584(1) and (5), F.S.

<sup>22</sup> Section 1012.583, F.S.

<sup>23</sup> 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.<sup>24</sup> 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.<sup>25</sup>

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.<sup>26</sup>

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.<sup>27</sup>

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.<sup>28</sup>

### **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

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<sup>24</sup> Section 1006.07(6)(a)2., F.S.

<sup>25</sup> Section 1006.07(6)(d), F.S.

<sup>26</sup> Section 1006.165(1)(b) and (2)(b), F.S.

<sup>27</sup> Section 1003.573(5), F.S.

<sup>28</sup> 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.

39-01350B-25

2025444\_\_

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

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

3/31/2025

Meeting Date

The Florida Senate  
**APPEARANCE RECORD**

SB 444

Bill Number or Topic

Senate Committee on  
Education PreK-12

Committee

Name Lauren Evans + Tazara Fields

Phone 813-365-2163

Address 1970 Corvallis Ave.

Street

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Tallahassee,

City

FL

State

32304

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

03/31/2025

Meeting Date

Education prek-12

Committee

444

Bill Number or Topic

Amendment Barcode (if applicable)

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

Name Jileah Wilder

Phone 850-412-1115

Address 215 South Monroe Street  
Street

Email jwilder@beckerlawyers.com

Tallahassee

City

FL

State

32301

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. [2020-2022 Joint Rules.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.)

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

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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.	Brick	Bouck	ED	<b>Fav/CS</b>
2.			AED	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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.”<sup>1</sup>

### ***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.<sup>2</sup>

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.<sup>3</sup>

### ***Goals and Intended Outcomes***

The goals of disability history and awareness instruction include:<sup>4</sup>

- 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.<sup>5</sup>

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.<sup>6</sup>

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

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<sup>1</sup> Section 1003.4205(1), F.S.

<sup>2</sup> Section 1003.4205(2)(a), F.S.

<sup>3</sup> Section 1003.4205(2)(b), F.S.

<sup>4</sup> Section 1003.4205(3), F.S.

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

<sup>6</sup> 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.<sup>7</sup>

### **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.

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<sup>7</sup> 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.

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

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729992

LEGISLATIVE ACTION

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

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

1003.4205 Disability history and awareness instruction.—

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



729992

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.

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

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

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

c. For grades 7 through 9, hearing impairments.

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

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

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

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled  
An act relating to disability history and awareness  
instruction; providing a short title; amending s.  
1003.4205, F.S.; requiring the Department of Education





729992

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  
 12 Be It Enacted by the Legislature of the State of Florida:  
 13  
 14 Section 1. This act may be cited as the "Evin B. Hartsell  
 15 Act."  
 16 Section 2. Paragraph (a) of subsection (2) of section  
 17 1003.4205, Florida Statutes, is amended to read:  
 18 1003.4205 Disability history and awareness instruction.—  
 19 (2)(a) During this 2-week period, students must ~~may~~ be  
 20 provided intensive instruction to expand their knowledge,  
 21 understanding, and awareness of individuals with disabilities,  
 22 the history of disability, and the disability rights movement.  
 23 Disability history may include the events and timelines of the  
 24 development and evolution of services to, and the civil rights  
 25 of, individuals with disabilities. Disability history may also  
 26 include the contributions of specific individuals with  
 27 disabilities, including the contributions of acknowledged  
 28 national leaders.  
 29 1. Instruction must include the following material:

Page 1 of 3

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

14-00597B-25

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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

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

14-00597B-25

2025540

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

The Florida Senate  
**APPEARANCE RECORD**

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

SB 540

Bill Number or Topic

Amendment Barcode (if applicable)

Name Melisa Hartsell Phone \_\_\_\_\_

Address Evin B. Hartsell Foundation Inc. Email \_\_\_\_\_  
*Street*

*City* \_\_\_\_\_ *State* \_\_\_\_\_ *Zip* \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information **OR** Waive Speaking: ☐ In Support ☐ Against

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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.)

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

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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.	Brick	Bouck	ED	<b>Fav/CS</b>
2.			AHE	
3.			FP	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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.<sup>1</sup> These programs may serve secondary students

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<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

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.<sup>4</sup>

In both 2023<sup>5</sup> and 2024,<sup>6</sup> 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.<sup>7</sup>

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:<sup>8</sup>

- 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

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

<sup>2</sup> Section 1011.801, F.S.

<sup>3</sup> Section 1011.801(1), F.S.

<sup>4</sup> Section 1011.801(2), F.S.

<sup>5</sup> Section 51, ch. 2023-81, L.O.F.

<sup>6</sup> Specific Appropriation 120, s. 2, ch. 2024-231, L.O.F.

<sup>7</sup> Section 1011.803(1), F.S.

<sup>8</sup> 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.<sup>9</sup>

Two school districts do not meet the three-program requirement because they only operate two qualifying programs under the Money-back Guarantee Program.<sup>10</sup> 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.<sup>11</sup>

### **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.<sup>12</sup> 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.<sup>13</sup>

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.<sup>14</sup>

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.<sup>15</sup>

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.<sup>16</sup> 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.<sup>17</sup>

### **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.

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<sup>9</sup> Section 1011.803(4), F.S.

<sup>10</sup> 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.

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

<sup>12</sup> Section 443.091(1)(d), F.S.

<sup>13</sup> Section 443.091(1)(d), F.S.

<sup>14</sup> Section 443.091(1)(d), F.S.

<sup>15</sup> Section 443.091(1)(d), F.S.

<sup>16</sup> Section 443.091(1)(d)6., F.S.

<sup>17</sup> 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.



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LEGISLATIVE ACTION

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

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

1011.801 Workforce Development Capitalization Incentive  
Grant Program.—The Legislature recognizes that the need for  
school districts, charter schools, and Florida College System  
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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Section 2. Subsections (2) and (4) of section 1011.803, Florida Statutes, are amended to read:

1011.803 Money-back Guarantee Program.—

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

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

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

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

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

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

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



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

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

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

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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1 A bill to be entitled  
 2 An act relating to workforce development; amending s.  
 3 1011.801, F.S.; providing that the Workforce  
 4 Development Capitalization Incentive Grant Program  
 5 includes charter schools; amending s. 1011.803, F.S.;  
 6 revising the number of workforce education programs  
 7 that each school district and Florida College System  
 8 institution must offer a money-back guarantee on;  
 9 providing an effective date.  
 10  
 11 Be It Enacted by the Legislature of the State of Florida:  
 12  
 13 Section 1. Section 1011.801, Florida Statutes, is amended  
 14 to read:  
 15 1011.801 Workforce Development Capitalization Incentive  
 16 Grant Program.—The Legislature recognizes that the need for  
 17 school districts and Florida College System institutions to be  
 18 able to respond to emerging local or statewide economic  
 19 development needs is critical to the workforce development  
 20 system. The Workforce Development Capitalization Incentive Grant  
 21 Program is created to provide grants to school districts, charter schools, and Florida College System institutions to fund  
 22 some or all of the costs associated with the creation or  
 23 expansion of career and technical education programs that lead  
 24 to industry certifications included on the CAPE Industry  
 25 Certification Funding List. The programs may serve secondary  
 26 students or postsecondary students if the postsecondary career  
 27 and technical education program also serves secondary students.  
 28  
 29 (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.  
 39 (2) The Department of Education shall administer the  
 40 program. The State Board of Education may adopt rules for  
 41 program administration. The State Board of Education shall  
 42 consider the statewide geographic dispersion of grant funds in  
 43 ranking the applications and shall give priority to applications  
 44 from education agencies that are making maximum use of their  
 45 workforce development funding by offering high-performing, high-  
 46 demand programs.  
 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

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3/31/22

Meeting Date

SB 742

Bill Number or Topic

PreK-12 Ed

Committee

Amendment Barcode (if applicable)

Name

Shan Goff

Phone

820-544-6128

Address

215 S Monroe Street

Street

Email

Shan@excelined.org

Tul

City

FL

State

32201

Zip

Speaking: ☐ For ☐ Against ☐ Information

OR

Waive Speaking: ☒ In Support ☐ Against

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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

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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.	Sabitsch	Bouck	ED	<b>Fav/CS</b>
2.			AED	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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.<sup>1</sup> 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.<sup>2</sup> Charter school governing board members are provided with requirements regarding standards of conduct and financial disclosure.<sup>3</sup>

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.<sup>4</sup>

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.<sup>5</sup>

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.<sup>6</sup> 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.<sup>7</sup> Charter schools

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

<sup>2</sup> Section 1002.33(16), F.S.

<sup>3</sup> Section 1002.33(26), F.S.

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

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

<sup>6</sup> Section 1002.33(12)(g), F.S.

<sup>7</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (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:<sup>8</sup>

- 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:<sup>9</sup>

- 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.<sup>10</sup>

A charter school may be sponsored by any of the following:<sup>11</sup>

- 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.<sup>12</sup> 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.

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<sup>8</sup> Section 1002.33(10)(d), F.S.

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

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

<sup>11</sup> Section 1002.33(5), F.S.

<sup>12</sup> 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.<sup>13</sup>

Charter school sponsors are also subject to additional provisions, specifically the sponsor:<sup>14</sup>

- 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.<sup>15</sup> 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.

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<sup>13</sup> Section 1002.33(5)(b), F.S.

<sup>14</sup> *Id.*

<sup>15</sup> 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.<sup>16</sup>

### High Performing Charter Schools

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

- 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

<sup>16</sup> Section 1002.33(7), F.S.

<sup>17</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (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 law<sup>18</sup> 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.”<sup>19</sup>

High performance charter schools are allowed additional considerations that include:<sup>20</sup>

- 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.<sup>21</sup> 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:<sup>22</sup>

- 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.

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<sup>18</sup> Section 208.503, F.S.

<sup>19</sup> *Id.*

<sup>20</sup> Section 1002.331(2), F.S.

<sup>21</sup> Section 1006.07(2), F.S.

<sup>22</sup> 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.<sup>23</sup>

### **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.

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<sup>23</sup> 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.





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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2025	.	
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The Committee on Education Pre-K - 12 (Rodriguez) recommended the following:

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

Delete lines 197 - 864

and insert:

(9) CHARTER SCHOOL REQUIREMENTS.—

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



327032

conduct must align with the mission of the charter school. The sponsor may review the code and offer recommendations. Any complaint or appeal related to the code of student conduct must 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.

(10) ELIGIBLE STUDENTS.—

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

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

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

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

4. Students who are the children of:

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

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

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



327032

provider that has a written agreement with the governing board.

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

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

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

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

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

(16) EXEMPTION FROM STATUTES.—

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



327032

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.
2. Chapter 119, relating to public records.
3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.
4. Section 1012.22(1)(c), relating to compensation and salary schedules.
5. Section 1012.33(5), relating to workforce reductions.
6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.
7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.
8. Section 1006.12, relating to safe-school officers.
9. Section 1006.07(7), relating to threat management teams.
10. Section 1006.07(9), relating to School Environmental Safety Incident Reporting.
11. Section 1006.07(10), relating to reporting of involuntary examinations.
12. Section 1006.1493, relating to the Florida Safe Schools Assessment Tool.
13. Section 1006.07(6)(d), relating to adopting an active assailant response plan.
14. Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.
15. Section 1012.584, relating to youth mental health awareness and assistance training.
16. Section 1001.42(4)(f)2., relating to middle school and



327032

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

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

(18) FACILITIES.—

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

(20) SERVICES.—

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



327032

under the National School Lunch Program, and that the charter school is paid at the same time and in the same manner under the National School Lunch Program as other public schools serviced by the sponsor or the school district; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to the sponsor's student information systems that are used by public schools in the district in which the charter school is located or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district. Access to the sponsor's student information system must be provided to the charter school and its contractor, unless prohibited by general or federal law. Student performance data for each student in a charter school, including, but not limited to, statewide FCAT scores, standardized test scores, coordinated screening and progress monitoring student results, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district or by schools in the sponsor's portfolio of charter schools if the sponsor is not a school district. The department shall provide student performance data to a charter school and its contractor, unless prohibited by general or federal law.

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

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



327032

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

a. Up to 5 percent for:

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

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

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

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

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

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

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

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

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

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

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



327032

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

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

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

(26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

(d) 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 pursuant to paragraph (15)(c).

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

1002.331 High-performing charter schools.—

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

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





327032

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

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

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

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

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

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

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



327032

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

=====  
And the directory clause is amended as follows:

Delete lines 48 - 53

and insert:

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

=====  
And the title is amended as follows:

Delete lines 4 - 43

and insert:

for charter schools; authorizing a charter school



327032

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

By Senator Rodriguez

40-00853A-25

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1 A bill to be entitled  
 2 An act relating to education; amending s. 1002.33,  
 3 F.S.; providing requirements for specified deadlines  
 4 for charter schools; prohibiting a sponsor from  
 5 imposing certain limitations on charter school  
 6 enrollment; authorizing a charter school to increase  
 7 its enrollment capacity under certain circumstances;  
 8 providing requirements for such charter school's  
 9 facilities; authorizing a charter school to assign its  
 10 charter to another governing board under certain  
 11 circumstances; providing requirements for such  
 12 assignment; authorizing charter school governing  
 13 boards to adopt their own codes of student conduct;  
 14 providing requirements for such codes; providing  
 15 requirements for the resolution of complaints or  
 16 appeals relating to such codes; revising the criteria  
 17 for a charter school to give enrollment preferences or  
 18 limit the enrollment process to certain students;  
 19 revising provisions relating to the background  
 20 screenings of charter school employees and governing  
 21 board members; requiring charter schools to be in  
 22 compliance with specified provisions relating to  
 23 student welfare; revising which facilities and land  
 24 are exempt from specified ad valorem taxes; providing  
 25 sponsor and Department of Education requirements for  
 26 the sharing of specified data with charter schools,  
 27 including educational service providers; providing  
 28 that certain provisions only apply to certain  
 29 relationships and transactions with for-profit

Page 1 of 30

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

40-00853A-25

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30 businesses; prohibiting certain persons from serving  
 31 as members of a charter school governing board;  
 32 providing an exception; amending s. 1002.331, F.S.;  
 33 authorizing high-performing charter schools to assume  
 34 the charters of certain charter schools; amending s.  
 35 1013.28, F.S.; providing legislative intent; requiring  
 36 school districts to take specified actions before the  
 37 disposal of real property; providing that charter  
 38 schools within a school district have a right of first  
 39 refusal for such real property; providing school  
 40 district requirements before the finalization of any  
 41 disposal of real property; prohibiting school  
 42 districts from such disposal before meeting certain  
 43 requirements; providing an effective date.  
 44

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

46  
 47 Section 1. Paragraphs (b) and (c) of subsection (5),  
 48 subsection (7), paragraph (d) of subsection (10), paragraph (g)  
 49 of subsection (12), paragraphs (b) and (c) of subsection (16),  
 50 paragraph (c) of subsection (18), paragraph (a) of subsection  
 51 (20), and paragraph (a) of subsection (26) of section 1002.33,  
 52 Florida Statutes, are amended, and paragraph (s) is added to  
 53 subsection (9) and paragraph (d) is added to subsection (26) of  
 54 that section, to read:  
 55 1002.33 Charter schools.—  
 56 (5) SPONSOR; DUTIES.—  
 57 (b) Sponsor duties.—  
 58 1.a. The sponsor shall monitor and review the charter

Page 2 of 30

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

40-00853A-25

2025822

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

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

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

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

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

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

g. The sponsor 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

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governing body of the charter school.

h. The sponsor 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.

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

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

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

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

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

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

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

(C) The date each final contract was executed.

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

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2025822

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

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

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

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

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

40-00853A-25

2025822

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

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

40-00853A-25

2025822

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

(c) *Sponsor accountability.*—

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

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

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

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

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

2. The department shall compile the results by sponsor and include the results in the report required under sub-sub-paragraph (b)1.1.(III) ~~(b)1.k.(III)~~.

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

40-00853A-25

2025822

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

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

1. 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, and the ages and grades to be included.

2. 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 which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

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

40-00853A-25

2025822

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

Page 9 of 30

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40-00853A-25

2025822

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

Page 10 of 30

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40-00853A-25

2025822

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

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

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

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

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

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

40-00853A-25

2025822

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

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

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

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

40-00853A-25

2025822

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

40-00853A-25

2025822

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

40-00853A-25

2025822

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

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

40-00853A-25

2025822

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

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

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

40-00853A-25

2025822

subsection (8).

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

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

Page 17 of 30

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40-00853A-25

2025822

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

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

(9) CHARTER SCHOOL REQUIREMENTS.—

(s) A charter school governing board may adopt its own code of student conduct. The code of student conduct must meet or exceed the minimum standards set forth in the sponsor's code of student conduct. Any provision of the code of student conduct which is more stringent than the sponsor's code of student conduct must align with the mission of the charter school. The sponsor may review the code and offer recommendations. Any complaint or appeal related to the code of student conduct must 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.

(10) ELIGIBLE STUDENTS.—

Page 18 of 30

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40-00853A-25

2025822

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

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

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

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

4. Students who are the children of:

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

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

5. Students who have successfully completed, during the previous year, a ~~voluntary~~ prekindergarten education program under s. 402.3025 or ss. 1002.51-1002.79 provided by the charter school, the charter school's governing board, or a ~~voluntary~~ prekindergarten provider that has a written agreement with the governing board.

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

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

8. Students who are the children of a safe-school officer,

40-00853A-25

2025822

as defined in s. 1006.12, at the school.

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

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(g)1. A charter school shall employ or contract with employees and governing board members who have undergone background screening as provided in s. 1012.32. Such background screening must have been conducted through the sponsor or through fingerprinting at a Department of Law Enforcement-approved provider. The sponsor must accept fingerprints taken by a provider approved by the Department of Law Enforcement. Employees and members of a governing board who serve in more than one county have the option to undergo fingerprinting through the Department of Law Enforcement at the charter school's expense. Members of the governing board of the charter school shall also undergo background screening in a manner similar to that provided in s. 1012.32. An individual may not be employed as an employee or contract personnel of a charter school or serve as a member of a charter school governing board if the individual is on the disqualification list maintained by the department pursuant to s. 1001.10(4)(b).

2. A charter school shall prohibit educational support

40-00853A-25

2025822

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

40-00853A-25

2025822

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

40-00853A-25

2025822

salary schedules.

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

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

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

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

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

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

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

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

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

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

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

16. Section 1001.42(4)(f)2., relating to middle school and high school start times. A charter school-in-the-workplace is exempt from this requirement.

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

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

1. The duties assigned to a district school superintendent apply to charter school administrative personnel, as defined in s. 1012.01(3)(a) and (b), and the charter school governing board

40-00853A-25

2025822

shall designate at least one administrative person to be responsible for such duties.

2. The duties assigned to a district school board apply to a charter school governing board.

3. A charter school may hire instructional personnel and other employees on an at-will basis.

4. Notwithstanding any provision to the contrary, instructional personnel and other employees on contract may be suspended or dismissed any time during the term of the contract without cause.

(18) FACILITIES.—

(c) Any facility, or portion thereof, used to house a charter school whose charter has been approved by the sponsor and the governing board, pursuant to subsection (7), is exempt from ad valorem taxes pursuant to s. 196.1983. Any facility or land owned by a library, community service, museum, performing arts, theater, cinema, or church facility; any facility or land owned by a Florida College System institution or university; any similar public institutional facilities or land; and any facility recently used to house a school or child care facility licensed under s. 402.305 may provide space to charter schools within their facilities or their land under their preexisting zoning and land use designations without obtaining a special exception, rezoning, or a land use change.

(20) SERVICES.—

(a)1. A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education

40-00853A-25

2025822

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

Page 25 of 30

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40-00853A-25

2025822

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.

Page 26 of 30

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



40-00853A-25

2025822

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

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

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

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

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

(26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

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

40-00853A-25

2025822

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

(d) 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 pursuant to paragraph (15)(c).

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

1002.331 High-performing charter schools.—

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

(a) Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may not exceed the capacity of the facility at the time the enrollment increase will take effect. Facility capacity for purposes of expansion must ~~shall~~ include any improvements to an existing facility or any new facility in which the students of the high-performing charter school will enroll.

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

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

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

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

40-00853A-25

2025822

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

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

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

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

40-00853A-25

2025822

read:

1013.28 Disposal of property.—

(1) REAL PROPERTY.—

(b)1. It is the intent of the Legislature to prioritize the continued use of real property for public education purposes in alignment with the state's goal of supporting and expanding educational opportunities.

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

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

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

The Florida Senate  
**APPEARANCE RECORD**

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

3.31.25

Meeting Date

Prek-12

Committee

822

Bill Number or Topic

327032

Amendment Barcode (if applicable)

Name Andreina Figueroa

Phone 786.586.7001

Address 8700 SW 150th Ter  
Street

Email ADFEADFCconsulting.com

Palmetto Bay  
City

FL  
State

33176  
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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

3/3/25  
Meeting Date

SB 822  
Bill Number or Topic

PreK-12 Ed  
Committee

Amendment Barcode (if applicable)

Name Shan Goff

Phone 850-544-6138

Address 215 S. Monroe St  
Street

Email shan@excelined

Tall  
City

FL  
State

32201  
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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3/31/2025

Meeting Date

Education

Committee

SB822

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Ken Kniepman (K-neep-man)

Phone

850-345-7062

Address

2655 Bending Way

Street

Email

ken@cardinalconsultingse.com

Tallahassee FL 32308

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 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)



**APPEARANCE RECORD**

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

MARCH 31, 2025

Meeting Date

Education Pre-K-12

Committee

822

Bill Number or Topic

Amendment Barcode (if applicable)

Name Amanda Stewart

Phone (813) 345-4104

Address 21748 SE 54, Suite 101

Street

Email amanda@johnstonsstewart.com

Lutz

City

FL

State

33549

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 Consortium 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

3/31/25  
Meeting Date  
Prek-12  
Committee

822  
Bill Number or Topic

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

Name Andreina Figueroa Phone 786-586-7001

Address 8700 SW 150th ST Email ADFE ADFConsulting.com  
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. [2020-2022 Joint Rules.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.)

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

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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	<b>Fav/CS</b>
2.			CF	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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).<sup>1</sup> 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.<sup>2</sup>

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<sup>1</sup> Section 491.004, F.S.

<sup>2</sup> 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 intern<sup>3</sup>, licensed clinical social worker by examination<sup>4</sup>, and certified master social worker<sup>5</sup>. 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.<sup>6</sup> 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.<sup>7</sup> 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.”<sup>8</sup>

The DOE issues three main types of educator certificates:

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

---

<sup>3</sup> 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).

<sup>4</sup> 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).

<sup>5</sup> 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).

<sup>6</sup> Sections 1012.55(1) and 1002.33(12)(f), F.S.

<sup>7</sup> 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.

<sup>8</sup> Section 1012.54, F.S.; see Rule 6A-4.001(1), F.A.C.

<sup>9</sup> Rule 6A-4.004(5), F.A.C.

<sup>10</sup> 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.

<sup>11</sup> Rule 6A-4.004(1)(a)2., F.A.C.

<sup>12</sup> 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.

<sup>13</sup> Section 1012.55(2)(a), F.S.

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

### ***Professional Certificate Requirements***

To be eligible for a professional certificate, a person must:<sup>16</sup>

- 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 learning<sup>17</sup> or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor's or higher degree;<sup>18</sup>
- 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;<sup>19</sup>
- Demonstrate mastery of subject area knowledge;<sup>20</sup> and
- Demonstrate mastery of professional preparation and education competence, if the person serves as a classroom teacher or school administrator.<sup>21</sup>

### ***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;<sup>22</sup>
- Achieving passing scores established in SBE rule on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and

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

<sup>15</sup> See Rule 6A-4.0282, F.A.C.

<sup>16</sup> Section 1012.56(2)(a)-(i), F.S.

<sup>17</sup> 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).

<sup>18</sup> 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.

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

<sup>20</sup> Section 1012.56(2)(h) and (5), F.S.

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

<sup>22</sup> 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 (27<sup>th</sup> ed., 2022), <https://www.fldoe.org/core/fileparse.php/7479/urlt/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);<sup>23</sup>

- providing documentation of a valid professional standard teaching certificate issued by another U.S. state or territory,<sup>24</sup> by the National Board for Professional Teaching Standards (NBPTS),<sup>25</sup> or by the American Board for Certification of Teacher Excellence (ABCTE);<sup>26</sup>
- 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;<sup>27</sup> 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.<sup>28</sup>

### ***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 rule<sup>29</sup> 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.<sup>30</sup>
  - 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 Languages<sup>31</sup> or successful completion of a United

<sup>23</sup> 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.

<sup>24</sup> 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.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited March 26, 2025).

<sup>25</sup> 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).

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

<sup>27</sup> 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).

<sup>28</sup> Section 1012.56(3)(f), F.S.

<sup>29</sup> 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](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 (27<sup>th</sup> ed., 2022), available at <https://www.fldoe.org/core/fileparse.php/7479/urlt/FTCE27thEdition22Rule.pdf>; *see also* Rule 6A-4.0021(9), F.A.C. (scoring of subject area tests).

<sup>30</sup> Section 1012.56(5)(i), F.S.

<sup>31</sup> 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.<sup>32</sup>
- 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 rule<sup>33</sup> 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.<sup>34</sup>
  - 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.<sup>35</sup>
  - 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.<sup>36</sup>

### ***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:<sup>37</sup>

- 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.

<sup>32</sup> Section 1012.56(5)(g)-(h), F.S.

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

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

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

<sup>36</sup> 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.fldoe.org/teaching/certification/pathways-routes/nbpts-certificate-subjects-correspondi.stml> (last visited March 26, 2025).

<sup>37</sup> 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.<sup>38</sup> 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:<sup>39</sup>

- 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.<sup>40</sup>

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

### ***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.<sup>44</sup>

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

<sup>38</sup> See Rule 6A-4.0021, F.A.C.

<sup>39</sup> Rule 6A-4.0021(4)(b), F.A.C.

<sup>40</sup> Rule 6A-4.0021(4)(b)-(e), F.A.C.

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

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

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

<sup>44</sup> Rule 6A-4.004(9)(a), F.S.

<sup>45</sup> 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 coverage<sup>46</sup> or endorsement<sup>47</sup> indicating advanced education or experience in a particular subject, area, or field.<sup>48</sup> 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 and 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.<sup>49</sup>

### ***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 programs<sup>50</sup> must undergo a fingerprint based background screening before being permitted access to school grounds.<sup>51</sup> The individuals who must undergo background screening fall under three personnel classifications: instructional and noninstructional personnel;<sup>52</sup> noninstructional school district employees and contracted personnel;<sup>53</sup> and noninstructional contractors.<sup>54</sup> Candidates for educator certification must also undergo background screening.<sup>55</sup>

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.<sup>56</sup> 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

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<sup>46</sup> 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."

<sup>47</sup> 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.

<sup>48</sup> Rule 6A-4.002(1)(e)-(f), F.A.C.

<sup>49</sup> Rule 6A-4.035, F.A.C.

<sup>50</sup> The background screenings conducted by such private schools are conducted through the VECHS.

<sup>51</sup> Sections 1002.421, 1012.32(2), 1012.465(2), and 1012.467(2)(a), F.S.

<sup>52</sup> 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.

<sup>53</sup> 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.

<sup>54</sup> 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.

<sup>55</sup> Sections 1012.315, 1012.32(2), and 1012.56, F.S.

<sup>56</sup> 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.<sup>57</sup>

### **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.

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<sup>57</sup> 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.





641302

LEGISLATIVE ACTION

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

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

**Senate Amendment (with title amendment)**

Delete lines 15 - 16  
and insert:  
shall be exempt from the educator certification requirements in s. 1012.56(2)(g) and (h).

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

And the title is amended as follows:

Delete lines 4 - 5



641302

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

By Senator Calatayud

38-01384-25

20251150\_\_

1                           A bill to be entitled  
2       An act relating to school social workers; amending s.  
3       1012.55, F.S.; providing that persons employed as  
4       school social workers are exempt from teacher  
5       certification requirements; providing an exception;  
6       providing an effective date.  
7  
8   Be It Enacted by the Legislature of the State of Florida:  
9  
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.

**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.)

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

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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. Jahnke	Bouck	ED	<b>Favorable</b>
2.		CF	
3.		RC	

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## **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,<sup>1</sup> 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.<sup>2</sup>

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<sup>1</sup> Ch. 2023-36, Laws of Fla.

<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup>

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.<sup>6</sup>

Teachers have the authority to manage student behavior and establish rules of conduct within their classrooms.<sup>7</sup> 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.<sup>8</sup>

## **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:

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<sup>3</sup> Section 1003.02(1), F.S.

<sup>4</sup> Section 1006.07(2), F.S.

<sup>5</sup> Section 1006.07(2)(f), F.S.

<sup>6</sup> Section 1006.09(1), F.S.

<sup>7</sup> Section 1003.32(1)(a), F.S.

<sup>8</sup> 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.

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

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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

Page 1 of 3

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

23-01525A-25

20251296\_\_

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.

Page 2 of 3

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



23-01525A-25

20251296\_\_

59

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

**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.)

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

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BILL: SB 1590

INTRODUCER: Senator Burgess

SUBJECT: Educator Preparation

DATE: March 28, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	<b>Favorable</b>
2.			AED	
3.			FP	

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## **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.<sup>1</sup> State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school

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<sup>1</sup> 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.<sup>2</sup>

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

- Initial Teacher Preparation programs in public and private colleges and universities requiring candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Program completers qualify for a professional educator certificate.<sup>4</sup>
- 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.<sup>5</sup> In addition to completing the district program, candidates must demonstrate mastery of general knowledge<sup>6</sup> and subject area knowledge.<sup>7</sup>

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,<sup>8</sup> 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.<sup>9</sup>

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<sup>2</sup> See Florida Department of Education, *Florida's Coordinated System of Professional Learning*, <https://www.fldoe.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.

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

<sup>4</sup> Rule 6A-5.066(1)(r), F.A.C.

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

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

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

<sup>8</sup> Section 1000.05, F.S.

<sup>9</sup> 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.<sup>10</sup>

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

- Candidate instruction and assessment in the Florida Educator Accomplished Practices (FEAP)<sup>12</sup> across content areas;
- The use of state-adopted content standards to guide curricula and instruction;<sup>13</sup>
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students;<sup>14</sup>
- 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.<sup>15</sup>

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<sup>10</sup> Section 1004.04(2)(c), F.S.

<sup>11</sup> Section 1004.04(2)(b)1.-10., F.S.

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

<sup>13</sup> 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.

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

<sup>15</sup> 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:<sup>16</sup>

- 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.<sup>17</sup>

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:<sup>18</sup>

- 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.

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<sup>16</sup> Section 1004.85(2)(a), F.S.

<sup>17</sup> Section 1004.85(2)(b), F.S.

<sup>18</sup> 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:<sup>19</sup>

- 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:<sup>20</sup>

- 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.<sup>21</sup> The standards for the teacher mentorship and induction component must include:<sup>22</sup>

- Program administration and evaluation;

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<sup>19</sup> Section 1004.04(5)(b)1., F.S.

<sup>20</sup> Section 1012.56(8)(a)1.-7., F.S.

<sup>21</sup> See Rule 6A-5.066, F.A.C.

<sup>22</sup> 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.<sup>23</sup>

### **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.<sup>24</sup> 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.<sup>25</sup> 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.”<sup>26</sup>

The DOE issues three main types of educator certificates:

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

<sup>23</sup> Section 1012.56(8)(a)2.a., F.S.

<sup>24</sup> Sections 1012.55(1) and 1002.33(12)(f), F.S.

<sup>25</sup> 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.

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

<sup>27</sup> Rule 6A-4.004(5), F.A.C.

<sup>28</sup> 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.

<sup>29</sup> Rule 6A-4.004(1)(a)2., F.A.C.

<sup>30</sup> 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.<sup>31</sup> 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.<sup>32</sup> The five-year certificate requires satisfaction of certain specialization requirements established in rule.<sup>33</sup>

### **Professional Certificate Requirements**

To be eligible for a professional certificate, a person must:<sup>34</sup>

- 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 learning<sup>35</sup> or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor's or higher degree;<sup>36</sup>
- 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;<sup>37</sup>
- Demonstrate mastery of subject area knowledge;<sup>38</sup> and
- Demonstrate mastery of professional preparation and education competence, if the person serves as a classroom teacher or school administrator.<sup>39</sup>

### **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;<sup>40</sup>

<sup>31</sup> Section 1012.55(2)(a), F.S.

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

<sup>33</sup> See Rule 6A-4.0282, F.A.C.

<sup>34</sup> Section 1012.56(2)(a)-(i), F.S.

<sup>35</sup> 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).

<sup>36</sup> 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.

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

<sup>38</sup> Section 1012.56(2)(h) and (5), F.S.

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

<sup>40</sup> 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 (27<sup>th</sup> ed., 2022), available at <https://www.fldoe.org/core/fileparse.php/7479/urlt/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);<sup>41</sup>
- Providing documentation of a valid professional standard teaching certificate issued by another U.S. state or territory,<sup>42</sup> by the National Board for Professional Teaching Standards (NBPTS),<sup>43</sup> or by the American Board for Certification of Teacher Excellence (ABCTE);<sup>44</sup>
- 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;<sup>45</sup> 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.<sup>46</sup>

### **Demonstrating Mastery of Subject Area Knowledge**

Mastery of subject area knowledge may be demonstrated through any of the following methods:<sup>47</sup>

- 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 rule<sup>48</sup> 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.<sup>49</sup>
  - 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

<sup>41</sup> 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.

<sup>42</sup> 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.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Mar. 27, 2025).

<sup>43</sup> 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).

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

<sup>45</sup> 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).

<sup>46</sup> Section 1012.56(3)(f), F.S.

<sup>47</sup> Section 1012.56(5), F.S.

<sup>48</sup> 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](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 (27<sup>th</sup> ed., 2022), available at <https://www.fldoe.org/core/fileparse.php/7479/urlt/FTCE27thEdition22Rule.pdf>; *see also* Rule 6A-4.0021(9), F.A.C. (scoring of subject area tests).

<sup>49</sup> Section 1012.56(5)(i), F.S.

- Council on the Teaching of Foreign Languages<sup>50</sup> or successful completion of a United States Defense Language Institute Foreign Language Center program or a passing score on the Defense Language Proficiency Test.<sup>51</sup>
- 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 rule<sup>52</sup> 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.<sup>53</sup>
  - 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.<sup>54</sup>
  - 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.<sup>55</sup>

### **Demonstrating Mastery of Professional Preparation and Education Competence**

Mastery of professional preparation and education competence may be demonstrated by:<sup>56</sup>

- 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;

<sup>50</sup> 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).

<sup>51</sup> Section 1012.56(5)(g)-(h), F.S.

<sup>52</sup> *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.fldoe.org/teaching/certification/certificate-subjects/> (last visited Mar. 27, 2025).

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

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

<sup>55</sup> 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.fldoe.org/teaching/certification/pathways-routes/nbpts-certificate-subjects-correspondi.stml> (last visited Mar. 27, 2025).

<sup>56</sup> 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.<sup>57</sup>

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.<sup>58</sup>

### **Teacher Apprenticeship Program**

In 2023, the Legislature created the Teacher Apprenticeship Program (TAP).<sup>59</sup> 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 training<sup>60</sup> provided for in law.

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

- 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 law<sup>62</sup>

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<sup>57</sup> Section 1012.56(9)(a), F.S.

<sup>58</sup> Section 1012.56(9)(b), F.S.

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

<sup>60</sup> 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.

<sup>61</sup> Section 1012.555(2)(a)1.-4., F.S.

<sup>62</sup> "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.<sup>63</sup>

A teacher who serves as a mentor in the TAP must:<sup>64</sup>

- 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:<sup>65</sup>

- 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.<sup>66</sup> The system must be initially reviewed and approved by the DOE and subsequently reviewed and approved every five years thereafter.<sup>67</sup> Among other things, the professional learning system must:<sup>68</sup>

- 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

<sup>63</sup> Section 1012.555(2)(c) and (d), F.S.

<sup>64</sup> Section 1012.555(3), F.S.

<sup>65</sup> Section 1012.56(7)(e), F.S.

<sup>66</sup> Section 1012.98(5)(b), F.S.

<sup>67</sup> Section 1012.98(5)(b)1., F.S.

<sup>68</sup> 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.<sup>69</sup>

### **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.

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<sup>69</sup> 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.

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

23-01562A-25

20251590\_\_

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.



23-01562A-25

20251590\_\_

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.)

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

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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	<b>Fav/CS</b>
2.	Brick	Bouck	ED	<b>Pre-meeting</b>
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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*.<sup>1</sup> 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.”<sup>2</sup>

The court recognized precedent that local school boards have broad discretion in the management of school affairs.<sup>3</sup> 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.<sup>4</sup> 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.’<sup>5</sup>

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.<sup>6</sup> 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.<sup>7</sup>

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.<sup>8</sup>

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

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<sup>1</sup> *Board of Educ., Island trees Union free School District No. 26 et al., v. Pico*, 102 S. Ct. 2799 (1982).

<sup>2</sup> *Id.* at 2803.

<sup>3</sup> *Id.* at 2806.

<sup>4</sup> *Id.* at 2807.

<sup>5</sup> *Id.* at 2810.

<sup>6</sup> Ch. No. 2023-105, L.O.F.

<sup>7</sup> *Peter Parnell, et al, v. School Board of Nassau County, Florida*, Case: 3:24-cv-00492-WWB-MCR. (Complaint for Declaratory and Injunctive Relief).

<sup>8</sup> *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.<sup>9</sup>

### ***Background***

Freedom of speech is guaranteed to citizens in the United States Constitution and the State Constitution.<sup>10</sup> As a foundational principle, this prohibits the government from dictating what people “see or read or speak or hear.”<sup>11</sup> 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.<sup>12</sup>

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.<sup>13</sup> 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.’”<sup>14</sup> 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.<sup>15</sup> The U.S. Supreme Court’s standard for determining what material is obscene has evolved over the years.<sup>16</sup>

In 1973, the U.S. Supreme Court developed a three-prong test in *Miller v. California*,<sup>17</sup> 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

<sup>9</sup> *Peter Parnell, et al, v. School Board of Nassau County, Florida*, Case: 3:24-cv-00492-WWB-MCR. (Complaint for Declaratory and Injunctive Relief).

<sup>10</sup> 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.

<sup>11</sup> *Ashcroft v. Free Speech Coalition*, 535 U.S. 234, 245 (2002).

<sup>12</sup> *Id.*

<sup>13</sup> *Simon & Schuster, Inc. v. Members of New York State Crime Victims Bd.*, 502 U.S. 105, 118 (1991).

<sup>14</sup> *Ashcroft*, 245, quoting *Sable Communications of Cal., Inc. v. FCC*, 492 U.S. 115, 126 (1989).

<sup>15</sup> *Roth v. U.S.*, S. Ct. 1304 (1957).

<sup>16</sup> See *Roth v. U.S.*, S. Ct. 1304 (1957); *A book named ‘John Cleland’s Memoirs of a Woman of Pleasure,’ et al., v. Attorney General of the Commonwealth of Massachusetts*, 86 S. Ct. 975 (1965); *Miller v. California*, 413 U.S. 15 (1973).

<sup>17</sup> *Miller v. California*, 413 U.S. 15 (1973).

- The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.<sup>18</sup>

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.<sup>19</sup>

### ***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.<sup>20</sup> 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.<sup>21</sup>

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.”<sup>22</sup>

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.”<sup>23</sup> 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.<sup>24</sup>

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.”<sup>25</sup> The court found that the statutes were overbroad and reached far more material than hardcore pornography or material that is obscene to minors.

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<sup>18</sup> *Miller v. California*, 413 U.S. 15 (1973), at 24.

<sup>19</sup> *Id.* at 33-34.

<sup>20</sup> *Ginsberg v. New York*, 88 S. Ct. 1274 (1968).

<sup>21</sup> *Id.* at 1282

<sup>22</sup> *Simmons v. State*, 944 So. 2d 317 (Fla. 2006). See also *Ashcroft v. Free Speech Coal.*, 535 U.S. 234, 244-45 (2002).

<sup>23</sup> See *Powell’s Books, Inc. v. Kroger*, 622 F. 3d 1202 (2010).

<sup>24</sup> *Powell’s Books, Inc. v. Kroger*, 622 F. 3d 1202, 1206-07 (2010).

<sup>25</sup> *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.<sup>26</sup>

### ***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 excitement<sup>27</sup> 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.<sup>28</sup>
- 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.<sup>29,30</sup>

<sup>26</sup> *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)).

<sup>27</sup> 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.

<sup>28</sup> Section 847.0138(2), F.S.

<sup>29</sup> Section 847.0138(3), F.S.

<sup>30</sup> 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.<sup>31</sup>

### **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.<sup>32</sup> K-12 students and their parents are afforded numerous statutory rights pertaining to student education, including reproductive health and disease education.<sup>33</sup>

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.<sup>34</sup>

### **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.<sup>35</sup>

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<sup>31</sup> *Simmons v. Florida*, 944 So. 2d 317 (2006).

<sup>32</sup> Section 1002.20, F.S.

<sup>33</sup> *Id.*

<sup>34</sup> Section 1003.42(5), F.S.

<sup>35</sup> 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.<sup>36</sup> 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.,<sup>37</sup> or s. 1006.40(3)(c), F.S.,<sup>38</sup> 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,<sup>39</sup> unless such material is for a course relating to health education and the instruction in acquired immune deficiency syndrome (AIDS),<sup>40</sup> the prevention of child sexual abuse, exploitation, and human trafficking,<sup>41</sup> the awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy for grades 6 through 12,<sup>42</sup> 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.<sup>43</sup> The State Board of Education is authorized to adopt rules to implement this limitation.<sup>44</sup>

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

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<sup>36</sup> Section 1006.28(2)(a)2., F.S.

<sup>37</sup> 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.

<sup>38</sup> 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.

<sup>39</sup> “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.

<sup>40</sup> Section 1003.46, F.S.

<sup>41</sup> Section 1003.42(2)(o)1.g., F.S.

<sup>42</sup> Section 1003.42(2)(o)3., F.S.

<sup>43</sup> Section 1006.28(2)(a)2., F.S.

<sup>44</sup> Section 1006.28(2)(a)2., F.S.



matter is resolved.<sup>45</sup> These grounds include materials that are pornographic or otherwise prohibited under s. 847.012, F.S., or that depict or describe sexual conduct.<sup>46</sup>

In addition, parents have the right to read aloud passages from any material that is subject to an objection.<sup>47</sup> 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.<sup>48</sup>

### ***Objection Review Process***

If the district school board determines that an instructional material either fails to meet public review requirements<sup>49</sup> or any other material contains prohibited content that is obscene and harmful to minors, the district must discontinue the use of that material.<sup>50</sup> 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.<sup>51</sup>

The law provides a separate process for parents and county residents to contest the adoption of specific instructional materials.<sup>52</sup> 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.<sup>53</sup>

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.<sup>54</sup> The same requirements apply to committees formed to resolve objections to specific materials.<sup>55</sup>

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.<sup>56</sup>

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<sup>45</sup> Section 1006.28(2)(a)2.b., F.S.

<sup>46</sup> Section 1006.28(2)(a)2.b.(I)-(II), F.S.

<sup>47</sup> Section 1006.28(2)(a)2.b., F.S.

<sup>48</sup> Section 1006.28(2)(a)2.b., F.S.

<sup>49</sup> Section 1006.28(2)(a)2.a., F.S. (referencing s. 1006.283(2)(b)8., 9., and 11., F.S.).

<sup>50</sup> Section 1006.28(2)(a)2.b., F.S.

<sup>51</sup> *Id.*

<sup>52</sup> Section 1006.28(2)(a)3., F.S.

<sup>53</sup> *Id.*

<sup>54</sup> Section 1006.28(2)(a)4., F.S.

<sup>55</sup> Section 1006.28(2)(a)5., F.S.

<sup>56</sup> 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,<sup>57</sup> the prevention of child sexual abuse, exploitation, and human trafficking,<sup>58</sup> the awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy for grades 6 through 12,<sup>59</sup> 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.<sup>60</sup>

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.<sup>61</sup> 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.<sup>62</sup>

The SBE adopts the English Language Arts (ELA) Florida Standards (2023) for instruction in public schools.<sup>63</sup> 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.<sup>64</sup> 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.<sup>65</sup> For Grade 9, examples include *Animal Farm* by George Orwell and *Romeo and Juliet* by William Shakespeare.<sup>66</sup>

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<sup>57</sup> Section 1003.46, F.S.

<sup>58</sup> Section 1003.42(2)(o)1.g., F.S.

<sup>59</sup> Section 1003.42(2)(o)3., F.S.

<sup>60</sup> Section 1006.28(2)(a)2.b.(II), F.S.

<sup>61</sup> Florida Department of Education, *Healthy Schools, Comprehensive Health Education*, available at: <https://www.fldoe.org/schools/healthy-schools/comprehensive-health-edu.shtml> (last visited March 13, 2025).

<sup>62</sup> Section 1003.46, F.S.

<sup>63</sup> Rule 6A-1.09401, F.A.C.

<sup>64</sup> 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>.

<sup>65</sup> 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>.

<sup>66</sup> 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.’<sup>67</sup> 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.

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<sup>67</sup> *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.



738110

LEGISLATIVE ACTION

Senate

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. .  
. .  
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House

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

**Senate Amendment**

Delete lines 32 - 146  
and insert:  
representation, of whatever kind or form, describing or  
depicting nudity, sexual conduct, or sexual excitement as those  
terms are defined in s. 847.001 when it:  
a. Predominantly appeals to prurient, shameful, or morbid  
interest; and  
b. Is patently offensive to prevailing standards in the



738110

adult community as a whole with respect to what is suitable material or conduct for minors.

~~3.2.~~ "Instructional materials" has the same meaning as in s. 1006.29(2).

~~4.3.~~ "Library media center" means any collection of books, ebooks, periodicals, or videos maintained and accessible on the site of a school, including in classrooms.

(b) As used in this section and s. 1006.283, the term "resident" means a person who has maintained his or her residence in this state for the preceding year, has purchased a home that is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to s. 222.17.

(c) As used in this section and ss. 1006.283, 1006.32, 1006.35, 1006.37, 1006.38, 1006.40, and 1006.42, the term "purchase" includes purchase, lease, license, and acquire.

(2) DISTRICT SCHOOL BOARD.—The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with the requirements of this part. The district school board also has the following specific duties and responsibilities:

(a) *Courses of study; adoption.*—Adopt courses of study, including instructional materials, for use in the schools of the district.

1. Each district school board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school or classroom library, or included on a reading list, whether adopted and purchased from the state-adopted instructional materials list, adopted and purchased through a district instructional materials



738110

program under s. 1006.283, or otherwise purchased or made available.

2. Each district school board must adopt a policy regarding an objection by a parent or a resident of the county to the use of a specific material, which clearly describes a process to handle all objections and provides for resolution. The objection form, as prescribed by State Board of Education rule, and the district school board's process must be easy to read and understand and be easily accessible on the homepage of the school district's website. The objection form must also identify the school district point of contact and contact information for the submission of an objection. The process must provide the parent or resident the opportunity to proffer evidence to the district school board that:

a. An instructional material does not meet the criteria of s. 1006.31(2) or s. 1006.40(3)(c) 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) 8., 9., and 11.

b. Any material used in a classroom, made available in a school or classroom library, or included on a reading list contains content which:

(I) Is pornographic or harmful to minors ~~prohibited under s. 847.012;~~

(II) Depicts or describes sexual conduct as defined in s. 847.001 ~~s. 847.001(19), unless such material is for a course required by s. 1003.46 or s. 1003.42(2)(c) 1.g. or 3., or identified by State Board of Education rule;~~





738110

(III) Is not suited to students' ~~student~~ needs and their ability to comprehend the material presented; or

(IV) Is inappropriate for the grade level and age group for which the material is used.

A resident of the county who is not the parent or guardian of a student with access to school district materials may not object to more than one material per month. The State Board of Education may adopt rules to implement this provision. Any material that is subject to an objection on the basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must be removed within 5 school days after receipt of the objection and remain unavailable to students of that school until the objection is resolved. The school board may not consider potential literary, artistic, political, or scientific value as a basis for retaining the material objected to on the basis of sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II).

Parents shall have the right to read passages from any material that is subject to an objection. If the school board denies a parent the right to read passages due to content that meets the requirements under sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II), the school district must ~~shall~~ discontinue the use of the material in the school district. If the district school board finds that any material meets the requirements under sub-subparagraph a. or that any other material contains prohibited content under sub-sub-subparagraph b.(I) or sub-sub-subparagraph b.(II), the school district must ~~shall~~ discontinue use of the material. If the district school board finds that any other material contains prohibited content under sub-sub-



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subparagraph b.(III) or sub-sub-subparagraph b. (IV) ~~sub-sub-~~  
~~subparagraphs b.(II)-(IV)~~, the school district must ~~shall~~  
discontinue use of the material for any grade level or age group  
for which such use is inappropriate or unsuitable.

c. Any material that is specifically authorized as part of  
a health education course required under s. 1003.46; as part of  
comprehensive health education required under s.  
1003.42(2)(o)1.g. or 3.; or as approved, or identified as a  
sample text, through State Board of Education rule for specific  
educational purposes is not subject to the objection process  
required in this subparagraph.

d. The State Board of Education shall oversee compliance  
with the requirements of this subparagraph using its oversight  
and enforcement authority under s. 1008.32.

By the Committee on Criminal Justice; and Senator McClain

591-02558-25

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A bill to be entitled

An act relating to material that is harmful to minors; amending 1006.28, F.S.; 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; reenacting s. 1014.05(1)(c), F.S., relating to school district notifications on parental rights, to incorporate the amendment made to s. 1006.28, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (1) and paragraph (a) of subsection (2) of section 1006.28, Florida Statutes, is amended to read  
1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DEFINITIONS.—

(a) As used in this section, the term:

1. "Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction in the core subject areas of mathematics, language arts, social studies, science, reading, and literature.

591-02558-25

20251692c1

2. "Harmful to minors" means any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement when it:

a. Predominantly appeals to prurient, shameful, or morbid interest; and

b. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors.

~~3.2-~~ "Instructional materials" has the same meaning as in s. 1006.29(2).

~~4.3-~~ "Library media center" means any collection of books, ebooks, periodicals, or videos maintained and accessible on the site of a school, including in classrooms.

(b) As used in this section and s. 1006.283, the term "resident" means a person who has maintained his or her residence in this state for the preceding year, has purchased a home that is occupied by him or her as his or her residence, or has established a domicile in this state pursuant to s. 222.17.

(c) As used in this section and ss. 1006.283, 1006.32, 1006.35, 1006.37, 1006.38, 1006.40, and 1006.42, the term "purchase" includes purchase, lease, license, and acquire.

(2) DISTRICT SCHOOL BOARD.—The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with the requirements of this part. The district school board also has the following specific duties and responsibilities:

(a) *Courses of study; adoption.*—Adopt courses of study, including instructional materials, for use in the schools of the

591-02558-25

20251692c1

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

591-02558-25

20251692c1

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-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

591-02558-25

20251692c1

requirements as conditions for the continued receipt of state funds;

(III) Is not suited to student needs and their ability to comprehend the material presented; or

(IV) Is inappropriate for the grade level and age group for which the material is used.

A resident of the county who is not the parent or guardian of a student with access to school district materials may not object to more than one material per month. The State Board of Education may adopt rules to implement this provision. Any material that is subject to an objection on the basis of sub-subparagraph b.(I) or sub-sub-subparagraph b.(II) must be removed within 5 school days after receipt of the objection and remain unavailable to students of that school until the objection is resolved. Parents shall have the right to read passages from any material that is subject to an objection. If the school board denies a parent the right to read passages due to content that meets the requirements under sub-sub-subparagraph b.(I), the school district shall discontinue the use of the material in the school district. If the district school board finds that any material meets the requirements under sub-subparagraph a. or that any other material contains prohibited content under sub-sub-subparagraph b.(I), the school district shall discontinue use of the material. If the district school board finds that any other material contains prohibited content under sub-sub-subparagraphs b.(II)-(IV), the school district shall discontinue use of the material for any grade level or age group for which such use is inappropriate or

591-02558-25

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unsuitable.

3. Each district school board must establish a process by which the parent of a public school student or a resident of the county may contest the district school board's adoption of a specific instructional material. The parent or resident must file a petition, on a form provided by the school board, within 30 calendar days after the adoption of the instructional material by the school board. The school board must make the form available to the public and publish the form on the school district's website. The form must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria of s. 1006.31(2) or s. 1006.40(3)(c). Within 30 days after the 30-day period has expired, the school board must, for all petitions timely received, conduct at least one open public hearing before an unbiased and qualified hearing officer. The hearing officer may not be an employee or agent of the school district. The hearing is not subject to the provisions of chapter 120; however, the hearing must provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer. The school board's decision after convening a hearing is final and not subject to further petition or review.

4. Meetings of committees convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the district school board must be noticed and open to the public in accordance with s. 286.011. Any committees convened for such purposes must include parents of students who will have access to such materials.

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

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.

The Florida Senate  
**APPEARANCE RECORD**

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3-31-25

Meeting Date

ED Pre-K

Committee

SB 1692

Bill Number or Topic

Amendment Barcode (if applicable)

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

**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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

3-31-25

Meeting Date

SB 1692

Bill Number or Topic

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Education Committee

Committee

Amendment Barcode (if applicable)

Name

Sandra Rivera

Phone

772-713-8528

Address

355 23rd Avenue

Email

Angiebet1008@gmail.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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S-001 (08/10/2021)



The Florida Senate

# APPEARANCE RECORD

3-31-25

Meeting Date

Education Cmte. preK  
Committee

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SB1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name Lamarre Notargiacomo

Phone 772-559-1986

Address 5082 4th Lane  
Street

Email sportymom5n2@aol.com

Vero Beach  
City

FL  
State

32968  
Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☒ In Support ☐ Against

**PLEASE CHECK ONE OF THE FOLLOWING:**

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S-001 (08/10/2021)

March 31, 2025

Meeting Date

Pre K-12 Education

Committee

The Florida Senate  
**APPEARANCE RECORD**

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SB 1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name **Clay Kallman**

Phone **3522627938**

Address **317 NE 3rd Ave**

Street

Email

**Gainesville**

**FL**

**32601**

City

State

Zip

Speaking: ☐ For ☐ Against ☐ Information

**OR**

Waive Speaking: ☐ In Support ☒ Against

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representing:

☐ I am not a lobbyist, but received  
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(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. [2020-2022 Joint Rules.pdf \(flisenate.gov\)](#)*

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S-001 (08/10/2021)

The Florida Senate

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3/31/25

Meeting Date

Sen Ed PK-12

Committee

SB1692

Bill Number or Topic

738110

Amendment Barcode (if applicable)

Name Jacqueline Davison

Phone 352 870 6305

Address 1566 NW 120th Terr  
Street

Email operations@thelgnsbooks.com

Gainesville, FL  
City State

32606  
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.),  
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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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Meeting Date March 31, 2025

Committee Sen Ed Pk - 5

Bill Number or Topic SB 1692

Amendment Barcode (if applicable) 738110

Name Lauren Groff Phone 352-262-0073

Address 317 NE 3rd Ave Email \_\_\_\_\_  
Street

Gainesville FL 32601  
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.),  
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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3/31/25

Meeting Date

Education K-12

Committee

SB1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name Robert Kientz

Phone 214-679-6404

Address 3215 Cypress Mills

Street

Email robert.kientz@citizens4sunday.org

Cypress

City

TX

State

76051

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

Meeting Date

3/31/25  
Education Pre-K-12

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

Bill Number or Topic

1692

Committee

Amendment Barcode (if applicable)

Name

Anthony Verdugo

Phone

786-447-6931

Address

8567 Coral Way #522

Email

averdugo@cfelorida.net

Street

Miami

City

FL

State

33155

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

3/31/25

Meeting Date

SB 1692

Bill Number or Topic

Education Prek-12

Committee

Amendment Barcode (if applicable)

Name Daniel Diaz

Phone 877-749-1776

Address 75 S Main Street #7304

Email ddiaz@citizens4soundmoney.org

Street

Concord

City

NH

State

03301

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

## The Florida Senate

March 31, 2025

**APPEARANCE RECORD**

SB 1692

Meeting Date

PreK-12 Education

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Stephana Ferrell

Phone

Address

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)



## The Florida Senate

**APPEARANCE RECORD**

SB 1692

March 31, 2025

Meeting Date

PreK-12 Education

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

Bill Number or Topic

738110

Committee

Amendment Barcode (if applicable)

Name **Stephana Ferrell**

Phone \_\_\_\_\_

Address \_\_\_\_\_

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)

March 31, 2025

# APPEARANCE RECORD

SB 1692

Meeting Date

Pre K-12 Education

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name **Lauren Groff**

Phone **3522130075**

Address **317 NE 3rd Ave**

Email

Street

**Gainesville**

**FL**

**32601**

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3/31/25  
Meeting Date

SB1692  
Bill Number or Topic

Senate Ed PK-12  
Committee

Amendment Barcode (if applicable)

Name Jacqueline Davison Phone 352-870-6305

Address 1566 NW 12th Terr Email operations@thefloridasenate.com  
Street  
Gainesville FL 32606  
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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

3-31

Meeting Date

Criminal Justice

Committee

1692

Bill Number or Topic

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

Amendment Barcode (if applicable)

Name

Nathan Cassini

Phone

407-353-0009

Address

1606 Malcolm Point Dr

Email

Nathancassini@gmail.com

Street

Winter Garden

City

FL

State

34787

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

3/31/25

Meeting Date

Education

Committee

1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Ryan Kennedy

Phone

239-671-5733

Address

5572 Cofer Way

Email

Ryan@gnadl.com

Street

Ave Maria

FL

34142

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 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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

Meeting Date

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Phone

Address

Email

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:

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. [2020-2022 Joint Rules.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

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

~~1692~~ 1692

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name

Aaron DiPietro

Phone

904-608-4471

Address

P.O. Box 530103

Email

aaron.d@flfamily.org

Street

Orlando

City

FL

State

32853

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)



The Florida Senate  
**APPEARANCE RECORD**

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

3/31/25  
Meeting Date

SB 1692  
Bill Number or Topic

Ed Prek  
Committee

Amendment Barcode (if applicable)

Name Cindy L. Skarda Phone 262-949-1868

Address 29157 Cochiti Lake Dr. Email k-9coach@yahoo.com  
Street

San Antonio TX 33576  
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:

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)



The Florida Senate

# APPEARANCE RECORD

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

3/30/25

Meeting Date

Ed Prek

Committee

SB1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name Karen Jaroch

Phone 8202-716-8087

Address 16501 E. Course D

Email

Street

Tampa FL

33624

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:

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3/31/2025  
Meeting Date

Ed-Prok-12  
Committee

1692  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Christopher Irizarry Phone 703-939-1817

Address 6035 Sea Ranch Drive #801 Email chris.irizarry2021@outlook.com  
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:

*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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

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S-001 (08/10/2021)

The Florida Senate

# APPEARANCE RECORD

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

3/31/2025

Meeting Date

Ed-Pre-K-12

Committee

1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Raquel Rivera

Phone

813-598-6644

Address

4103 Winding River Way

Street

Email

raquel.rivera54@gmail.com

Land O'Lakes

City

FL

State

34639

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3/31/2025  
Meeting Date

Ed-PreK-12  
Committee

1692  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Beverly Ledbetter Phone 813 294 9863

Address 12233 Victor Ln Email msled25@hotmail.com  
Street

Dade City FL 33525  
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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

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S-001 (08/10/2021)

The Florida Senate  
**APPEARANCE RECORD**

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

3-31-25  
Meeting Date

ED Pre-K 12  
Committee

SB 1692  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Rebekah Ricks Phone 863-206-7862

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:

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3/31/25

Meeting Date

Pick-12 Ed

Committee

SB 1296

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Shan Goff

Phone

850-544-6131

Address

215 S Monroe St

Street

Email

Tall

City

FL

State

32301

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)



The Florida Senate

**APPEARANCE RECORD**

SB 1692

Meeting Date

Bill Number or Topic

3/31/25  
Education Prek-12

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

Committee

Amendment Barcode (if applicable)

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:

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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

SB 1692

Bill Number or Topic

3.31.25

Meeting Date

Education pre K-12

Committee

Amendment Barcode (if applicable)

Name Sharlyn Kerwin

Phone

Address Street

Email Sharlyn24@comcast.net

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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

S-001 (08/10/2021)



## The Florida Senate

**APPEARANCE RECORD**

SB 1692

March 31, 2025

Meeting Date

PreK-12 Education

Committee

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

Bill Number or Topic

Amendment Barcode (if applicable)

Name Raegan Miller

Phone \_\_\_\_\_

Address \_\_\_\_\_

Email raegan@fftrp.org

Street

St. PetersburgFL33703

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

03/31/2025

**APPEARANCE RECORD**

CS/SB 1692

Meeting Date

Education Pre-K-12

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

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Lisette Fernandez, Moms For Libros

Phone 305-898-9118

Address 10350 SW 52nd Street

Email lisette@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:

*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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)*

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S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

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

3.31.25

Meeting Date

Education Pre-K-12

Committee

1692

Bill Number or Topic

Amendment Barcode (if applicable)

Name

Muak Dahn

Phone

Address

3751 Iceni Court

Street

Middleburg

City

FL

State

32068

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:

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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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.)

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

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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.	Sabitsch	Bouck	ED	<b>Fav/CS</b>
2.			AED	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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 charters 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.<sup>1</sup> Additionally, any person who enter 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.<sup>2</sup>

Florida law provides instances when an officer may make a lawful arrest without a warrant.<sup>3</sup> 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.<sup>4</sup>

### 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.<sup>5</sup>

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.<sup>6</sup>

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.<sup>7</sup>

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<sup>1</sup> Section 810.097, F.S.

<sup>2</sup> Section 810.097(2), F.S.

<sup>3</sup> Section 901.15, F.S.

<sup>4</sup> *Id.*

<sup>5</sup> Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida's Charter Schools* (October 2023), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

<sup>6</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (last visited Mar. 3, 2025). See also s. 1002.33(10), F.S.

<sup>7</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (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.<sup>8</sup>

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

- 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.<sup>10</sup>

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.<sup>11</sup> The sponsor is required to submit to the DOE via a web-based format an annual report that includes the following:<sup>12</sup>

- 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.

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<sup>8</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (last visited Mar. 3, 2025). *See also* s. 1002.33(6), F.S.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Section 1002.33(5), F.S.

<sup>12</sup> *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:<sup>13</sup>

- 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.<sup>14</sup>

### **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.<sup>15</sup>

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:<sup>16</sup>

- 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

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<sup>13</sup> Section 1002.33(5)(c), F.S.

<sup>14</sup> *Id.*

<sup>15</sup> Section 1002.01(3), F.S.

<sup>16</sup> 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.<sup>17</sup> 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.<sup>18</sup>

### **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.<sup>19</sup>

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.<sup>20</sup>

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.<sup>21</sup>

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.<sup>22</sup> 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.

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<sup>17</sup> Section 1002.42(19), F.S.

<sup>18</sup> *Id.*

<sup>19</sup> Florida Department of Education, *Division of Early Learning 2023-2024 Annual Report (2024)*, available at <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf>.

<sup>20</sup> Florida Department of Education, *Division of Early Learning 2023-2024 Annual Report (2024)*, available at <https://www.fldoe.org/file/20628/2324-DEL-AnnualReport.pdf>.

<sup>21</sup> *Id.*

<sup>22</sup> 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.<sup>23</sup>

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 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.<sup>24</sup>

### 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.<sup>25</sup> At least 34 states and the District of Columbia require students to complete specific assessments to meet a graduation requirement.<sup>26</sup>

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.<sup>27</sup>

The 24-credit option for a standard diploma includes:<sup>28</sup>

- 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.

<sup>23</sup> Section 1002.84, F.S.

<sup>24</sup> 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](https://flauditor.gov/pages/nonprofit_forprofit%20rpts/2023%20redlands%20christian%20migrant%20association.pdf), at 10.

<sup>25</sup> 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).

<sup>26</sup> *Id.*

<sup>27</sup> Section 1003.4282(1)(a), F.S.

<sup>28</sup> 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.<sup>29</sup>

### **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:<sup>30</sup>

- 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:<sup>31</sup>

- 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.

<sup>29</sup> Section 1003.4282(3)(f), F.S.

<sup>30</sup> Section 1011.71(2), F.S.

<sup>31</sup> 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.<sup>32</sup>

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.

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<sup>32</sup> 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.



313094

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2025	.	
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The Committee on Education Pre-K - 12 (Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (c) is added to subsection (19) of  
section 1002.42, Florida Statutes, to read:

1002.42 Private schools.—

(19) FACILITIES.—

(c) A private school located in a county with four  
incorporated municipalities may construct new facilities, which



313094

may be temporary or permanent, on property purchased from or owned or leased by a library, community service organization, museum, performing arts venue, theater, cinema, or church under s. 170.201, which is or was actively used as such within 5 years of any executed agreement with a private school; any land owned by a Florida College System institution or university; and any land recently used to house a school or child care facility licensed under s. 402.305, under its preexisting zoning and land use designations without rezoning or obtaining a special exception or a land use change, and without complying with any mitigation requirements or conditions. Any new facility must be located on property used solely for purposes described in this paragraph, and must meet applicable state and local health, safety, and welfare laws, codes, and rules, including firesafety and building safety.

Section 2. Paragraph (b) of subsection (5) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) *Sponsor duties.*—

1.a. The sponsor shall monitor and review the charter school, using the standard monitoring tool, in its progress toward the goals established in the charter.

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

c. The sponsor may approve a charter for a charter school before the applicant has identified space, equipment, or personnel, if the applicant indicates approval is necessary for



313094

it to raise working funds.

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

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

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

g. The sponsor 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.

h. The sponsor 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.

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

j. The sponsor may not impose additional reporting requirements on a charter school as long as the charter school





313094

has not been identified as having a deteriorating financial condition or financial emergency pursuant to s. 1002.345.

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

(I) The report shall include the following information:

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

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

(C) The date each final contract was executed.

(II) Annually, by November 1, the sponsor shall submit to the department the information for the applications submitted the previous year.

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

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

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

4. A Florida College System institution may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. If a



313094

Florida College System institution operates an approved teacher preparation program under s. 1004.04 or s. 1004.85, the institution may operate charter schools that serve students in kindergarten through grade 12 in any school district within the service area of the institution. District school boards shall cooperate with and assist the Florida College System institution on the charter application. Florida College System institution applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Florida College System institutions may not report FTE for any students participating under this subparagraph who receive FTE funding through the Florida Education Finance Program.

5. For purposes of assisting the development of a charter school, a school district may enter into nonexclusive interlocal agreements with federal and state agencies, counties, municipalities, and other governmental entities that operate within the geographical borders of the school district to act on behalf of such governmental entities in the inspection, issuance, and other necessary activities for all necessary permits, licenses, and other permissions that a charter school needs in order for development, construction, or operation. A charter school may use, but may not be required to use, a school district for these services. The interlocal agreement must include, but need not be limited to, the identification of fees that charter schools will be charged for such services. The fees must consist of the governmental entity's fees plus a fee for the school district to recover no more than actual costs for providing such services. These services and fees are not



313094

included within the services to be provided pursuant to subsection (20). Notwithstanding any other provision of law, an interlocal agreement or ordinance that imposes a greater regulatory burden on charter schools than school districts or that prohibits or limits the creation of a charter school is void and unenforceable. An interlocal agreement entered into by a school district for the development of only its own schools, including provisions relating to the extension of infrastructure, may be used by charter schools.

6. The board of trustees of a sponsoring state university or Florida College System institution under paragraph (a) is the local educational agency for all charter schools it sponsors for purposes of receiving federal funds and accepts full responsibility for all local educational agency requirements and the schools for which it will perform local educational agency responsibilities. A student enrolled in a charter school that is sponsored by a state university or Florida College System institution may not be included in the calculation of the school district's grade under s. 1008.34(5) for the school district in which he or she resides.

Section 3. Subsection (17) of section 1002.84, Florida Statutes, is amended to read:

1002.84 Early learning coalitions; school readiness powers and duties.—Each early learning coalition shall:

(17) (a) Distribute the school readiness program funds as allocated in the General Appropriations Act to each eligible provider based upon the reimbursement rate by county, by provider type, and by care level. All instructions to early learning coalitions for distributing the school readiness



313094

program funds to eligible providers shall emanate from the department in accordance with the policies of the Legislature.

(b) All provider reimbursement rates shall be charged as direct services pursuant to s. 1002.89.

Each early learning coalition and the Redlands Christian Migrant Association 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 this subsection may continue to implement their ~~its~~ approved prior year provider reimbursement rates until the rates established in this subsection exceed its prior year rates.

Section 4. Paragraph (f) of subsection (3) of section 1003.4282, Florida Statutes, is amended to read:

1003.4282 Requirements for a standard high school diploma.—

(3) STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.—

(f) *One credit in physical education.*—Physical education must include the integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of 2 years of marching band shall satisfy the one-credit requirement in physical education or the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of one semester



313094

with a grade of "C" or better 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 shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP ~~individual education plan (IEP)~~ or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an IEP or 504 plan.

Section 5. Paragraph (b) of subsection (5) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(5) A school district may expend, subject to s. 200.065, up to \$200 per unweighted full-time equivalent student from the revenue generated by the millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), expenses for the following:

(b) Payment of the cost of premiums, as defined in s. 627.403, for property and casualty insurance necessary to insure school district educational and ancillary plants. As used in this paragraph, casualty insurance has the same meaning as in s. 624.605(1) (b), (d), (f), (g), (h), and (m). Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this



313094

subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 6. This act shall take effect July 1, 2025.

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to education; amending s. 1002.42, F.S.; authorizing a private school in a county that meets certain criteria to construct new facilities on certain property; specifying that such construction is not subject to certain zoning or land use conditions; requiring such construction to meet certain health and safety requirements; amending s. 1002.33, F.S.; requiring a charter school sponsor to use a standard monitoring tool to monitor and review a charter school; amending s. 1002.84, F.S.; authorizing the Redlands Christian Migrant Association to use certain school readiness reimbursement rates; amending s. 1003.4282, F.S.; specifying that certain participation in marching band satisfies the physical education or performing arts credit requirement for a standard high school diploma; amending s. 1011.71, F.S.; authorizing the use of certain school district tax revenue for liability insurance; providing an effective date.



400824

LEGISLATIVE ACTION

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

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

**Senate Amendment to Amendment (313094) (with title amendment)**

Between lines 4 and 5  
insert:

Section 1. Subsection (5) of section 810.097, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

810.097 Trespass upon grounds or facilities of a school; penalties; arrest.-



400824

(5) As used in this section, the term:

(a) "School" means the grounds or any facility, including school buses, of any kindergarten, elementary school, middle school, junior high school, or secondary school, whether public or nonpublic.

(b) "School bus" means any vehicle operated, owned, or contracted by a school district for student transportation.

(6) For purposes of this section, a clearly posted sign or a verbal warning provided by the school bus operator, the principal, a school district employee, or law enforcement personnel, indicating that unauthorized boarding or remaining on a school bus is prohibited and violators will be prosecuted, constitutes sufficient notice and satisfies the prior warning requirement necessary for immediate arrest and prosecution of any person who boards, enters, or remains upon a school bus without authorization.

Section 2. Paragraph (g) is added to subsection (9) of section 901.15, Florida Statutes, to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(9) There is probable cause to believe that the person has committed:

(g) Trespass upon school grounds or facilities, including school buses as defined in s. 810.097(5)(b), in violation of that section.

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

And the title is amended as follows:





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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

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A bill to be entitled

An act relating to education; amending s. 1002.33, F.S.; requiring a charter school sponsor to use a standard monitoring tool to monitor and review a charter school; amending s. 1002.333, F.S.; defining the term "sponsoring entity"; 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; requiring a school of hope to provide the sponsoring entity, rather than the school district, with a financial statement summary sheet; providing an effective date.

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

Section 1. Paragraph (b) of subsection (5) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) *Sponsor duties.*—

1.a. The sponsor shall monitor and review the charter school, using the standard monitoring tool, in its progress toward the goals established in the charter.

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

Page 1 of 8

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

23-01071C-25

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

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

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

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

g. The sponsor 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.

h. The sponsor 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.

i. The sponsor's duties to monitor the charter school do

Page 2 of 8

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23-01071C-25

20251702

not constitute the basis for a private cause of action.

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

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

(I) The report shall include the following information:

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

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

(C) The date each final contract was executed.

(II) Annually, by November 1, the sponsor shall submit to the department the information for the applications submitted the previous year.

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

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

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

4. A Florida College System institution may work with the school district or school districts in its designated service

23-01071C-25

20251702

area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. If a Florida College System institution operates an approved teacher preparation program under s. 1004.04 or s. 1004.85, the institution may operate charter schools that serve students in kindergarten through grade 12 in any school district within the service area of the institution. District school boards shall cooperate with and assist the Florida College System institution on the charter application. Florida College System institution applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Florida College System institutions may not report FTE for any students participating under this subparagraph who receive FTE funding through the Florida Education Finance Program.

5. For purposes of assisting the development of a charter school, a school district may enter into nonexclusive interlocal agreements with federal and state agencies, counties, municipalities, and other governmental entities that operate within the geographical borders of the school district to act on behalf of such governmental entities in the inspection, issuance, and other necessary activities for all necessary permits, licenses, and other permissions that a charter school needs in order for development, construction, or operation. A charter school may use, but may not be required to use, a school district for these services. The interlocal agreement must include, but need not be limited to, the identification of fees that charter schools will be charged for such services. The fees

23-01071C-25

20251702

must consist of the governmental entity's fees plus a fee for the school district to recover no more than actual costs for providing such services. These services and fees are not included within the services to be provided pursuant to subsection (20). Notwithstanding any other provision of law, an interlocal agreement or ordinance that imposes a greater regulatory burden on charter schools than school districts or that prohibits or limits the creation of a charter school is void and unenforceable. An interlocal agreement entered into by a school district for the development of only its own schools, including provisions relating to the extension of infrastructure, may be used by charter schools.

6. The board of trustees of a sponsoring state university or Florida College System institution under paragraph (a) is the local educational agency for all charter schools it sponsors for purposes of receiving federal funds and accepts full responsibility for all local educational agency requirements and the schools for which it will perform local educational agency responsibilities. A student enrolled in a charter school that is sponsored by a state university or Florida College System institution may not be included in the calculation of the school district's grade under s. 1008.34(5) for the school district in which he or she resides.

Section 2. Subsection (4) and paragraphs (a) and (h) of subsection (6) of section 1002.333, Florida Statutes, are amended, and paragraph (e) is added to subsection (1) of that section, to read:

1002.333 Persistently low-performing schools.—

(1) DEFINITIONS.—As used in this section, the term:

23-01071C-25

20251702

(e) "Sponsoring entity" has the same meaning as in s. 1002.33(5).

(4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator seeking to open a school of hope must submit a notice of intent to the sponsoring entity to operate a school of hope in a ~~the school~~ district in which a persistently low-performing school has been identified by the State Board of Education pursuant to subsection (10) or in which a Florida Opportunity Zone is located.

(a) The notice of intent must include:

1. An academic focus and plan.

2. A financial plan.

3. Goals and objectives for increasing student achievement for the students from low-income families.

4. A completed or planned community outreach plan.

5. The organizational history of success in working with students with similar demographics.

6. The grade levels to be served and enrollment projections.

7. The proposed location or geographic area proposed for the school consistent with the requirements of sub-subparagraphs (1)(d)1.a. and b.

8. A staffing plan.

(b) Notwithstanding the requirements of s. 1002.33, a sponsoring entity ~~school district~~ shall enter into a performance-based agreement with a hope operator to open schools to serve students from persistently low-performing schools and students residing in a Florida Opportunity Zone.

(6) STATUTORY AUTHORITY.—

23-01071C-25

20251702\_\_

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:

Page 7 of 8

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23-01071C-25

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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.

Page 8 of 8

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The Florida Senate  
**APPEARANCE RECORD**

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

3/31/25  
Meeting Date

Pick-12 Ed  
Committee

SB 1702  
Bill Number or Topic

Amendment Barcode (if applicable)

Name Shan Goff Phone 850-544-6138

Address 215 S Monroe St Email shan@excelined.org  
Street

Tall 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:

☐ 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. [2020-2022 Joint Rules.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.)

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

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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.	Sabitsch	Bouck	ED	<b>Fav/CS</b>
2.			AED	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**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.<sup>1</sup> Based on 2023-2024 data, there are 51 Florida public schools identified as persistently low-performing schools.<sup>2</sup> 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.<sup>3</sup>

### 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.<sup>4</sup>

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.<sup>5</sup>

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.<sup>6</sup>

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.<sup>7</sup>

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<sup>1</sup> Section 1002.333(1), F.S.

<sup>2</sup> Florida Department of Education, *2023-2024 Persistently Low-Performing Schools*, <https://www.fldoe.org/core/fileparse.php/18534/urlt/PLP24.xlsx> (last visited Mar. 27, 2025)..

<sup>3</sup> *Id.*

<sup>4</sup> Florida Department of Education, Office of Independent Education & Parental Choice, *Fact Sheet Florida’s Charter Schools* (October 2023), available at <https://www.fldoe.org/core/fileparse.php/7696/urlt/Charter-Sept-2022.pdf>.

<sup>5</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (last visited Mar. 3, 2025). See also s. 1002.33(10), F.S.

<sup>6</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml> (last visited Mar. 26, 2025). See also s. 1002.33(6), F.S.

<sup>7</sup> *Id.*



All charter applicants must prepare and submit an application on a model application form prepared by the Department of Education (DOE), which:<sup>8</sup>

- 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.<sup>9</sup> 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.<sup>10</sup> The sponsor is required to submit to the DOE via a web-based format an annual report that includes the following:<sup>11</sup>

- 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:<sup>12</sup>

- 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.

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<sup>8</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 26, 2025). See also s. 1002.33(6), F.S.

<sup>9</sup> Florida Department of Education, *Frequently Asked Questions (Charter Schools)*, <https://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.shtml> (last visited Mar. 26, 2025). See also s. 1002.33(6), F.S.

<sup>10</sup> Section 1002.33(5), F.S.

<sup>11</sup> *Id.*

<sup>12</sup> 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.<sup>13</sup>

### *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.<sup>14</sup> There are currently 12 schools of hope operating in Florida.<sup>15</sup>

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:<sup>16</sup>

- 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.<sup>17</sup>

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.<sup>18</sup>

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<sup>13</sup> Section 1002.33(5)(c), F.S.

<sup>14</sup> Florida Department of Education, *Schools of Hope*, <https://www.fldoe.org/schools/school-choice/other-school-choice-options/schools-of-hope/> (last visited Mar. 26, 2025).

<sup>15</sup> Email, Florida Department of Education, Legislative Affairs (Mar. 6, 2025).

<sup>16</sup> *Id.*

<sup>17</sup> Section 1002.333, F.S.

<sup>18</sup> Florida Department of Education, *Schools of Hope*, <https://www.fldoe.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.<sup>19</sup> 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.<sup>20</sup>

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.<sup>21</sup>

### 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.<sup>22</sup> 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.<sup>23</sup> 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.<sup>24</sup>

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<sup>19</sup> 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.

<sup>20</sup> Section 1002.33(5), F.S.

<sup>21</sup> Section 1002.33(6)(h), F.S.

<sup>22</sup> Section 1013.31(1)(d), F.S.

<sup>23</sup> Section 1002.333(7)(d), F.S.

<sup>24</sup> *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.<sup>25</sup>

### **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.

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<sup>25</sup> 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.



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LEGISLATIVE ACTION

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

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

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (c) of subsection (1), paragraph (a) of subsection (6), paragraphs (a) and (d) of subsection (7), and paragraph (c) of subsection (11) of section 1002.333, Florida Statutes, are amended to read:

1002.333 Persistently low-performing schools.—

(1) DEFINITIONS.—As used in this section, the term:



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(c) "Persistently low-performing school" means a school that falls into any of the following categories:

1. ~~A school that~~ Has earned three grades lower than a "C," pursuant to s. 1008.34, in at least 3 of the previous 5 years that the school received a grade and has not earned a grade of "B" or higher in the most recent 2 school years; ~~and~~

2. ~~A school that~~ Was closed pursuant to s. 1008.33(4) within 2 years after the submission of a notice of intent; or

3. Was in the bottom 10 percent of schools statewide for student 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.

(6) STATUTORY AUTHORITY.—

(a) A school of hope or a nonprofit entity that operates more than one school of hope through a performance-based agreement with a school district may be designated as a local education agency by the department, if requested, for the purposes of receiving federal funds and, in doing so, accepts the full responsibility for all local education agency requirements and the schools for which it will perform local education agency responsibilities.

1. A nonprofit entity designated as a local education agency may directly report its students to the department in accordance with the definitions in s. 1011.61 and pursuant to the department's procedures and timelines.

2. Students enrolled in a school established by a hope operator designated as a local educational agency are not eligible students for purposes of calculating the district grade





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pursuant to s. 1008.34(5).

(7) FACILITIES.—

(a) A school of hope shall use facilities that comply with the Florida Building Code, except for the State Requirements for Educational Facilities. A school of hope that uses school district facilities must comply with the State Requirements for Educational Facilities only if the school district and the hope operator have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain the school facilities in the same manner as its other public schools within the district. The local governing authority may ~~shall~~ not adopt or impose any local building requirements or site-development restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney



113444

fees and court costs.

(d)1. No later than January 1, the department shall annually provide to school districts a list of all underused, vacant, or surplus facilities owned or operated by the school district as reported in the Florida Inventory of School Houses. A school district may provide evidence to the department that the list contains errors or omissions within 30 days after receipt of the list. By each April 1, the department shall update and publish a final list of all underused, vacant, or surplus facilities owned or operated by each school district, based upon updated information provided by each school district. A hope operator establishing a school of hope may submit to a school district a notice of intent to use, and the school district must negotiate an agreement authorizing the use of, an educational facility identified in this paragraph at no cost or at a mutually agreeable cost not to exceed \$600 per student. A hope operator using a facility pursuant to this paragraph may not sell or dispose of such facility without the written permission of the school district. For purposes of this subparagraph ~~paragraph~~, the term "underused, vacant, or surplus facility" means an entire facility or portion thereof which is not fully used or is used irregularly or intermittently by the school district for instructional or program use.

2. A school of hope located in a county as defined in s. 125.011(1) may colocate with another public school in any facility that has a utilization rate of less than 50 percent or a surplus of at least 500 student stations if the combined total enrollment of the school does not exceed the capacity of the facility. Students enrolled in the school of hope must be



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included in the school district's total capital outlay full-time equivalent membership for purposes of s. 1013.62 and for calculating the Public Education Capital Outlay maintenance funds or any other maintenance funds for the facility. A rental or leasing fee may not be charged, but the use, operation, and maintenance of such facility must be provided to the school of hope at a mutually agreeable cost, not to exceed \$600 per student, pursuant to a mutual management agreement negotiated with the district school board. The agreement must include provisions related to student ages and grade levels, student and school safety requirements, supervision authority, applicable school board rules, and emergency shelter protocols. To avoid unnecessary duplication, the school of hope shall receive noninstructional services from the school district on a pro rata basis based on the number of students enrolled.

(11) STATE BOARD OF EDUCATION AUTHORITY AND OBLIGATIONS.— Pursuant to Art. IX of the State Constitution, which prescribes the duty of the State Board of Education to supervise the public school system, the State Board of Education shall:

(c) Resolve disputes between a hope operator and a school district arising from a performance-based agreement, a mutual management agreement, or a contract between a charter operator and a school district under the requirements of s. 1008.33. The Commissioner of Education shall appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years' experience in administrative law. The special magistrate shall hold hearings to determine facts relating to the dispute and to render a recommended decision for resolution to the State Board of Education. The recommendation may not



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alter in any way the provisions of the performance-based agreement under subsection (5). The special magistrate may administer oaths and issue subpoenas on behalf of the parties to the dispute or on his or her own behalf. Within 15 calendar days after the close of the final hearing, the special magistrate shall transmit a recommended decision to the State Board of Education and to the representatives of both parties by registered mail, return receipt requested. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted. The decision by the State Board of Education is a final agency action that may be appealed to the District Court of Appeal, First District in accordance with s. 120.68. A charter school may recover attorney fees and costs if the State Board of Education determines that the school district unlawfully implemented or otherwise impeded implementation of the performance-based agreement pursuant to this paragraph.

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

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled  
An act relating to education; amending s. 1002.333,  
F.S.; revising the definition of the term  
"persistently low-performing school"; authorizing  
certain entities to report their students directly to



113444

the Department of Education; making a technical change; revising the procedure followed by schools of hope in seeking to use certain school district educational facilities; authorizing schools of hope in certain counties to colocate with other public schools in certain facilities; requiring that students enrolled in schools of hope be included in specified school district calculations; prohibiting a rental or leasing fee from being charged to a school of hope; requiring maintenance of a facility to be provided to a school of hope at a mutually agreeable cost not to exceed a specified amount; providing requirements for a mutual management agreement; requiring a school of hope to receive noninstructional services from a school district on a pro rata basis; providing an effective date.

By Senator Calatayud

38-01139A-25

20251708\_\_

A bill to be entitled

An act relating to education; amending s. 1002.33, F.S.; providing that specified provisions relating to facilities apply to schools of hope of distinction; amending s. 1002.333, F.S.; 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 specified services to be provided to schools of hope of distinction at no cost; providing school district requirements; deleting specified requirements for schools of hope; amending s. 1013.31, F.S.; requiring the Department of Education to selectively audit specified surveys from school districts and Florida College System institutions; requiring the State Board of Education to adopt specified rules relating to such audits; providing an effective date.

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

Section 1. Paragraph (e) of subsection (18) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

(e) If a district school board facility or property is available because it is surplus, marked for disposal, or otherwise unused, it must ~~shall~~ be provided for a charter 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\_\_

public schools in the district. A charter school receiving property from the sponsor may not sell or dispose of such property without written permission of the sponsor. Similarly, for an existing public school converting to charter status or a school of hope of distinction, no rental or leasing fee for the existing facility or for the property normally inventoried to the ~~conversion~~ school may be charged by the district school board to those ~~the parents and teachers~~ organizing the ~~charter~~ school. The ~~charter~~ school shall agree to a reasonable maintenance schedule ~~provisions~~ in order to maintain the facility in a manner similar to district school board standards. The Public Education Capital Outlay maintenance funds or any other maintenance funds generated by the facility operated as a charter conversion school or a school of hope of distinction shall remain with the ~~conversion~~ school.

Section 2. Paragraph (c) of subsection (1), paragraph (a) of subsection (6), and subsection (7) of section 1002.333, Florida Statutes, are amended, and paragraph (e) is added to subsection (1) of that section, to read:

1002.333 Persistently low-performing schools.—

(1) DEFINITIONS.—As used in this section, the term:

(c) "Persistently low-performing school" means a school that falls into one of the following categories:

1. A school that Has earned three grades lower than a "C," pursuant to s. 1008.34, in at least 3 of the previous 5 years that the school received a grade and has not earned a grade of "B" or higher in the most recent 2 school years; ~~and~~

2. A school that Was closed pursuant to s. 1008.33(4) 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

3. Is in the bottom 10 percent of schools statewide for student 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.

(e) "School of hope of distinction" means a school of hope that has not received a grade lower than a "B," pursuant to s. 1008.34, in at least 2 consecutive school years of published test scores.

(6) STATUTORY AUTHORITY.—

(a) A school of hope or a nonprofit entity that operates more than one school of hope through a performance-based agreement with a school district may be designated as a local education agency by the department, if requested, for the purposes of receiving federal funds and, in doing so, accepts the full responsibility for all local education agency requirements and the schools for which it will perform local education agency responsibilities.

1. A nonprofit entity designated as a local education agency may directly report its students to the department in accordance with the definitions in s. 1011.61 and pursuant to the department's procedures and timelines.

2. Students enrolled in a school established by a hope operator designated as a local educational agency are not eligible students for purposes of calculating the district grade pursuant to s. 1008.34(5).

(7) FACILITIES.—

(a) For purposes of this subsection, the term:

1. "Underused facility" means a facility with surplus

38-01139A-25

20251708

capacity on the department's current annual Vacant and Underused Facilities Report.

2. "Unused, vacant, or surplus facility" means an entire facility that is not used or is used irregularly or intermittently by the school district for instructional or program use.

~~(b)(a)~~ A school of hope shall use facilities that comply with the Florida Building Code, except for the State Requirements for Educational Facilities. Beginning June 1, 2027, a school of hope of distinction has the right to locate in any unused, vacant, or surplus facility or one marked for disposal pursuant to s. 1002.33(18) or to co-locate with another public school in any underused facility and use all or part of such facility if the combined total enrollment of the schools does not exceed such facility's capacity. The use, operation, and maintenance of such facility, including all facility-related noninstructional services such as school lunch services, must be provided at no cost to the school of hope of distinction. The school district shall share such facilities equitably based on the relative enrollment of the schools. ~~A school of hope that uses school district facilities must comply with the State Requirements for Educational Facilities only if the school district and the hope operator have entered into a mutual management plan for the reasonable maintenance of such facilities. The mutual management plan shall contain a provision by which the district school board agrees to maintain the school facilities in the same manner as its other public schools within the district.~~ The local governing authority may ~~shall~~ not adopt or impose any local building requirements or site-development

38-01139A-25

20251708

restrictions, such as parking and site-size criteria, student enrollment, and occupant load, that are addressed by and more stringent than those found in the State Requirements for Educational Facilities of the Florida Building Code. A local governing authority must treat schools of hope equitably in comparison to similar requirements, restrictions, and site planning processes imposed upon public schools. The agency having jurisdiction for inspection of a facility and issuance of a certificate of occupancy or use shall be the local municipality or, if in an unincorporated area, the county governing authority. If an official or employee of the local governing authority refuses to comply with this paragraph, the aggrieved school or entity has an immediate right to bring an action in circuit court to enforce its rights by injunction. An aggrieved party that receives injunctive relief may be awarded reasonable attorney fees and court costs.

(c)(b) Any facility, or portion thereof, used to house a school of hope shall be exempt from ad valorem taxes pursuant to s. 196.1983. Library, community service, museum, performing arts, theater, cinema, church, Florida College System institution, college, and university facilities may provide space to schools of hope within their facilities under their preexisting zoning and land use designations without obtaining a special exception, rezoning, or a land use change.

(d)(e) School of hope facilities are exempt from assessments of fees for building permits, except as provided in s. 553.80; fees for building and occupational licenses; impact fees or exactions; service availability fees; and assessments for special benefits.

38-01139A-25

20251708

(e)(d) No later than January 1, the department shall annually provide to school districts a list of all underused facilities and unused, vacant, or surplus facilities owned or operated by the school district as reported in the Florida Inventory of School Houses. A school district may provide evidence to the department that the list contains errors or omissions within 30 days after receipt of the list. By each April 1, the department shall update and publish a final list of all underused facilities and unused, vacant, or surplus facilities owned or operated by each school district, based upon updated information provided by each school district. Beginning August 1, 2026, a hope operator opening ~~establishing~~ a school of hope of distinction on or after June 1, 2027, or operating a school of hope of distinction after June 1, 2027, may submit to a school district a notice of intent to use, and the school district must execute an agreement authorizing the use of, an educational facility identified in this paragraph at no cost pursuant to rules of the State Board of Education ~~or at a mutually agreeable cost not to exceed \$600 per student.~~ A hope operator using a facility pursuant to this paragraph may not sell or dispose of such facility without the written permission of the school district. ~~For purposes of this paragraph, the term "underused, vacant, or surplus facility" means an entire facility or portion thereof which is not fully used or is used irregularly or intermittently by the school district for instructional or program use.~~

Section 3. Paragraph (c) of subsection (1) of section 1013.31, Florida Statutes, is amended to read:

1013.31 Educational plant survey; need assessment criteria;



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

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.

The Florida Senate

# APPEARANCE RECORD

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

03/31/2025

Meeting Date

Education preK-12

Committee

1708

Bill Number or Topic

Amendment Barcode (if applicable)

Name Jileah Wilder

Phone 850-412-1115

Address 215 South Monroe Street

Email jwilder@beckerlawyers.com

Tallahassee

City

FL

State

32301

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. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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.



Secretary of State



**RON DESANTIS**  
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 in black ink, appearing to read "Ron DeSantis".

Ron DeSantis  
Governor

RD/ah

(Art. II, § 5(b), Fla. Const.)

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

County of Okaloosa

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.*



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.





**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 94<sup>th</sup> 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,

Ron DeSantis  
Governor

RD/es

**OATH OF OFFICE** RECEIVED  
DEPARTMENT OF STATE  
(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of BROWARD

2025 MAR -4 AM 10:34

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]  
Signature

(Affix Seal Below)



ASHLEY BLUM  
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

Ashley Blum  
Signature of Officer Administering Oath or of Notary Public

Ashley Blum  
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 S Powerline Rd. Suite 105 DANIEL PENHA FOGANHOLI SR.

Street or Post Office Box

Print Name

Deerfield Beach FL, 33442

City, State, Zip Code

[Signature]  
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

State Board of Education

Ben Gibson, *Chair*  
Ryan Petty, *Vice Chair*  
*Members*  
Esther Byrd  
Grazie P. Christie  
Daniel P. Foganholi, Sr.  
Kelly Garcia  
MaryLynn Magar

December 10, 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 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**

Sallie Willis Murphy

**TERM BEGINS**

October 1, 2024

**TERM EXPIRES**

September 30, 2028

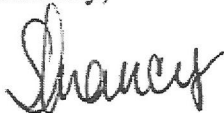
**CONTACT INFORMATION**

**Sallie Willis Murphy**  
*Educator*

**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



FLORIDA DEPARTMENT OF  
**EDUCATION**  
fldoe.org

Manny Diaz, Jr.  
Commissioner of Education

RECEIVED  
2024 DEC 13 AM 8:12  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

# OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

2025 FEB 25 AM 11:42

ALL-STATE FL

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, 2025.

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

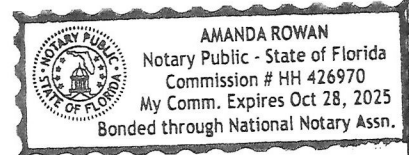
Quincy, Florida 32351

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.*

A handwritten signature in dark ink, appearing to read 'C. Byrd', is written over a horizontal line.

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 Board of Education

Ben Gibson, Chair  
Ryan Petty, Vice Chair  
Members  
Monesia Brown  
Esther Byrd  
Grazie Pozo Christie  
Kelly Garcia  
MaryLynn Magar



FLORIDA DEPARTMENT OF  
**EDUCATION**  
fldoe.org

Manny Diaz, Jr.  
Commissioner of Education  
**RECEIVED**

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
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,

Sunny Chancy, Ed.D.  
Deputy Chancellor for Educator Quality

SC/rk

Signature \_\_\_\_\_



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.*



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 Board of Education

Ben Gibson, Chair  
Ryan Petty, Vice Chair  
Members  
Monesia Brown  
Esther Byrd  
Grazie Pozo Christie  
Kelly Garcia  
MaryLynn Magar



FLORIDA DEPARTMENT OF  
EDUCATION  
fldoe.org

Manny Diaz, Jr.  
Commissioner of Education  
**RECEIVED**

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
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  
**Educator**              **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.

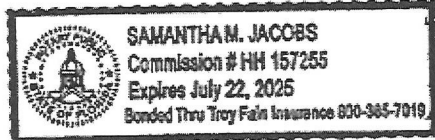
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]  
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of ☒ physical presence

Or ☐ online notarization this 7<sup>th</sup> day of May, 2024.



[Signature]  
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



AMENDED

600

**STATE OF FLORIDA  
DEPARTMENT OF STATE  
Division of Elections**

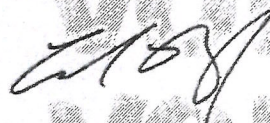
I, Cord Byrd, Secretary of State,  
do hereby certify that

*Joseph G. Stanley*

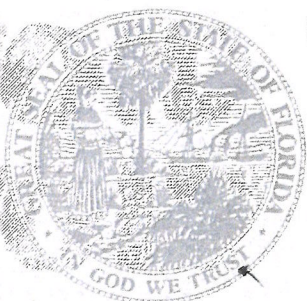
is duly appointed a member of the  
**Education Practices Commission**

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





AMENDED



## FLORIDA DEPARTMENT of STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

August 13, 2024

Dr. Joseph G. Stanley  
2279 Southwest 24<sup>th</sup> 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, appearing to read "Donna S. Brown", followed by a horizontal line.

Donna S. Brown, Chief  
Bureau of Election Records

DSB/ck

Enclosures

State Board of Education

Ben Gibson, *Chair*  
Ryan Petty, *Vice Chair*  
*Members*  
Esther Byrd  
Grazie Pozo Christie  
Kelly Garcia  
MaryLynn Magar



FLORIDA DEPARTMENT OF

EDUCATION

fldoe.org

AMENDED

RECEIVED

Manny Diaz Jr.

Commissioner of Education

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)

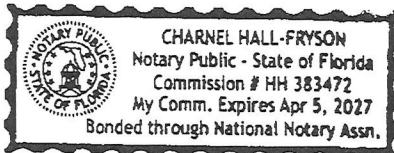
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]  
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of ☒ physical presence  
Or ☐ online notarization this 10<sup>th</sup> day of February, 2024.



[Signature]  
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]  
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.*



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 Board of Education

Ben Gibson, Chair  
Ryan Petty, Vice Chair  
Members  
Monesia Brown  
Esther Byrd  
Grazie Pozo Christie  
Kelly Garcia  
MaryLynn Magar



FLORIDA DEPARTMENT OF  
**EDUCATION**  
fldoe.org

Manny Diaz, Jr.  
Commissioner of Education

RECEIVED

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 Thompson

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(h), Fla. Const.)

RECEIVED

2025 FEB 28 PM 4:38

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

STATE OF FLORIDA

County of Leon

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.

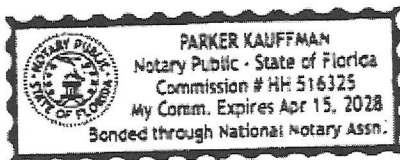
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Jamie Sheehan  
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of ☒ physical presence

Or ☐ online notarization this 29<sup>th</sup> 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

Jamie Harper Sheehan

Street or Post Office Box

Print Name

Tallahassee, FL 32312

Jamie Sheehan  
Signature

City, State, Zip Code



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.*



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.

If photocopied or chemically altered, the word "VOID" will appear.

"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 "Ron DeSantis".

Ron DeSantis  
Governor

RD/gc

# OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED  
DEPARTMENT OF STATE

2024 DEC 26 AM 9:41

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

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.

 Solange Fernández del Pino  
Notary Public  
State of Florida  
Comm# HH296019  
Expires 10/15/2026

Solange Fernández del Pino  
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



DSDE 99 (3/03)



**RON DeSANTIS**  
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 be "R. DeSantis".

Ron DeSantis  
Governor

RD/gc



# OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of

Manatee

RECEIVED  
2025 MAR -3 AM 11:07  
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

the Commission for Independent Education

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

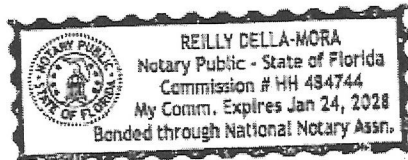
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]  
Signature

(Affix Seal Below)

Sworn to and subscribed before me by means of ☒ physical presence

Or ☐ online notarization this 28<sup>th</sup> day of February, 2025.



[Signature]

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, FL 34202

City, State, Zip Code

Bruton (Tara) Williams  
Print Name

[Signature]  
Signature

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.*



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.

If photocopied or chemically altered, the word "VOID" will appear.

"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 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 of Ron DeSantis in black ink.

Ron DeSantis  
Governor

RD/gc



# 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.

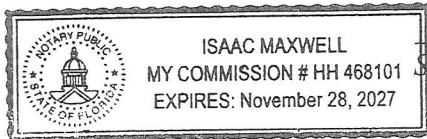
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

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

Isaac Maxwell  
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  
**Caption:** Senate Committee on Education Pre K-12

**Case No.:** -

**Type:**  
**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 Fielels  
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 Foganholi, 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